

County of San Luis Obispo

Agricultural Liaison Advisory Board

2156 Serra Way, Suite A
San Luis Obispo, CA 93401



**Agricultural Liaison
Advisory Board (ALAB)**

APPROVED MEETING MINUTES

Monday, May 3, 2010

Members and Alternates Present: Dee Lacey, Lisen Bonnier, Mark Pearce, Dick Nock, Eric Michielssen, Morgan Rafferty, R. Don Warden, Neal Roberts, Mary Bianchi, Joy Fitzhugh, Tom Ikeda

Absent Members: Bill Struble, David Pruitt, Jean-Pierre Wolff, Charles Pritchard, Noah Small, Richard Quandt

Guests Present: Robert Staller, Morro Creek Ranch; Susan McDonald, Hearst Ranch; Lisa Bodrogi, Wine Country Alliance, Kathryn Arbeit, First Solar.

Staff: Warren Hoag, Planning Department; Brenda Ouwerkerk & Lynda Auchinachie, Agriculture Department

1. Call to Order: 6:05 PM. Quorum Present.

2. Open Comment:

- Joy Fitzhugh announced Agricultural Order workshop on Wednesday May 12, 2010, at 10.30. She encouraged attendance by any and all to present the message "Don't Waive Agriculture Good-Bye."
- Eric Michielssen provided an overview of a recent food safety public meeting he attended in Seaside, California. Eric's specific concerns are attached.

3. Agency Reports & Member Announcements/Reports:

- Brenda Ouwerkerk provided handout with calendar dates and a brief update about the European Grapevine Moth detection trapping efforts.

4. Previous Minutes

MOTION: Approve minutes with correction (noted below): **Motion** – Mark Pearce. **2nd** – Neil Roberts.
Approved: Unanimous. **Abstentions:** none

5. Update on BOS action on Conservation and Open Space Element (COSE) and Grading Ordinance (Chair Lacey)

- Chair Lacey indicates that on April 27, 2010, the COSE was tentatively adopted with the exception of the ALAB soil resources chapter. Chair Lacey requests that Mary Bianchi and Lynda Auchinachie highlight the concerns so ALAB members can address.
- Mary Bianchi indicates that fundamentally there have not been any changes to the chapter as proposed by ALAB subcommittee. Mary shares that references have changed and wording added for clarity. Mary indicates that concerns continue to be raised regarding the definition of prime farmland/soils.

- Mary provided a brief summary of how the ALAB subcommittee used existing state and federal definitions to create Important Agricultural Soils definition for prime farmland, for COSE.
- Chair Lacey asked what was the specific concern regarding prime farmland definition. Lynda Auchinachie indicated that the concern was centered on the language “whether or not land is actually irrigated.” Lynda explained this language was included to reflect the California Revised Storie Index rating that is part of the state definition of prime agricultural land.
- Joy Fitzhugh indicated that the definition of “prime soil” in the Agriculture Element is different from the COSE and is concerned that the definitions do not conform and that the Agriculture Element definition may need to change.
- Lynda Auchinachie explained that the Agriculture Element has specific application different from COSE application and can’t change the state government code that defines the resource.
- Neil Roberts indicated he did not think that the state government codes should take precedence over local codes.

MOTION: To support COSE soil resources chapter as submitted by the ALAB soils sub-committee.

Motion – Dick Nock. 2nd – Lisen Bonnier. **Approved:** 7. **Opposed:** 2 Don Warden, due to Farm Bureau concerns as articulated by Joy Fitzhugh, and Neil Roberts. **Abstentions:** none.

- Joy Fitzhugh and Lisa Bodrogi discuss concerns regarding the manner in which the grading ordinance was adopted. Issues raised included if the tentative motion required a second reading and it appeared the certification program was left open to interpretation. Dee Lacey said she could clarify this issue with Board of Supervisor staff.
- Brenda Ouwerkerk suggests that a subcommittee be formed to work with Planning Department staff to iron out details of the certification program. Sub-committee members were identified as Neil Roberts, Don Warden, Joy Fitzhugh, Jean Pierre-Wolff, and Chuck Pritchard.

6. Review/Action of current local Williamson Act Program and options for the future (Warren Hoag, Planning Dept)

- Warren provided background information on the Williamson Act (WA). The Act allows counties and landowners to voluntarily enter into 10 or 20 year rolling contracts restricting land to agricultural and open space uses in return for being assessed for property tax purposes at a rate based on actual use rather than potential market value. From 1972/1973 to 2008/2009, the state paid direct subventions to counties to partially compensate for the resulting loss in property tax revenue. Historically, our county received about \$1 million in annual subventions, representing 42% of our direct property tax loss of \$2.4 million (\$10 million total loss countywide for all governmental agencies receiving property tax.) Thirty seven percent of all county land is under WA contracts (793,414 acres out of 2.126 million acres) and 57% of AG-zoned land.
- Current funding issues include: 1) Legislature reduced 2008-2009 subvention by 10% (we received \$980,088 instead of \$1,088,978), 2) Governor eliminated all but \$1,000 of +/- \$40 million statewide subventions in 2009-2010 budget, resulting in no practical subvention to our county this year, 3) The APRC sent a letter to the Board of Supervisors in August, 2009 encouraging our county’s continued participation in the WA program and urging that the state subvention be restored, 4) The governor’s proposed 2010-2011 budget contains no funding subvention funding, and 5) CSAC sponsored a WA Summit in Fresno on March 24th and the county supervisors present reached a consensus that counties should engage in a lobbying campaign urging the governor to

restore the subvention funding in the May Revision of the proposed budget.

- On April 27, 2010 the Board of Supervisors approved sending a letter to the governor urging him to restore the subvention funding in the May Revision budget. If the governor does not restore subvention funding to the May Revision, the subvention issue will most likely be addressed during the budget hearings on June 14-15, 2010. If the subvention funding is restored, subvention issues will not need to be discussed during budget hearings.
- Based on what other counties have considered or done, options for dealing with the continuing loss of subvention funding could include:
 - Do nothing, business as usual and continue to backfill the subvention loss from other funding sources such as the county General Fund.
 - Stop accepting new applications.
 - "Strategic" county-initiated notices of nonrenewal.
 - "Blanket" county-initiated nonrenewals of all contracts.
 - Other options yet to be identified.
 - No specific actions are anticipated at this time other than possible funding direction during the county budget hearings.

MOTION: Create and send a letter to the Board of Supervisors supporting the continuation of the Williamson Act Program. Create and send a letter to the governor encouraging the restoration of subvention funding. Motion – Neil Roberts. 2nd – Mark Pearce. **Approved: Unanimous. Abstentions:** none.

7. Upcoming Meeting: June 7, 2010, 6 PM. Future Agenda Items:

- Williamson Act subvention update.
- Answers to Grading Ordinance questions. Instruction to subcommittee that may be working with Planning Department establishing certification program.

Dee Lacey reminded members:

- Election season is approaching. Reminder that there is to be no political advocacy or handouts etc.
- Reminder that meetings are recorded and those recordings are available for 90 days.

Meeting adjourned: 7:50 PM.

Respectfully submitted by Lynda L. Auchinachie, County Agriculture Department

TASKS

- Letter to Board of Supervisors supporting the April 24, 2010, letter to the Governor of California seeking restoration of subvention funding and encouraging ongoing support of Williamson Act Program.

OTHER ATTACHMENTS

- Open Comment: Eric Michielssen's FDA Produce Safety Rule handout
- Item 3: ALAB Meeting Agriculture Department Announcements



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Weights and Measures

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401- 4556

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AGRICULTURAL LIAISON ADVISORY BOARD MEETING DEPARTMENTAL ANNOUNCEMENTS

May 3, 2010

CALENDAR

- | | |
|-------------------|--|
| May 5 | WRAC (County Water Resource Advisory Committee) meeting: agenda item #5: Reg. Water Quality Control Board's draft staff recommendation – Ag Order Program for Irrigated Ag: 1:30pm SLO City/County Library |
| May 11 | Board of Supervisors' Hearing: COSE Revisions: Soils Chapter, Ag Element separation finalization and adoption |
| May 11 | Board of Supervisors' Hearing: Presentation by Bob Lilley - 2009 Annual Crop Report statistics and trends |
| May 12 | Reg. Water Quality Control Board's public workshop: draft staff recommendations – Ag Order Program for Irrigated Ag: 10:30am-5:30pm Elks Lodge, 222 Elks Lane, SLO |
| June 14-15 | Board of Supervisors' Hearing: County Budget Proposal for FY 10/11 |
| June 29 | Comments due to Planning Dept on <i>Draft</i> EIR – Shandon Community Plan Update |

1. European Grapevine Moth (EGVM): detection trapping efforts continue, over 1000 traps have been deployed in vineyards throughout SLO County. No sign of presence of this pest to date. Wineries that intend to import grapes **from outside SLO County** need to contact our office ASAP to initiate the process to meet all quarantine regulations and sign a compliance agreement if the origin county is infested with EGVM. This will help insure this detrimental pest does not enter SLO County. Attention to this matter well in advance of the shipping season will greatly enhance wine makers' ability to receive grapes from EGVM infested counties.
Contact: Jennifer Welch: 805.434.4891.
2. Ag Commissioner's follow up to ALAB's April 12, 2010 letter to the BOS requesting support for the agricultural community's Preliminary Alternative Agricultural Proposal as presented in the Calif. Farm Bureau Federation's April 1, 2010 letter in response to the Reg. Water Quality Control Board's draft staff recommendation – Ag Order Program for Irrigated Ag: Bob Lilley has made appointments with each BOS member to inform them more specifically about this issue and to recommend drafting a letter for the BOS chairman's signature requesting the Regional Board reconsider the process they used to create the Order and work with local agriculturalists to develop proper protections for discharged water. If the BOS agrees with this approach, the letter will be placed on the BOS's consent agenda (date yet to be determined). Bob is also continuing discussions with Ag Commissioners from throughout the state and the State Dept. of Pesticide Regulation on this issue.



California Regional Water Quality Control Board Central Coast Region



Linda S. Adams.
Secretary for
Environmental Protection

895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906
(805) 549-3147 • Fax (805) 543-0397
<http://www.waterboards.ca.gov/centralcoast>

Arnold Schwarzenegger
Governor

April 21, 2010

Si necesita ayuda en español llame al (805) 549-3881.

如果協助必要用中文，請叫 (805) 542-4648.

Notice of Public Workshop Discussion of the Preliminary Draft Staff Recommendations for an Updated Agricultural Order, Public Comments, and Alternatives

On Wednesday, **May 12, 2010** The Water Board will hold a public workshop at the San Luis Obispo Elks Lodge. The purpose of the workshop is to have staff summarize its preliminary draft staff recommendations, provide an opportunity for public comments on the recommendations, and to provide an opportunity for the public to present proposed alternatives for regulating agricultural discharges.

Public Workshop Information:

Meeting Date: **May 12, 2010**
Meeting Time: **10:30 AM to 5:30 PM**
Meeting Location: Elks Lodge
222 Elks Lane, San Luis Obispo CA 93401-5434
(see map attached)

On February 1, 2010, Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff released preliminary draft staff recommendations for an order conditionally waiving individual Waste Discharge Requirements (WDRs) for discharges from irrigated lands (Agricultural Order). Written comments and/or alternatives to the preliminary draft staff recommendations were requested by April 1, 2010.

The preliminary draft staff recommendations, public comments, and alternatives are currently available. The May 12 Board Workshop agenda and staff report will be available by the end of next week. Both can be viewed on the Internet at:
http://www.waterboards.ca.gov/centralcoast/water_issues/programs/ag_waivers/ag_order.shtml

Spanish translation will be available at the workshop. In addition, the location of the workshop is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact **Carol Hewitt** at **805-549-3503** at least five working days prior to the event. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

California Environmental Protection Agency

To Receive Agricultural Order Renewal Information

The Central Coast Water Board is finalizing the Agricultural Order Renewal Interested Parties List. To receive Agricultural Order Renewal information, please subscribe to the Agricultural Discharges electronic mailing list at:

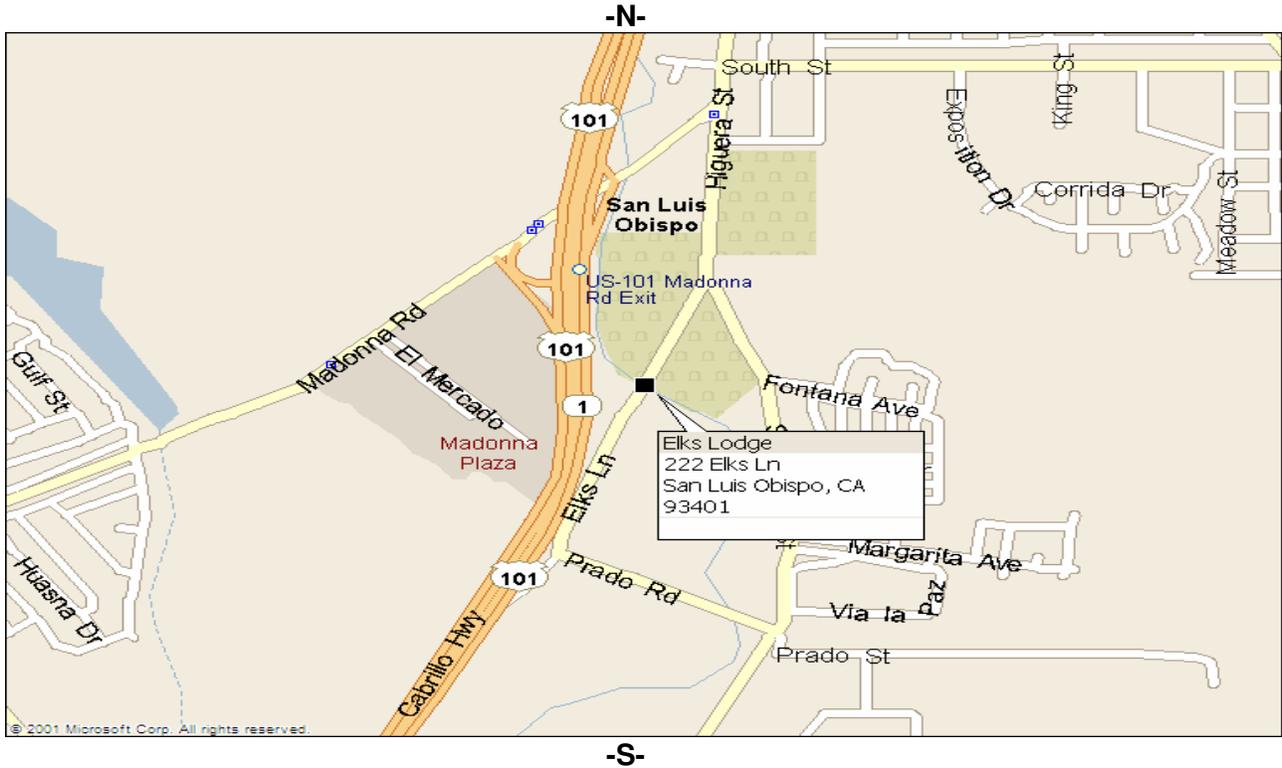
http://www.waterboards.ca.gov/resources/email_subscriptions/reg3_subscribe.shtml or request to have Agricultural Order Renewal information sent to you via U. S. Mail. Persons not subscribing to the electronic mailing list or requesting hard copy information will not be included on the Interested Parties List.

Staff Contacts

If you have questions or need additional information, please contact Angela Schroeter, Agricultural Regulatory Program Manager, at aschroeter@waterboards.ca.gov or (805) 542-4644, or Howard Kolb, Agricultural Order Project Lead Staff, at hkolb@waterboards.ca.gov or (805) 549-3332. Para información in español, llame a Monica Barricarte a (805) 549-3881.

S:\Shared\Agricultural Regulatory Program\Ag. Order 2.0\Task 15 Board Mtgs 2010\May 12 workshop\public_notice_agworkshop_042110.doc

**SLO Elks Lodge
222 Elks Lane
San Luis Obispo, CA 93401**



Directions:

101 Northbound: Take Prado Rd. exit, go straight across Prado Rd. at stop sign. You will be on Elks Lane. Head north to 222 Elks Lane on left side of road. Parking is free.

101 Southbound: Take Madonna Rd. exit, turn right on Madonna Rd. and go to Higuera St. Turn right on Higuera St. until Elks Lane (on right at cemetery). Continue south to 222 Elks Lane on right side of road. Parking is free.



San Luis Obispo County

Department of Planning and Building Environmental Division

TO: Interested Persons
DATE: April 30, 2010
FROM: Jay Johnson, Project Manager
SUBJECT: Shandon Community Plan Update - Notice of Availability of Draft EIR (LRP2003-00004)

The Draft Environmental Impact Report (DEIR) for the Shandon Community Plan Update is complete and available for public review and comment. The DEIR addresses the environmental impacts that may be associated with the Shandon Community Plan Update and the San Juan Village (Fallingstar I) Project.

The Shandon Community Plan Update Study Area includes the existing community of Shandon and approximately 1,680 acres surrounding the community south of Highway 46 between West Centre Street at McMillan Canyon Road and East Centre Street where Highway 41 meets Highway 46. The San Juan Village (Fallingstar I) Project contains approximately 86 acres, all of which are located between San Juan Creek on the west and San Juan Road on the east. This project site is located both north and south of East Centre Street and contains land that is both inside and outside of the current Shandon Urban Reserve Line.

Copies of the DEIR are available at the following locations: Shandon Library, Paso Robles City Library, and City/County Library of San Luis Obispo. Copies are also available on loan and for review at the Environmental Division of the Planning Department, located at 976 Osos St., Room 300, San Luis Obispo, 93408-2040. The DEIR is on the Planning Department's web site at: www.sloplanning.org under "News" then "Shandon Community Plan Draft Update" then "Draft EIR".

A separately published Executive Summary is also available by contacting Jay Johnson as described below.

ENVIRONMENTAL IMPACTS:

The DEIR focuses on the following issues: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Drainage, Erosion and Sedimentation, Geologic Hazards and Site Alterations, Land Use, Noise, Public Safety, Public Services, Recreation, Transportation and Circulation, Water and Wastewater, Greenhouse Gas Emissions, and Growth Inducing impacts. The EIR also considers three alternatives in addition to the "No Project/No Development" alternative and the "No Project/Existing Zoning" alternative.

HOW TO COMMENT OR GET MORE INFORMATION:

Anyone interested in commenting on the DEIR should **submit a written statement by 5:00 p.m. on June 29, 2010** to:

Jay Johnson, Project Manager
County Planning & Building Dept.
976 Osos St., Rm. 300
San Luis Obispo, CA 93408-2040

If you need more information about this project, please contact Jay Johnson at (805)781-4573 (or e-mail: jjohnson@co.slo.ca.us).

PUBLIC MEETINGS:

Meetings on the Shandon Community Plan Update and DEIR are held with the Shandon Advisory Council. The next Shandon Advisory Council meeting is Wednesday, May 5, 2010, at 7:00 pm, at the Clubhouse in the Park at C.W. Clarke Memorial Park, Centre and First Streets, Shandon. Staff will be available to discuss the Community Plan DEIR and its findings. The purpose of these meetings is to answer questions about the DEIR and process of reviewing and commenting on the document.

PUBLIC HEARINGS:

The County Planning Commission will hold public hearings to make recommendations to the Board of Supervisors about whether to certify the EIR and approve the project. The public hearings are **tentatively** scheduled to begin in **July 2010**, in the Board of Supervisors Chambers, County Government Center, San Luis Obispo. If you plan to attend, please call at least two weeks before this date to verify. The Board of Supervisors public hearings are **tentatively** scheduled to begin in **November 2010**, in the Board of Supervisors Chambers, County Government Center, San Luis Obispo. If you plan to attend the Board of Supervisors public hearings, please call at least two weeks before this date to verify.