

ALAB MEETING MINUTES

Monday, February 3, 2014

Members and Alternates Present: Jean-Pierre Wolff, Lisen Bonnier, Don Warden, Mark Battany, Claire Wineman, Joy Fitzhugh, Bill Struble, Eric Michielssen, Richard Hawley, Chuck Pritchard, Jerry Diefenderfer, Dick Nock, Melanie Blankenship

Absent Members: Mark Pearce, Neil Roberts, David Pruitt, Tom Ikeda

Guests Present: Sue Luft - PRO Water Equity, Patricia Wilmore - Paso Robles Wine Country Alliance (Government Affairs Coordinator), Lisa Bodrogi, Sue Harvey –North County Watch, Cindy Steinbeck – POWR/PR-WIN

Staff Present: Marc Lea, Lynda Auchinachie – SLO County Dept. of Agriculture, Courtney Howard, Paavo Ogren– SLO County Public Works Department

1. **Call to Order:** 6:05 pm by Chair, Jean-Pierre Wolff. Quorum present.

2. **Open Comment:** Lisen Bonnier shared that there will be a week long compost training workshop at Cal Poly Center for Sustainability from March 24 – 28, 2014. Joy Fitzhugh indicated that the Land Use and Circulation Element (LUCE) proposed changes will be at the Board of Supervisors (BOS) February 4, 2014. Joy shared that she continues to oppose the proposed changes because she felt much of the character of the existing Area Plans had been removed and that the proposed watershed boundaries did not make sense.

3. **Announcements from ALAB Members & County Ag Department Staff Updates:**
 - Chair Jean-Pierre Wolff announced that he had been elected as Chairman of the Central Coast Regional Water Quality Control Board (RWQCB). Jean-Pierre is looking forward to encouraging and streamlining recycled water projects. Jean-Pierre is hopeful that many positive water conservation changes will result from the severity of the drought.
 - Marc Lea provided an update on the gold-spotted oak borer (GSOB) that is now established in the San Diego area, as well as a small portion of Riverside County. GSOB was likely brought into the area through the movement of infested firewood. There is a public education and outreach program in place to limit the movement of firewood to control the spread of the pest. Marc also provided a summary of recent activities associated with detection of the fungal pathogen (*Phytophthora ramorum*) that causes Sudden Oak Death (SOD). SOD has killed a lot of trees along the northern coast of California. Marc indicated SOD has been found in Monterey County but not in San Luis Obispo County. Stream testing in San Carpoforo Creek resulted in some positive indicators of the pathogen in the watershed in 2012, but no confirmed samples were ever detected. There was a SOD blitz in 2013 where samples were collected from susceptible plants throughout the county but no hits occurred. Stream testing in San Carpoforo Creek was negative in 2013. Another blitz will take place May 2014.

4. **Previous Minutes: MOTION:** Approve January 6, 2014, minutes: **Motion:** Claire Wineman 2nd: Richard Hawley **Approved: Unanimous**

5. **Update on the Paso Robles Groundwater Basin Efforts** (Courtney Howard, Public Works Department)

- Courtney Howard provided an overview of recent issues that have been before the BOS relative to the Paso Robles groundwater basin. Courtney indicated that the BOS has requested input regarding basin governance, refined computer model updates, and feasibility studies to determine the opportunities associated with supplemental water. Detailed information on all of these issues is available at slocountywater.org. Courtney shared the following highlights:
 - Governance options include police powers, judicial oversight and legislation that can be dependent on the county, quasi-independent or independent.
 - Preliminary basin computer model information was presented to the BOS in December 2013. Between October 1980 and September 2011 outflows exceeded inflows by an annual average of 2,900 acre feet. The perennial yield has been estimated to be 89,200 acre feet a year. The model is still in draft form and a final report is anticipated March 2014. Once the model has final calibration it can be used as a tool to run future scenarios, including the introduction of supplemental water, land use changes within the basin, and regional impacts associated with such changes all with the goal of stabilizing the basin. The purpose of the model is to get a more complete picture.
 - Feasibility studies have been initiated that are aimed at determining what supplemental water supplies are available for use within the basin and how such water may benefit the basin.
- Richard Hawley asked if the basin had experienced subsidence. Courtney Howard and Paavo Ogren discussed a 1997 USGS study that indicated some areas of the basin had experienced an estimated 2 inches of subsidence. They explained that the geography of the Paso Robles groundwater basin is not the same as in the Valley where significant subsidence has occurred. Paavo indicated a future subsidence study may be warranted.
- Chuck Pritchard expressed his concerns with the suggestion of available supplemental water from other parts of the state. Chuck emphasized that if it doesn't rain there is no water available for import.
- Sue Harvey and Paavo Ogren discussed how the perennial yield and safe yield are the same thing because through wet and dry years the perennial/safe yield revolves around a constant. Paavo indicated that management objectives within a perennial/safe yield are expected to go up and down within a certain range.
- Chair Jean-Pierre Wolff asked about the estimated figures for recycled water from the Paso Robles wastewater treatment plant. Jean-Pierre shared that it appears as though public health regulation authority will be under the State Water Board. This means

wastewater and drinking water facilities will be regulated under the same agency and new water recycling options may become available. Courtney Howard indicated that the estimated figures were from the 2012 Master Water Report and will be updated as part of the feasibility studies.

- Paavo Ogren emphasized that the focus of the feasibility studies was to understand the nature of the problems as a whole as well as regionally. The studies are intended to provide a detailed understanding of the problems, desired basin conditions, and defined beneficial actions. The County will continue to work with other agencies to understand opportunities, constraints, and costs.
- Courtney Howard concluded her presentation by informing ALAB members that the successor to the Blue Ribbon Committee will be the Paso Robles groundwater basin Advisory Committee. The committee will advise the BOS on an enhanced AB3030 Plan, legislative platforms, continued modelling and technical updates, as well as other issues associated with the basin. Courtney also informed members that on March 4, 2014, the BOS will discuss an ordinance prohibiting the exportation of groundwater from the basin.
- Chair Jean-Pierre Wolff shared that Courtney Howard coordinates the Water Resources Advisory Committee (WRAC) and will continue to interact with ALAB on agriculturally related topics.
- Jerry Diefenderfer admitted that he is not an expert on water but his observation is that the groundwater basin issue has some solutions. He thinks it is a disservice to suggest the situation is a catastrophe with no solutions. Jerry commended all who have worked to find solutions. Jerry asked why the focus was solely on the Paso Robles basin when there are other parts of the county that have greater problems than North County. Paavo Ogren acknowledged that there are other problem areas such as the Santa Maria basin and Los Osos area. Paavo indicated that the Santa Maria basin has gone through the adjudication process and is subject to judicial management and Los Osos is currently going through the adjudication process.

6. Proposed Water District for the Paso Robles Groundwater Basin (Sue Luft-PRO Water Equity)

- Sue Luft shared that her group PRO Water Equity and PRAAGS came to an agreement on a governance structure that provides representation to landowners of all sizes for the proposed Paso Robles Basin Water District (PRBWD). Sue indicated that the intent of the water district is to manage and balance the Basin. Sue stressed that local control was considered very important to both groups and to address the serious water problems over the basin compromises were made by both groups. Sue suggested that without an adequate local management program the State Water Board could become involved or legal remedies could be pursued rather than a cooperative management approach anticipated by PRBWD. The proposed structure of the nine member Board of Directors includes:
 - Three directors elected by popular vote of residents (registered voters) living within the district

- Two elected by small landowners (owners of total acreage of less than 40 acres)
- Two elected by medium-sized landowners (owners of total acreage of 40 to less than 400 acres)
- Two elected by large landowners (owners of total acreage of 400 acres and more)

Sue emphasized that that the make-up of the Board was designed with the goal that no one group could control the Board and the results of Board actions would be for the common good. Numerous public meetings have been held educating the public about the proposal. Sue indicated that there are several next steps that provide for formal public input including any legislative action, the LAFCo process, and funding of the District through a Proposition 218 vote. Sue clarified that a water district cannot take away property rights and that there is no intention of exporting water from the Basin. Sue indicated that the LAFCo petition is being revised to ensure exportation was not allowed. Sue concluded by informing members that the BOS will weigh in on the formation of the PRBWD on February 11, 2014. Additional information can be found on the BOS website, PRAAGS.org or PROWATEREQUITY.org

- Dick Nock asked how Paso Robles fits into the equation. Sue Luft responded that the City will have a seat at the table and work cooperatively with the District. Sue clarified that the City is not within the boundaries of the District and only city residents that also own property within the District boundaries are eligible to vote.
- Chuck Pritchard complimented all of the volunteer work that went into this effort. Chuck indicated that he likes idea of local people working together to find a solution and common ground.
- Richard Hawley expressed confusion over how Board members would be elected. Richard indicated that the proposed structure appears to be skewed by landowners versus the people living there. Richard cautioned that people like to control water and he wants to make sure everyone gets a fair shake.
- Sue Luft responded that most people that live there also own land. Depending on ownership circumstances a person could be eligible to vote for 2, 3, or 5 board members. Sue clarified that you must be a landowner to be a director and that the structure of the Board went through a lot of vetting.
- Eric Michielssen questioned how the acreage size was determined for the small, medium and large categories. Eric considered small to be less than the identified 39 acres. Sue Luft shared that the acreage amounts received considerable discussion and that there are several different ways of viewing the acreage amounts but in the end the group felt that the proposed breakdown provided equitable representation.
- Claire Wineman asked if there was an action contemplated with this agenda item.
- Chair Jean-Pierre Wolff responded that ALAB members could provide a letter to the BOS indicating: 1) support for the proposed District, 2) nonsupport for the proposed District, 3) support of the concept of a district. Jean-Pierre reminded ALAB members that time is not in favor of the basin and that the writing is on the wall that something needs to be done or the State may become involved.

- Cindy Steinbeck asked hypothetically what would happen if the District could buy 3,000 acre feet of Nacimiento water. Sue Luft responded that studies would need to be completed to compare and evaluate options and determine what makes the most sense. There could be a potential zone of benefit identified and a Proposition 218 vote taken to finance potential projects.
- Sue Harvey asked ALAB members to not endorse the proposed legislation to form a PRBWD. Sue indicated that the proposal is not well understood by rural residents or agriculturalists. Sue stressed that the feasibility studies need to be completed prior to establishing any district through special legislation. Sue indicated that the issue prohibiting the exportation of water needed to be in the legislation.
- Don Warden shared that the Farm Bureau raised concerns about lack of information regarding costs, boundaries etc. Don indicated the idea of district is a good one, and the structure of how the directors are to be selected seems good. However, several other questions have no answers and Farm Bureau could not fully support the proposed district until the answers were understood. Don shared particular concerns over the proposed legislation and if it could be changed in Sacramento.
- Sue Luft explained the LAFCo process would require several of these questions to be answered and that process was different from the legislative proposal that is asking for the structure of the directors only. Sue indicated that funding of any future projects would require a Proposition 218 vote. There are several opportunities for public input.
- Claire Wineman indicated she was not personally comfortable directly endorsing the proposal as the devil is in the details. However, Claire commended the amount of work the groups had done. Claire also suggested that ALAB sit this one out.
- Melanie Blankenship raised concerns about the potential cost of any future pipeline project.

MOTION: ALAB members can support the concept of a local water district designed and formed by local people with the support of the County. However, concern about some of the details associated with the current water district proposal leads ALAB members to withhold final approval until more details are available. **Motion.** Dick Nock **2nd.** Lisen Bonnier

Approved: Yes -7, (Lisen Bonnier, Jerry Diefenderfer, Eric Michielssen, Dick Nock, Bill Struble, Don Warden, Jean-Pierre Wolff). No - 3 (Melanie Blankenship, Richard Hawley, Claire Wineman), Abstention – 1 (Chuck Pritchard).

7. Future Agenda Items: Next meeting: March 3, 2014

To be determined.

Meeting Adjourned: 8:50 p.m.

Respectfully submitted by Lynda Auchinachie, County Department of Agriculture/Weights and Measures