ALAB MEETING MINUTES

Monday, July 7, 2014

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

Absent Members: David Pruitt, Tom Ikeda, Lisen Bonnier

Guests Present: Laura Edwards, Kelly Gleason, and Jeff Barry Upper Salinas-Las Tables Resource Conservation District, Patricia Wilmore - Paso Robles Wine Country Alliance (Government Affairs Coordinator), Randy Diffenbaugh, John Douglas, Robert Hartzell

Staff Present: Marc Lea, Lynda Auchinachie – SLO County Dept. of Agriculture, James Caruso, Cheryl Cochran – Planning and Building Department

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

2. **Open Comment:** No comments.

3. **Announcements from ALAB Members & County Ag Department Staff Updates:**
    - Marc Lea provided copies of the San Luis Obispo County Agriculture Department's 2013 crop report. ALAB members shared observations about the report.

4. **Previous Minutes: MOTION:** Approve February 3, 2014 and April 7, 2014, minutes**: Motion:** Richard Hawley **2nd:** Chuck Pritchard **Approved: Unanimous**

5. **ALAB Membership Items: Ag Finance Representative and Coastal San Luis RCD Representative** (Chair Wolff)
    - Chair Jean-Pierre Wolff indicated that his ALAB membership term as well as Mark Pearce's term would expire in August, 2014. Both Jean-Pierre and Mark expressed a willingness to continue to serve another term. Jean-Pierre suggested that Mark propose an alternate for his position in case he is unable to attend a meeting. Jean-Pierre asked all ALAB members for recommendations for an alternate.

6. **Agricultural Water Offset Program – Status Update** (Laura Edwards, Upper Salinas-Las Tablas RCD)
    - Laura Edwards indicated the RCD had been contracted to design a water use offset program in response to the urgency ordinance which requires new irrigated agriculture to offset their total projected water use at a 1:1 ratio. Laura introduced project team members Kelly Gleason and Jeff Barry. Laura shared the development of the program involves several complex issues and the program is still evolving. Laura presented a PowerPoint slideshow that provided ALAB members with highlights of program background, technical analysis, public outreach, draft program standards, program

feasibility analysis, program flow, crop water usage data, potential crop water savings analysis, proximity impact studies, and next steps. Jeff Barry, project team hydrogeologist, complimented Laura's presentation sharing his perspective on the various aspects of the proximity study. Laura concluded the presentation by indicating the current phase of public outreach will continue through September and stressed that the goal of the program is to have a flexible yet firm approach. *See PowerPoint (http://www.slocounty.ca.gov/agcomm/ALAB/Agenda_Minutes_Action.htm* - link listed with the July 7, 2014 minutes*)*.

- Chair Jean-Pierre Wolff requested questions from ALAB members.
- Jerry Diefenderfer asked for clarity regarding the statement "program tries to encompass multiple layers of operational complexity" shown on the conclusion PowerPoint slide. Jerry expressed his concern that it sounds as if there is an attempt to not tell farmers what the real intent of the program is and that he has concerns over well metering. Jerry shared that if well metering is part of the equation it must be stated up front.
- Laura Edwards indicated that the program goal is to accommodate farmers with unique situations and that it would be impossible to cover all the customized needs in one presentation. The project team has designed the program with enough flexibility for all the varied applications that may be submitted. The issues are extremely complex and involve many layers. Laura clarified that flow meters are part of the equation.
- Richard Hawley thanked the RCD for their efforts. Richard asked for clarification regarding crop water requirements and if the average or median value was being used. Richard also asked for details regarding how the implementation of the program would be funded and adequately monitored. Richard expressed concern over how the program is actually going to work.
- Laura Edwards responded that the median value is used for crop water requirements. Laura also indicated that the feasibility and proximity components of the program will be weaved together with policies and the mechanics of the initial steps. To date, they have not detailed how the program will be monitored and verified annually but they envision a third party verification that can be weaved into the County's existing database systems.
- Richard Hawley requested clarity regarding assumptions used for calculations associated with the program. Richard was concerned that the system could be gamed and was interested in the error factor.
- Jeff Barry indicated that assumptions were made based on professional judgment and consultation with others. Jeff did not know what the error factor would be.
- Robert Hartzell asked about the cone of depression identified on the Category 4 application slide.
- Jeff Barry indicated that this represents the radius in which an acceptable credit can be identified using the radius calculator. Jeff indicated that there is no estimate to the number of wells in that calculated area.
- Joy Fitzhugh indicated there were inconsistencies with pasture water requirements between the Board of Supervisors staff report and the presentation tonight.

- Laura Edwards indicated the information presented tonight is the accurate information.
- Joy Fitzhugh also wanted to know what happens if someone is given a water credit based on current climatic conditions and the climate worsens. Joy expressed concern that the water may not be available in the future.
- Laura Edwards indicated that the program is being developed at a 1:1 ratio for where we are now and it can change overtime to meet changing conditions. Jeff Barry shared the goal is to keep things from getting worse.
- Claire Wineman requested further clarification on slide 13 regarding whether median or average values were used for crop water requirements presented on slide 13.
- Laura Edwards responded that the values are from the County's Master Water Report with the exception of the small grain and strawberry categories.
- Bill Struble inquired about how drawdown and the cone of depression is determined if specific well information is not available.
- Jeff Barry indicated that they will use the best information available.
- Eric Michielssen commented that the program needs to be designed around a safe yield and proper governance.
- Mark Pearce and Jerry Diefenderfer requested more detail on the deed restriction that would be placed on a property participating in the program.
- Laura Edwards indicated that the deed restrictions would be a product of the County's legal team review. Kelly Gleason shared that deed restrictions would most likely provide information about the fact the property is associated with the ag water offset program and the amount of water that could be applied to crops. The deed would run with the land and outline the limits of a specific property. Randy Diffenbaugh indicated such deeds associated with the State Water Project in the Central Valley are common.
- Randy Diffenbaugh suggested that the program should encourage use of the program outside of the red zones and still meet proximity requirements.
- Chair Jean-Pierre Wolff noted the water requirements for vineyards used by the RCD vary from the numbers derived by Mark Battany's study that based water use on actual measured amounts.
- Mark Battany shared that studies use different methodologies. Mark indicated his study represented information on management techniques for certain vineyards on the western portion of the basin. Water usage could be different at other locations and with other vineyard managers.
- Chair Jean-Pierre Wolff raised concerns that specific well information will not be available for inclusion in the analysis process and this could lead to inaccurate information. Jean-Pierre also questioned how the ultra-deep wells factored into the equation and if water quality was being addressed as part of the program. Jean-Pierre indicated several wells are going below the Paso formation.
- Jeff Barry indicated that water quality was beyond the scope of the program and that credits had to be from the same aquifer.
- Chair Jean-Pierre Wolff asked if irrigation ponds and reservoirs were part of the program including evaporation rates.

- Jeff Barry indicated that if there is a new water use to fill the reservoir it would fit into the program.
- Chair Jean-Pierre Wolff noted that estimating water demand is not an exact science and asked what happens if something goes wrong and there are unintended consequences to a neighbor's well?
- Jeff Barry indicated the neighbor would likely turn to a lawyer in those cases.
- Chair Jean-Pierre Wolff questioned whether the program could be streamlined and less burden placed on the county in terms of implementation and monitoring.
- Laura Edwards indicated that many of the reporting systems are already established with the county and that the calculator was pretty "plug and chug".
- Jeff Barry indicated that the program as designed should work within the existing systems as long as things are not changed by decision makers.
- Patricia Wilmore shared her observations that staff and consultants project/program recommendations are often changed by the Board of Supervisors.
- Jeff Barry demonstrated how the proposed "plug and chug" calculator works.
- Richard Hawley asked if properties that "give up" their water could subdivide or convert from agricultural use because there is no longer water for crop production.
- Laura Edwards indicated that was not the intent of the program.
- James Caruso shared that subdivision and other policy considerations would be addressed through the land use ordinance requirements.
- Laura Edwards provided her contact information: laura@us-ltrcd.org

7. **Countywide Water Waste Ordinance Discussion** (James Caruso, Planning and Building Department and Chair Wolff)
    - James Caruso reminded ALAB members about the countywide water conservation programs currently underway. James indicated his current focus is on developing an anti-water wasting ordinance for urban areas. Such ordinances include simple things like prohibition of watering sidewalks and hardscapes, fixing leaks etc. James noted that a lot of the county consists of rural and agricultural uses and there has been discussion of expanding the ordinance to include these uses. James acknowledged the challenges associated with a water wasting ordinance including agriculture because agriculture water use is extremely diverse and complex. For these reasons he is not sure that agricultural practices lend themselves to an ordinance. James indicated it is difficult to define water waste with regard to agricultural practices. James suggested that rather than have the Planning Department define water waste, perhaps ALAB could form a subcommittee and propose ideas. James shared that the Water Resources Advisory Committee (WRAC) has successfully used the subcommittee approach for years to provide informed decision making.
    - Chair Jean-Pierre Wolff suggested that rather than a regulatory tool perhaps identifying best management practices (BMP's) for the various crop types in the county could be useful. Jean-Pierre indicated that if there is a choice between the county developing this information versus agriculturalists, his preference would be ALAB developing. Jean-

Pierre envisions a subcommittee with a broad representation of commodities. Jean-Pierre asked what the timeframe would be.

- James Caruso indicated that a draft at the end of the year would be perfect.
- Chair Jean-Pierre Wolff asked for subcommittee volunteers.
- Joy Fitzhugh suggested that ALAB turn to UC Cooperative Extension.
- Mark Battany shared that there is a tremendous amount of information already available.
- Chair Jean-Pierre Wolff asked if there was a consensus to have ALAB help develop BMP's for agriculture.
- Jerry Diefenderfer indicated there is merit in asking for this information, but he also expressed a need for more input from the Planning Department about the required task.
- James Caruso agreed to come to the August 4, 2014, meeting and bring something back that better defines deliverables.

8. Future Agenda Items: Next meeting: August 4, 2014

Water waste ordinance.

Meeting Adjourned: 8:10 p.m.

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