

## **ALAB MEETING MINUTES**

**Monday, February 1, 2016**

**Members and Alternates Present:** Jean-Pierre Wolff, Lisen Bonnier, Jerry Diefenderfer, Eric Michielssen, Don Warden, Joy Fitzhugh, Chuck Pritchard, Melanie Blankenship, Richard Hawley, Dan Rodrigues, Kaylee Ellis

**Absent Members:** Greg France, David Pruitt, Dick Nock, Neil Roberts, Tom Ikeda, Mark Pearce, Claire Wineman

**Guests Present:** Aaron Wright, Patricia Wilmore – Paso Robles Wine Country Alliance

**Staff Present:** Marty Settevendemie, Marc Lea, Lynda Auchinachie – San Luis Obispo County Department of Agriculture

**1. Call to Order:** 6:05 Chair Wolff

**2. Open Comment:**

- Joy Fitzhugh informed ALAB members that a subsidiary of a Saudi Arabian dairy company purchased over 1,700 acres in Palo Verde Valley to grow alfalfa and ship it back to their dairy in Saudi Arabia. It appears the groundwater basin has been depleted in the area in which the dairy is located in Saudi Arabia. Joy indicated that it is an interesting piece of news as this is essentially a form of exporting water, but at the same time, it's definitely not the only crop grown within the state that gets shipped overseas.
- Melanie Blankenship asked ALAB members for information on issues associated with the upcoming Paso Robles groundwater management election. Melanie asked: 1) What happens if the 218 funding passes but the formation of the water district does not? 2) Under what circumstances will the state take over management of the basin? 3) If agricultural wells are registered through the state are they exempt from future management?
- Eric Michielssen indicated that if the formation of the water district fails, the management of the basin stays with the San Luis Obispo County Flood Control and Water Conservation District.
- Patricia Wilmore explained that if both funding and the formation of the water district do not pass and the county declines or fails to manage the basin, the state would need to step in to manage in accordance with the Sustainable Groundwater Management Act (SGMA).
- Chair Jean-Pierre Wolff indicated the goal of SGMA is to have management decisions made at the local level by local government.
- ALAB members discussed that the management costs would most likely be higher if the State was managing the basin.

**3. Announcements from ALAB Members & County Ag Department Staff Updates:**

- Marc Lea indicated there had been no new detections of the Asian Citrus Psyllid (ACP) in the county.
- Marty Settevendemie shared that management of ACP may be changing from the current quarantine process to a statewide five region management system. The proposed regions include Northern, Southern, Central Valley, the Bay Area, and a Coastal region. Marty indicated the proposed region for San Luis Obispo is the Coastal Region, which would include Ventura, Santa Barbara, San Luis Obispo, Monterey, and Santa Cruz counties. Marty shared that he has concerns with this designation and is working to have the designation changed to the Central Valley region because most of the fruit grown within the county is processed in the Central Valley and not the proposed Coastal Region. Marty is concerned that if San Luis Obispo remains part of the Coastal Region growers will be significantly impacted without mitigating the actual pest risk. Marty indicated funding is federal and not adequate to maintain local management and the regional approach makes sense if the regions are appropriately identified. There will be a formal comment period regarding proposed changes and Marty will inform ALAB members when that comment period is announced.
- Marc Lea recapped the history of the biosolids interim ordinance that was originally adopted in 2004 and had been proposed for replacement by a permanent ordinance that was to be evaluated in a draft environmental impact report (EIR). Marc highlighted the most recent developments which included the majority of the BOS voting to suspend the processing of a permanent ordinance and associated environmental review. The BOS indicated the interim ordinance is working and it does not expire until 2018. County Counsel is researching if an environmental impact report would be required to make the current interim ordinance permanent.
- Marc Lea provided ALAB members with a contact list for agencies that may be able to assist with flood damage or erosion and sedimentation issues.
- Marty Settevendemie informed ALAB members that there is a new regulatory package proposed for pesticide use near schools. The proposal is in response to a study conducted by California Department of Public Health that evaluated the amount and type of pesticides used within a quarter mile of schools. The report generated considerable concern and the Department of Pesticide Regulation (DPR) was tasked with identifying greater mitigation of pesticide use near schools. Mitigations include notification, proper timing of applications, method of application, and buffer distances from 1/8 of a mile and greater that would apply to all pesticides used for agricultural purposes not just restricted pesticides. Pesticide use at the schools themselves is not being addressed. Marty indicated he would be commenting through his statewide organization and he would provide information for how others will be able to comment at the appropriate time. Marty stressed regulations should be science based and much

of what is being proposed is currently being done voluntarily. The department is sending information to all county growers identified within a mile of a school.

4. **Previous Minutes: Don Warden requested correction. MOTION: Warden** Approve December 7, 2015, minutes as corrected: **Motion 2<sup>nd</sup>: Pritchard**

**Approved:** Unanimous by all voting members. No “No” votes.

5. **ALAB Governance: Election of Chair and Vice-Chair, ALAB membership updates**

- Lisen Bonnier, election subcommittee member, indicated it was an open solicitation for those interested in serving as chair or vice-chair. Lisen shared that there were two people the subcommittee felt very strongly about recommending: Melanie Blankenship for vice-chair and Jean-Pierre Wolff for chair.

**MOTION: Hawley:** Elect those presented by the subcommittee: **Motion 2<sup>nd</sup>: Michielssen**

**Approved:** Unanimous with one abstention by Wolff. No “No” votes.

- Marc Lea reminded ALAB members that commodity group representatives for nursery, vegetables, wine grapes as well as direct marketing/organic representative expire in April 2016. Marc will be working with members in the various wine grape and direct marketing/organic industry groups to have new representatives approved.

6. **Presentation: California Medical Marijuana Regulation and Safety Act, Marty Settevendemie and Marc Lea – San Luis Obispo County Agriculture Department**

- Marc Lea reminded ALAB members that in 2015 legislation was passed that required regulation of medicinal marijuana. The original legislation included an erroneous March 1, 2016, deadline to have local regulations in place. The erroneous deadline resulted in many local jurisdictions throughout the state adopting land use ordinances banning all cultivation of medicinal marijuana. Marc indicated that legislation (AB21) recently passed that removed the March 1, 2016, deadline as well as clarifying personal use growing could not be banned, which includes growing for up to five people that are being provided care. Commercial production can still be limited or prohibited by local jurisdictions.
- Marty Settevendemie informed ALAB members that the BOS directed staff to craft an ordinance modelled on Mendocino’s existing ordinance for personal use medicinal marijuana cultivation. Marty suggested that because of AB21 the BOS may provide different direction at their February 9, 2016, hearing. Direction may include exploration of commercial production. Marty indicated the Agriculture Department would have pesticide use enforcement responsibilities. Currently there are no pesticide labels that specifically identify marijuana as a crop in which pesticides can be legally used. However, DPR is in the process of identifying products in which the labels are broad enough that the pesticide can be used on any crop such as marijuana. The department

would also be involved in issuing licenses, track and trace of products, and weights and measures duties. Some of these responsibilities would be fee based and under contract with California Department of Food and Agriculture (CDFA).

- Marc Lea shared that there may be interest in allowing some level of commercial production. Growers have recently inquired about using recently closed greenhouse facilities for medicinal marijuana cultivation in the southern portion of the county.
- Lisen Bonnier observed that individuals using medicinal marijuana are often the most vulnerable to such things as pesticides and that there is the need to provide for health and safety through regulation. Protection through regulation is important for all and Lisen indicated support for getting commercial growers out of the closet and properly regulated.
- Marty Settevendemie indicated DPR is now working on tolerances to address the issue of public health and safety relative to pesticide use on marijuana.
- Chair Jean-Pierre Wolff shared that the State Water Board is very engaged in providing adequate protections and regulations given the strong likelihood that recreational use will soon be legalized. The Water Board does not want to be caught unprepared and is viewing regulating medicinal marijuana as the first step in protecting water quality from the harsh pesticides associated with illegal marijuana production.
- Lisen Bonnier asked if the county can say no to commercial growing. Marty responded that commercial production can be banned but not for cultivation that meets the definition of personal use.
- Lisen Bonnier questioned if ALAB members should provide the BOS direction. Marty Settevendemie suggested waiting to learn what the BOS directs at the February 9, 2016, hearing.

#### **7. Future Agenda Items:**

- Jerry Diefenderfer suggested SB 88 be discussed.

**Next meeting – March 7, 2016 -**

Meeting Adjourned: 7:25 p.m.

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