

## **DRAFT ALAB MEETING MINUTES**

**Monday, November 1, 2021**

**Members and Alternates Attending:** Dan Rodrigues, Mary Bianchi, Lisen Bonnier, Sarah Kramer, Mark Battany, Brent Burchett, Tom Ikeda, Jean-Pierre Wolff, Joe Plummer, and Claire Wineman

**Staff Attending** Lynda Auchinachie and Marc Lea – San Luis Obispo County Department of Agriculture; Kylie Hensley – San Luis Obispo County Planning and Building

**Absent Members:** Craig Pritchard, Daniel Chavez, Jerry Diefenderfer, Mark Pearce, Seth Scribner, Camilla Posson, Randy Diffenbaugh, and Butch Yamashita

**Guests Attending:** Patricia Wilmore – Paso Robles Wine Country Alliance

**1. Call to order, introductions, quorum determination:** The meeting was called to order by Chair Rodrigues at 5:02 pm.

Marc Lea explained AB 361 procedures that allow for the continuation of remote meetings under certain conditions. Marc explained that AB 361, which went into effect on September 16, 2021, allows for legislative bodies subject to the Brown Act to continue meeting by teleconference if the legislative body determines that meeting in person would present certain imminent risks to the health or safety of the attendees. Due to the status of San Luis Obispo County registering in the “high” metric of community transmission of the COVID-19 virus, which is the most serious tier, and in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the County Agricultural Liaison Advisory Board deems it necessary to find holding in person meetings would present imminent risks to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing.

**Motion:** Burchett – Continue the meeting remotely per the conditions of AB 361

**Motion 2<sup>nd</sup>:** Bonnier

**Approved:** ALAB members voted unanimously to hold the meeting remotely

ALAB members further discussed the potential for returning to in-person meetings. It was discussed that in-person meetings with a telecommuting option could provide a safe, reasonable alternative meeting method. ALAB members did not take a formal action but generally agreed that could be the best method moving forward in December or January depending on the COVID transmission rates occurring at that time.

**2. Open comment: (for items not on the agenda):**

- Brent Burchett indicated that the Planning Department will have an item regarding future departmental priorities at the November 16, 2021 Board of Supervisors’ meeting. Brent shared that a company called Hipcamp is leading the charge to revise the rules governing camping on private property. ALAB members discussed how there could be benefits for some agriculturalists to expand ag tourism opportunities, but they also recognized the community’s concerns about unintended consequences relative to expansion of the unhoused population in rural areas.

Should the camping ordinance changes become a priority, ALAB members would like this issue on a future agenda.

### **3. Review/approval of July 2021 meeting minutes:**

**Motion:** Wineman - Approve July 2021

**Motion 2<sup>nd</sup>:** Kramer

**Approved:** Unanimous by all voting members. Bianchi abstained due to absence.

### **4. ALAB Membership Updates – Marc Lea - San Luis Obispo County Department of Agriculture**

- The direct marketing/organic representative position is open as Bill Spencer has officially stepped down due to his moving out of the area. Marc will reach out to the groups identified in the ALAB Operating Guidelines – the San Luis Obispo County Chapter of the CCOF and the SLO County Farmers’ Market Associations – for assistance in providing a potential nominee; if you have any ideas on a qualified local grower to fill this ALAB membership position, please let Marc know since the nominating organizations have asked for suggestions in the past.

### **5. Presentation/Discussion: Draft Paso Basin Land Use Planting Ordinance – Kylie Hensley, San Luis Obispo County Planning and Building**

- Kylie Hensley provided a brief overview of the Public Review Draft Paso Basin Land Use Planting Ordinance that is currently out for public review and comment. See attached PowerPoint: [https://www.slocounty.ca.gov/Departments/Agriculture-Weights-and-Measures/All-Forms-Documents/Information/Meeting-Minutes/ALAB-Meeting-Agendas,-Minutes,-Presentations/2021/ALAB-Presentation\\_2021\\_11\\_01-Draft-Planting-Ordina.pdf](https://www.slocounty.ca.gov/Departments/Agriculture-Weights-and-Measures/All-Forms-Documents/Information/Meeting-Minutes/ALAB-Meeting-Agendas,-Minutes,-Presentations/2021/ALAB-Presentation_2021_11_01-Draft-Planting-Ordina.pdf)
- Claire Wineman initiated a conversation regarding the definition of “site.” ALAB members discussed how future ownership and additional parcels could lead to considerably more water allocation during the life of the ordinance resulting in additional environmental impacts. Kylie Hensley indicated the proposed definition is unique to the planting ordinance and is aimed at limiting the allowance for additional water to the current ownership pattern to ensure adequate environmental impact analysis. The new definition would incorporate a snapshot in time (date the ordinance goes into effect).
- Jean-Pierre Wolff questioned the size of a site and rationale for the ordinance extending until 2045. Kylie Hensley indicated a site was defined by parcel size and ownership rather than a strict acreage size. The inclusion of the 2045 date was at the direction of the Board of Supervisors, and the exact intent behind that date is uncertain.
- Lisen Bonnier discussed various potential planting scenarios that could occur with the proposed ordinance.
- Dan Rodrigues requested clarity regarding use of water during a calendar year versus a crop year. Mark Battany indicated calendar year is what is commonly used in these types of scenarios.

- ALAB members raised various concerns regarding the feasibility and precedent setting nature of the proposed ordinance, including but not limited to, the annual review of a ministerial permit, staffing for inspections and enforcement, loopholes, noncontiguous purchases etc.
- Mark Battany noted that openetdata.org is now available online. This tool could help confirm water use information.
- Claire Wineman expressed concern that proposed language could result in confusing ministerial land use permits with ministerial well permits.
- Brent Burchett noted that the proposed ordinance is very different from what was stated in the Initial Study. Brent suggested additional definitions be included for clarity. Brent also noted the proposed ordinance effectively generates a fallow registry limited to six years.
- Joe Plummer inquired about enforcement of the proposed ordinance and Kylie Hensley indicated that county code enforcement (within the Planning Department) will be responsible for that component of the ordinance.
- Patricia Wilmore observed that there is so much room in the ordinance for misuse and loopholes. Patricia also observed the area of severe decline is being removed from the proposed ordinance.
- ALAB members agreed to form a subcommittee to draft a letter to BOS addressing concerns about the proposed ordinance. Subcommittee members include Claire Wineman, Brent Burchett, and Dan Rodrigues.
- A special meeting will be held to review and finalize the subcommittee's draft letter on November 15, 2021, at 5 pm.

**6. Presentation/Discussion:** Updates from Agriculture Department Staff, Marc Lea - San Luis Obispo County Department of Agriculture

- Marc Lea updated ALAB members on the recent \$10 million funding for the development of a statewide pesticide notification program. Existing notifications – from growers to County Ag Commissioners – are only required for restricted materials. The vast majority of pesticide applications are nonrestricted materials which do not have any legal notification requirements. However, pesticide use information can be requested by the public once pesticide use reports have been submitted and are available. A pilot program in Monterey County demonstrated there is interest in pesticide notification information, however, the interest was not typically by people living in the immediate area. Ag commissioners across the state are concerned that such notifications have not been mandated and a specific need for these notifications should be identified. Marc indicated the process to develop a potential statewide notification system will likely be long and that he will keep ALAB members informed of any developments or additional opportunities to provide comment.
- Marc Lea stated that beginning in 2022 the Agriculture Department will partner with Farm Bureau to offer free seminars and workshops aimed at providing continuing education credits. Marc is open to all recommendations and ideas on workshop topics. Dan Rodrigues indicated virtual offerings should be incorporated.
- There haven't been any residential Asian citrus psyllid detections in San Luis Obispo County since 2019. There have been a few finds in commercial citrus orchards that have been treated

and controlled in the far southern portion of San Luis Obispo County. It appears that those detections may have originated from infestations within the residential areas of Santa Maria.

- There will be new rules for structural rodenticides on January 1, 2022. These changes will not impact agricultural uses; however, due to frequent changes in rodenticide rules and regulations it is a good reminder to carefully read the label of all products before use and ensure compliance with the directions included. Contact the Ag Department if there are questions about a label direction or interpretation.

**7. Future agenda items:** Potential changes to camping ordinance

**Next meeting – November 15, 2021**

Meeting Adjourned 7:04 pm

Respectfully submitted by Lynda Auchinachie, San Luis Obispo County Department of Agriculture

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