

ALAB MEETING MINUTES

Monday – June 5, 2023

SLO County Farm Bureau, 4875 Morabito Place, San Luis Obispo 93401

Members and Alternates Present: Tom Ikeda, Jerry Diefenderfer, Sarah Kramer, Brent Burchett, Claire Wineman, Dan Rodrigues, Jean-Pierre Wolff, Lisen Bonnier, and Matt Merrill

Staff Present: Marc Lea and Ian Landreth – San Luis Obispo County Department of Agriculture, Mark Battany – U.C. Cooperative Extension Farm Advisor (Via Zoom)

Absent Members: Craig Pritchard, Randy Diffenbaugh, Butch Yamashita, Mary Bianchi, and Jeff McKee

Guests Present: Ingrid Warren, Richard Warren, Deb Ann Phelan, Michael Phelan, Greg Moore, Patricia Wilmore - Paso Robles Wine Country Alliance (via Zoom), Scott VanDerripe, Elias Dougrammatzis, Claire Mamakos, Amy Moore, Jaime Crosno

I. Call to Order, introductions, quorum determination

The meeting was called to order by Chair Rodrigues at 1703hrs. There were enough members present to have a quorum.

II. Open Comment

Members wishing to address the ALAB on matters other than scheduled items may do so at this time, when recognized by the Chairman.

Dan Rodrigues, ALAB Chair: opens Public Comment

Jean-Pierre Wolff: reports the USDA emergency conservation program being extended to October 13, 2023.

III. Previous Minutes – April 4, 2023

Jean-Pierre Wolff: recuses himself from the vote as he was not at the meeting on April 4, 2023. Thereafter on **Motion by:** Sarah Kramer, **Second by:** Jerry Diefenderfer, and on the following vote:

| REPRESENTATIVE: | AYES: | NOES: | ABSTAIN: | RECUSE: |
|--------------------|-------|-------|----------|---------|
| Dan Rodrigues | X | | | |
| Lisen Bonnier | X | | | |
| Tom Ikeda | X | | | |
| Jerry Diefenderfer | X | | | |
| Sarah Kramer | X | | | |
| Jean-Pierre Wolff | | | | X |
| Brent Burchett | X | | | |
| Claire Wineman | X | | | |

The ALAB approved the April 3, 2023 minutes.

IV. ALAB Governance Membership Updates

This is the time set for ALAB Membership Updates.

Marc Lea, Assistant Agricultural Commissioner: Provides ALAB members with their reappointment and near-term schedules. Summarizes the rules behind determining quorum and how telecommuting participation impacts that determination, and the emergency circumstances required for telecommuting to be acceptable for an ALAB member to still participate in official voting actions.

Claire Wineman: supports using telecommuting as an option for attendance.

Jerry Diefenderfer: states he does not support continuing a zoom attendance option.

Jean-Pierre Wolff: states his support for continuing the zoom attendance option for the public.

Marc Lea: acknowledges the ALAB has agreed to keep telecommuting as an attendance option for ALAB meetings.

V. ALAB Ad Hoc Committee Report on Membership Restructuring

This item was organized for discussion and possible action from the ALAB.

Marc Lea: provides an overview of the process to consolidate or remove a representative seat. Mentions altering/removing a representative seat would require a resolution to be adopted by the Board of Supervisors since it changes a previously approved board resolution. Reports on the ad hoc committee's decision to consolidate the direct marketing/organic representative position into one. Recounts the new name for the position is still undecided but the position would most likely be called the Ag Sustainability Representative. Summarizes his discussion with County Counsel regarding the environmental representative position and the ability to redefine the position to be broader. Says he contacted the strawberry commission about the ALABs deliberations to remove the strawberry representative seat but states a response has not been received to date.

Lisen Bonnier: discusses the process for consolidating the positions.

Jean-Pierre Wolff states the Resource Conservation District representatives already covers environmental review associated with agriculture projects. Tries to understand why the environmental representative seat is necessary for any reason at all given the two existing RCD membership positions.

Claire Wineman: offers the idea of consolidating strawberries under the vegetable representative seat as a row crop.

Dan Rodrigues: asks for clarification.

Claire Wineman: states that her organization has strawberry growers in SLO County.

Tom Ikeda: agrees that dropping the strawberry representative seat would not lose any value to the ALAB discussion as it is becoming more common for vegetable growers who do both vegetables and strawberries.

Brent Burchett: recommends not overcomplicating the decision and identifying simple solutions.

Sarah Kramer: says it doesn't hurt to reach out to the Board.

Marc Lea: says he can reach out to the Board, along with Lisen Bonnier, to gauge their interest and report back so the ALAB can develop more specific language.

Jerry Diefenderfer: offers a formal motion to direct staff to meet with board members.

Thereafter on **Motion by:** Jerry Diefenderfer **Second by:** Brent Burchett, and on the following vote:

| REPRESENTATIVE: | AYES: | NOES: | ABSTAIN: | RECUSE: |
|------------------------|--------------|--------------|-----------------|----------------|
| Dan Rodrigues | X | | | |
| Lisen Bonnier | X | | | |
| Tom Ikeda | X | | | |
| Jerry Diefenderfer | X | | | |
| Sarah Kramer | X | | | |
| Jean-Pierre Wolff | X | | | |
| Brent Burchett | X | | | |
| Claire Wineman | X | | | |

The ALAB approves a motion to direct staff to meet with board members on the possibility of consolidating the strawberry and vegetable representative seats into one; and to advise the board of the ALABs current deliberations to consolidate the direct marketing and environmental representative seats to broaden the position to include other groups like the local Land Conservancy, or similar group involved with agricultural, environmental, and conservational work in the County.

VI. ALAB Ad Hoc Committee Designated to Develop “Accepted Customs and Standards” for Wind Machines.

This item was organized for discussion and possible action from the ALAB.

Marc Lea: provides background information on the origin and status of the development of “Accepted Customs and Standards” for wind machines. Reiterates that the Board of Supervisors provided general direction to planning staff in December 2022 to investigate developing something to address the recent wind machine complaints.

Brent Burchett: provides an update on the “Accepted Customs & Standards” being developed by the ad hoc committee. Identifies the agenda attachment of the draft standards.

Jean-Pierre Wolff: offers considerations and recommendations for the development of Accepted Customs and standards.

Dan Rodrigues: opens public comment.

Marc Lea: reads Alicia Walker’s email into the record.

Claire Wineman: asks Marc Lea to recap what county counsel advised.

Marc Lea: states the “Accepted Customs & Standards” would be advisory unless the noise ordinance was amended.

The following members of the public provided public comment to ALAB members on Agenda Item #6: Claire Mamakos, Elias Dougrammatzis, Richard Warren, Ingrid Warren, Deb Phelan, Mike Phelan, Amy Moore, Greg Moore, Scott VanDerripe, and Jamie Crosno.

Dan Rodrigues: closes public comment.

Marc Lea: answers questions raised during public comment.

Dan Rodrigues: asks if Mark Battany, U.C. Cooperative Extension Farm Advisor, could clarify why wind machines are needed in certain agricultural operations.

Mark Battany: provides an overview of the necessity for wind machines in Agriculture as it relates to frost protection, the benefits, drawbacks, and answers questions asked by members of the public attending the meeting.

Claire Wineman: explains the difficulties with cost associated with crop protection and limitations agriculture must withstand to remain operational.

Lisen Bonnier: says wind machines for frost protection are not made to consider sound. She mentions that there may be other methods to move the air more quietly. Likes the concept of incorporating decibel level requirements into the accepted standards document.

Ian Landreth, Agricultural Resource Specialist: provides an overview of the nexus between development of the Accepted Customs and Standards and necessary amendments to the noise ordinance to allow for Code Enforcement to enforce when non-compliance with these standards is determined by the Ag Department in response to a nuisance complaint.

Jean-Pierre Wolff: covers the types of frost fan machines which are fixed and mobile models. Thinks there should be more dialog with mobile units that can be reoriented if complaints arise. Says technology is there to address the efficiency of these machines and reduce noise.

Matt Merrill: says it is the only option for winegrapes in the current industry but also recognizes that a more appropriate location of the machines should be considered by the farmer.

Dan Rodrigues: states his understanding of the recent trend switching to citrus by farmers to diversify their production to help their bottom line. Expresses his gratitude to the public for coming. Mentions the ad hoc committee will be going back to the drawing board for the accepted customs and standards.

Brent Burchett: summarizes his viewpoint on the direction of these standards in relation to wind machines. Expresses interest in moving forward with the current draft of the accepted customs and standards developed by the ad hoc committee.

Marc Lea: advises it would be wise to have someone from Planning and Code Enforcement to be a part of the next meeting.

Claire Wineman: moves to accept the ad hoc committee recommendation on the accepted customs and standards as presented.

Ian Landreth, Ag Resource Specialist: clarifies that the committee does not have to include decibel ratings because the noise ordinance already has outlined exterior/interior decibel standards.

Brent Burchett: asks for clarification that the pathway being pursued is the same pathway that exists for bird cannons as it relates to agriculture, right to farm, and noise nuisance complaints.

Ian Landreth, Ag Resource Specialist: confirms with Burchett he is correct.

Jerry Diefenderfer: states he would second the motion if the motion maker would agree to a discussion on decibel criteria prior to the recommendation. Believes a paragraph detailing decibel level and how they would be investigated as it relates to the noise ordinance. Asks if the ALAB is creating a similar pathway for wind machines that already exists.

Ian Landreth, Ag Resource Specialist: concurs with Diefenderfer regarding the ALAB creating a similar pathway for wind machines that exists for bird cannons/pest-repelling devices.

Dan Rodrigues: recommends holding off finalizing anything until the next ALAB meeting so Planning, County Counsel, and Code Enforcement can be in attendance.

Brent Burchett: states he will be voting no on the motion.

Marc Lea: states moving ahead with approving the “Accepted Customs and Standards” would only be advisory at this point if the noise ordinance is not also amended to incorporate any accepted customs and standards. Reiterates the importance of having Planning, County Counsel, and Code Enforcement involved in the process so everyone can fully understand the practical effects of the standards being developed.

Dan Rodrigues: stands by his previous statement about holding off until other departments can participate. Asks Diefenderfer if he still wants to second the motion.

Jerry Diefenderfer: says no.

Thereafter on **Motion by:** Claire Wineman and without support of a second, the **Motion dies.**

VII. Future agenda items/meeting dates, adjournment.

Thereafter on **Motion by:** Dan Rodrigues **Second by:** Sarah Kramer, the ALAB June 5, 2023, meeting was adjourned. The next ALAB meeting is scheduled for July 10, 2023.

Respectfully submitted by Ian Landreth, San Luis Obispo County Department of Agriculture.