

Paso Basin Cooperative Committee Notice of Meeting

NOTICE IS HEREBY GIVEN that the Paso Basin Cooperative Committee will hold a Regular Meeting at **4:00 P.M. on Wednesday, January 26, 2022**. Due to the continuing increase of Coronavirus (COVID-19) cases and in accordance with AB 361, which amends Government Code §54953 to allow local legislative bodies to hold virtual meetings after September 30, 2021, if certain criteria is met, the Paso Basin Cooperative Committee meeting for January 26, 2022 will be a virtual meeting held via Zoom webinar. Members of the public can participate via phone or by logging into the web-based meeting.

TO JOIN THE MEETING FROM YOUR COMPUTER, TABLET OR SMARTPHONE, PLEASE GO TO:

<https://us06web.zoom.us/j/84536740971?pwd=OVdXVWhpN053NTU0ajNJUWtVaCtKdz09>

(This link will help connect both your browser and telephone to the call)

Passcode: 338420

YOU CAN ALSO DIAL IN USING YOUR PHONE:

- United States: +1 669 900 6833
- Webinar ID: 845 3674 0971
- Passcode: 338420

All persons desiring to speak during any Public Comment can submit a comment by:

- Email at arford@co.slo.ca.us by 5:00 PM on the day prior to the Cooperative Committee meeting
- Teleconference meeting at link and/or phone number above
- Mail (*must be received by 5:00 PM on the day prior to the Committee meeting*) to:
County of San Luis Obispo Department of Public Works
Attn: Angela Ford
County Government Center, Room 206
San Luis Obispo, CA 93408
- Additional information on how to submit Public Comment is on page 3 of this Agenda

NOTE: The Paso Basin Cooperative Committee reserves the right to limit each speaker to three (3) minutes per subject or topic. In compliance with the Americans with Disabilities Act, all possible accommodations will be made for individuals with disabilities so they may attend and participate in meetings. Persons who require accommodation for any audio, visual or other disability in order to participate in the meeting of the GSC are encouraged to request such accommodation 48 hours in advance of the meeting from Joey Steil at (805) 781-5252.

For more information, please visit the Groundwater Sustainability Agency websites at:

- County of San Luis Obispo – www.slocounty.ca.gov/sgma
- Shandon-San Juan Water District – www.ssjwd.org
- City of Paso Robles – www.prcity.com
- San Miguel CSD – www.sanmiguelcsd.org

John Hamon, Treasurer, City of Paso Robles
Rob Roberson, Member, San Miguel CSD
Debbie Arnold, Chair, County of SLO
Matt Turrentine, Vice Chair, Shandon-San Juan WD

Steve Martin, Alternate, City of Paso Robles
Vacant, Alternate, San Miguel CSD
John Peschong, Alternate, County of SLO
Kevin Peck, Alternate, Shandon-San Juan WD

Agenda
January 26, 2022

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Public Comment** – Items not on Agenda
- 5. Consider Adopting Resolution to Continue Meeting Virtually**
- 6. Approval of October 27, 2021, Meeting Minutes**
- 7. Receive update on GSP Implementation Round 1 Grant Application and Proposed Work Plan / Budget**
- 8. Consider Approving Letter of Support for County to submit GSP Implementation Grant Application**
- 9. Receive presentation by Todd Groundwater on effort to address GSP deficiencies and consider approving contract amendment and related budget increase**
- 10. 2021 GSP Annual Report Status Update**
- 11. Update regarding GSP Plan Manager designation for DWR purposes**
- 12. Update Conflict of Interest Code**
- 13. Committee Member Comments** – Committee members may make brief comments, provide status updates, or communicate with other members, staff, or the public regarding non-agenda topics
- 14. Upcoming meeting(s)**
- 15. Future Items**
- 16. Adjourn**

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*****CONFERENCE CALL/WEBINAR ONLY*****

Wednesday, January 26, 2022, at 4:00 p.m.

Important Notice Regarding COVID-19 based on guidance from the California Department of Public Health and the California Governor's Officer, to minimize the spread of the COVID-19 virus, please note the following:

1. The meeting will only be held telephonically and via internet via the number and website link information provided on the agenda. After each item is presented, Committee Members will have the opportunity to ask questions. Participants on the phone will then be provided an opportunity to speak for 3 minutes as public comment prior to Committee deliberations and/or actions or moving on to the next item. If a participant wants to provide public comment on an item, they should select the "Raise Hand" icon on the Zoom Online Meeting platform or press *9 if on the phone. The meeting host will then unmute the participant when it is their turn to speak and allow them to provide public comment.
2. The Committee's agenda and staff reports are available at the following website:
www.slocounty.ca.gov/pasobasin
3. If you choose not to participate in the meeting and wish to make a written comment on any matter within the Committee's subject matter jurisdiction, regardless of whether it is on the agenda for the Committee's consideration or action, please submit your comment via email or U.S. Mail to ensure it is received by 5:00 p.m. on the day prior to the Committee meeting. Please submit your comment to Angela Ford at arford@co.slo.ca.us. Your comment will be placed into the administrative record of the meeting.

Mailing Address:

County of San Luis Obispo Department of Public Works

Attn: Angela Ford

County Government Center, Room 206

San Luis Obispo, CA 93408

4. If you choose not to participate in the meeting and wish to submit verbal comment, please call (805) 781-5139 and ask for Angela Ford. If leaving a message, state and spell your name, note the agenda item number you are calling about and leave your comment. The verbal comments must be received by no later than 9:00 a.m. on the morning of the noticed meeting and will be limited to 3 minutes. Every effort will be made to include your comment into the record, but some comments may not be included due to time limitations.

NOTE: The Paso Basin Cooperative Committee reserves the right to limit each speaker to three (3) minutes per subject or topic. In compliance with the Americans with Disabilities Act and Executive Order N-29-20, all possible accommodations will be made for individuals with disabilities, so they may participate in the meeting. Persons who require accommodation for any audio, visual or other disability in order to participate in the meeting of the Paso Basin Cooperative Committee are encouraged to request such accommodation 48 hours in advance of the meeting from Joey Steil at (805) 781-5252.

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PASO BASIN COOPERATIVE COMMITTEE
January 26, 2022

Agenda Item #5 – Consider Adopting Resolution to Continue Meeting Virtually

Recommendation

It is recommended that the Paso Basin Cooperative Committee (Committee) adopt the attached resolution, invoking the provisions of AB 361 related to the holding of teleconferencing/virtual public meetings.

Prepared By

GSA staff, County of San Luis Obispo

Discussion

On March 4, 2020, California State Governor Gavin Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic. That proclamation remains in effect to date. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting Law, the Brown Act (Government Code Section 54950 et seq.). On June 11, 2021, Governor Newsom issued Executive Order N-08-21, clarifying the suspension of the teleconferencing rules set forth in the Brown Act, noting that those provisions would remain suspended through September 30, 2021.

On September 16, 2021, Governor Newsom signed Assembly Bill 361 (AB 361), which allows legislative bodies subject to the Brown Act to continue meeting by teleconference, provided they make certain findings, including that meeting in person would present imminent risks to the health or safety of attendees. AB 361 requires that certain findings be made by the legislative body every 30 days.

This staff report is presented today for the WRAC to consider the finding that holding in person meetings would present imminent risks to the health or safety of board members, staff and all attendees of WRAC public meetings.

Attachments

Resolution acknowledging the Governor's State of Emergency and Authorizing Teleconference Meetings for 30 Days per AB 361.

* * *

PASO BASIN COOPERATIVE COMMITTEE
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Wednesday, January 26, 2022

PRESENT:

ABSENT:

RESOLUTION NO. 2022-001

**A RESOLUTION OF [THE PASO BASIN COOPERATIVE COMMITTEE ACKNOWLEDGING
GOVERNOR NEWSOM'S PROCLAMATION OF A STATE OF EMERGENCY AND
AUTHORIZING MEETINGS BY TELECONFERENCE MEETINGS FOR A PERIOD OF
THIRTY DAYS PURSUANT TO THE RALPH M. BROWN ACT**

The following resolution is now offered and read:

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and

WHEREAS, the proclaimed state of emergency remains in effect; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361, allowing legislative bodies subject to the Brown Act to continue meeting by teleconference if the legislative body determines that meeting in person would present imminent risks to the

health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and

WHEREAS, California Department of Public Health and the federal Centers for Disease Control and Prevention (“CDC”) caution that the Omicron variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than the original SARS-CoV-2 variant of the virus, and that even fully vaccinated individuals can be infected and may spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/omicron-variant.html>); and

WHEREAS, the CDC has established a “Community Transmission” metric with 4 tiers designed to reflect a community’s COVID-19 case rate and percent positivity; and

WHEREAS, the County of San Luis Obispo currently has a Community Transmission metric of “high” which is the most serious of the tiers; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Paso Basin Cooperative Committee 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.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Paso Basin Cooperative Committee that:

1. The recitals set forth above are true and correct.
2. The Proclamation of State of Emergency in response to the COVID-19 pandemic issued by Governor Newsom on March 4, 2020, remains in effect.
3. The Paso Basin Cooperative Committee finds that the proclaimed state of emergency continues to impact the ability of members to meet safely in person and meeting in person would present imminent risks to the health or safety of attendees.

4. Staff is directed to return with an item for the Paso Basin Cooperative Committee to consider making the findings required by AB 361 to continue meeting under its provisions.

Upon motion of Member _____, seconded by Member _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Debbie Arnold
Chairperson of the Paso Basin Cooperative
Committee

ATTEST:

Rob Roberson
Secretary of the Paso Basin Cooperative Committee

Paso Basin Cooperative Committee

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The following members or alternates were present:

Debbie Arnold, Chair, County of San Luis Obispo

Matt Turrentine, Vice Chair, Shandon-San Juan WD

John Hamon, Treasurer, City of Paso Robles

Rob Roberson, Member, San Miguel CSD

1. Call to Order	Chair Arnold: calls the meeting to order at 4:00 p.m.																									
2. Pledge of Allegiance	Chair Arnold: leads the Pledge of Allegiance.																									
3. Roll call	County Staff, Angela Ford: calls roll.																									
4. Public Comment – items not on Agenda	<p><i>Meeting Audio: Item start ~ 00:01:41</i></p> <p>Chair Arnold: opens the floor for public comment.</p> <p>Greg Grewal: comments regarding recent Salinas Dam meeting, SSJWD application for Salinas Dam water appropriations, and concerns regarding recharge from Salinas River.</p> <p>Chair Arnold: asks for additional public comments, seeing none, closes the public comment period.</p>																									
5. Consider Adopting Resolution to Continue Meeting Virtually	<p><i>Meeting Audio: Item start ~ 00:06:06</i></p> <p>County Staff, Angela Ford: explains that, per AB 361, the PBCC must adopt a resolution to continue meeting virtually every thirty days and find that meeting in person would pose a risk to public health and safety.</p> <p>Chair Arnold: opens the floor for public comment.</p> <p>Greg Grewal: speaks.</p> <p>Chair Arnold: closes the public comment period.</p> <p>Treasurer Hamon: Expresses support for hybrid / in-person and virtual meetings.</p> <p>Motion by: Treasurer Hamon Second by: Vice Chair Turrentine Motion: Committee moves to adopt resolution to continue meeting virtually.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Members</th> <th style="text-align: center;">Ayes</th> <th style="text-align: center;">Noes</th> <th style="text-align: center;">Abstain</th> <th style="text-align: center;">Recuse</th> </tr> </thead> <tbody> <tr> <td>Debbie Arnold (Chair)</td> <td style="text-align: center;">X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Matt Turrentine (Vice Chair)</td> <td style="text-align: center;">X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>John Hamon (Treasurer)</td> <td style="text-align: center;">X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Rob Roberson (Member)</td> <td style="text-align: center;">X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Members	Ayes	Noes	Abstain	Recuse	Debbie Arnold (Chair)	X				Matt Turrentine (Vice Chair)	X				John Hamon (Treasurer)	X				Rob Roberson (Member)	X			
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Matt Turrentine (Vice Chair)	X																									
John Hamon (Treasurer)	X																									
Rob Roberson (Member)	X																									

Paso Basin Cooperative Committee

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<p>6. Approval of July 21 and 27 Meeting Minutes</p>	<p>Audio from the July 21 and 27, 2021 Paso Basin Cooperative Committee Meeting is available at: www.slocounty.ca.gov/pasobasin</p> <p>Chair Arnold: opens discussion for Agenda Item 6 – Approval of July 21 and 27, 2021 Cooperative Committee Meeting Minutes; asks for comments from the Committee, and then from the public; there are none.</p> <p>Motion by: Treasurer Hamon Second by: Vice Chair Turrentine Motion: Committee moves to approve July 21 and 27, 2021 Meeting Minutes.</p> <table border="1"><thead><tr><th>Members</th><th>Ayes</th><th>Noes</th><th>Abstain</th><th>Recuse</th></tr></thead><tbody><tr><td>Debbie Arnold (Chair)</td><td>X</td><td></td><td></td><td></td></tr><tr><td>Matt Turrentine (Vice Chair)</td><td>X</td><td></td><td></td><td></td></tr><tr><td>John Hamon (Treasurer)</td><td>X</td><td></td><td></td><td></td></tr><tr><td>Rob Roberson (Member)</td><td>X</td><td></td><td></td><td></td></tr></tbody></table>	Members	Ayes	Noes	Abstain	Recuse	Debbie Arnold (Chair)	X				Matt Turrentine (Vice Chair)	X				John Hamon (Treasurer)	X				Rob Roberson (Member)	X			
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<p>7. Consider Appointing a Member of the Cooperative Committee to the position of Secretary</p>	<p><i>Meeting Audio: Item start ~ 00:15:03</i></p> <p>Meeting materials for Agenda Item #7 are available at: www.slocounty.ca.gov/pasobasin</p> <p>County Staff, Angela Ford: explains that the PBCC previously appointed positions to each member, however because Kelly Dodds is no longer serving as a member for the San Miguel CSD, there is a vacancy at the Secretary position. Recommends that the Committee appoint a new Secretary.</p> <p>Chair Arnold: opens the floor for public comment; there are none.</p> <p>Motion by: Treasurer Hamon Second by: Vice Chair Turrentine Motion: Committee moves appoint Rob Roberson as Secretary of PBCC.</p> <table border="1"><thead><tr><th>Members</th><th>Ayes</th><th>Noes</th><th>Abstain</th><th>Recuse</th></tr></thead><tbody><tr><td>Debbie Arnold (Chair)</td><td>X</td><td></td><td></td><td></td></tr><tr><td>Matt Turrentine (Vice Chair)</td><td>X</td><td></td><td></td><td></td></tr><tr><td>John Hamon (Treasurer)</td><td>X</td><td></td><td></td><td></td></tr><tr><td>Rob Roberson (Member)</td><td>X</td><td></td><td></td><td></td></tr></tbody></table>	Members	Ayes	Noes	Abstain	Recuse	Debbie Arnold (Chair)	X				Matt Turrentine (Vice Chair)	X				John Hamon (Treasurer)	X				Rob Roberson (Member)	X			
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John Hamon (Treasurer)	X																									
Rob Roberson (Member)	X																									
<p>8. Receive update on modifications to GSA boundaries</p>	<p><i>Meeting Audio: Item start ~ 00:16:50</i></p> <p>Meeting materials for Agenda Item are available at: www.slocounty.ca.gov/pasobasin</p> <p>County Staff, Angela Ford: provides a summary of the history of the Paso GSA boundaries and an update on recent coordination to formally modify them.</p> <p>Chair Arnold: opens the floor for public comment.</p> <p>Greg Grewal: speaks.</p> <p>Chair Arnold: closes the public comment period.</p>																									

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9. Consider submitting a letter requesting that DWR wait until the statutory deadline to make a determination on the Paso Basin GSP and, if applicable, grant the full 180 days to address GSP deficiencies

Meeting Audio: Item start ~ 00:22:37

The presentation for Agenda Item is available at: www.slocounty.ca.gov/pasobasin

County Staff, Angela Ford: provides a summary of DWR’s assessment procedures for Groundwater Sustainability Plan (GSP), explains that it is likely that DWR will provide GSAs with the full 180 days to address GSP deficiencies, however it is not guaranteed. Staff recommends considering submission of a letter requesting the maximum amount of time needed.

Treasurer Hamon: agrees with Staff recommendation.

Vice Chair Turrentine: expresses hope that GSP will be approved but if it is not possible he will support sending the letter to DWR.

Chair Arnold: opens the floor for public comment.

Greg Grewal and Ann Myhre: speak.

Chair Arnold: closes the public comment period.

Treasurer Hamon: asks Angela Ford to update the Committee on Todd Groundwater’s progress towards addressing GSP deficiencies.

County Staff, Angela Ford: comments that the next item on the agenda will be an update from Todd on GSP deficiencies.

Motion by: Treasurer Hamon

Second by: Vice Chair Turrentine

Motion: The Committee moves submit a letter requesting that DWR wait until the statutory deadline to make a determination on the Paso Basin GSP and, if applicable, grant the full 180 days to address GSP deficiencies

Members	Ayes	Noes	Abstain	Recuse
Debbie Arnold (Chair)	X			
Matt Turrentine (Vice Chair)	X			
John Hamon (Treasurer)	X			
Rob Roberson (Member)	X			

10. Receive update and approve approach for addressing Paso Basin GSP Deficiencies

Meeting Audio: Item start ~ 00:29:43

Meeting materials for Agenda Item #9 are available at: www.slocounty.ca.gov/pasobasin

Todd Groundwater, Iris Priestaf: introduces Todd Groundwater team working on addressing GSP deficiencies and provides overview on the approach and schedule for addressing GSP deficiencies.

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Treasurer Hamon: asks what happens after submittal if DWR's assessment determines that it is still inadequate.

Todd Groundwater, Iris Priestaf: comments that staff is looking forward to an adequate assessment and emphasizes that the work being done right now is directly in response to DWR comments.

Todd Groundwater, Chad Taylor: presents on the chronic lowering of Groundwater Levels Sustainability Indicator and sustainable management criteria (SMC) analysis being conducted; explains that work is being done based on existing information that is available with an emphasis on shallow domestic wells; comments that analysis is done to evaluate effects of GSP minimum thresholds and measurable objectives on existing wells; comments that Todd Groundwater has been using a refined approach to analyzing water levels due to potential location inaccuracies from well dataset.

Treasurer Hamon: comments that it seems that the more data points that are available the better the analysis.

Vice Chair Turrentine: asks Chad if the results of this analysis will satisfy the concerns that DWR has voiced.

Todd Groundwater, Chad Taylor: responds that they've talked to DWR about what they're looking for but ultimately the GSAs have the power to define what is "significant and unreasonable".

Vice Chair Turrentine: asks if Chad believes that the RMS wells are representative and whether there are enough RMS wells.

Todd Groundwater, Chad Taylor: responds that there are areas of the basin that don't have RMS wells and adding some RMS wells in the area would be beneficial in the long term, but that these areas are generally low groundwater-use areas.

Todd Groundwater, Gus Yates: presents on approach to Interconnected Surface Water (ISW) Sustainability Indicator including the focus on groundwater dependent ecosystems (GDEs) and aquatic animals; presents updates on vegetation trends, precipitation trends, and fish passage opportunities.

Treasurer Hamon: asks about ISW's impacts in relation to groundwater recharge efforts.

Todd Groundwater, Gus Yates: comments that pumping can affect creek flows if there is evidence of interconnected surface waters which would in turn affect fish passage.

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Todd Groundwater, Chad Taylor: adds that ISW is one of the six SMCs that SGMA requires all GSPs to address.

Vice Chair Turrentine: comments that the initial plan established that there were no ISWs but DWR has asked the GSAs to prove that assertion; asks Gus about the purpose of some of the lookbacks at previous conditions considering the GSAs are tasked with returning the basins to conditions from 2015 onwards.

Todd Groundwater, Gus Yates: agrees with Vice Chair Turrentine and explains that the lookbacks before 2015 are still useful to establish trends and develop relationships.

Chair Arnold: asks about vegetation at the headwaters of the Salinas River, specifically about changes to vegetation that may not be native but are now prospering.

Todd Groundwater, Gus Yates: comments that focus is on the native plants and that he is working to piece out these vegetation patterns and their relation to the climate cycle.

Chair Arnold: comments that the most recent drought has damaged the oak tree population but there may also be a climate cycle.

Todd Groundwater, Gus Yates: comments that the data sets aren't showing a clear pattern

Chair Arnold: opens the floor to public comment

Greg Grewal and Patricia Wilmore: speak

Chair Arnold: closes the public comment period.

Motion by: Treasurer Hamon

Second by: Vice Chair Turrentine

Motion: Committee moves to approve approach for addressing Paso GSP Deficiencies.

Members	Ayes	Noes	Abstain	Recuse
Debbie Arnold (Chair)	X			
Matt Turrentine (Vice Chair)	X			
John Hamon (Treasurer)	X			
Rob Roberson (Member)	X			

11. Consider recommended Consultant for Water Year

Meeting Audio: Item start ~ 01:44:00

County Staff, Angela Ford: summarizes the Annual Report deadlines and procurement process led by the City of Paso Robles consistent with the MOA Section 6.3, recommends approving the Water Year 2021 Annual Report

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<p>2021 Annual Report development and related contract with MOA Section 6.3</p>	<p>consultant (GSI Water Solutions, Inc), budget, contract, and forward to City of Paso Robles.</p> <p>Chair Arnold: opens the floor to public comment.</p> <p>Greg Grewal: speaks.</p> <p>Chair Arnold: closes the public comment period.</p> <p>Treasurer Hamon: comments that he would like to investigate any possible mistakes from previous Annual Reports.</p> <p>Chair Arnold: comments that she hopes to take a look at the numbers and check for any discrepancies on the annual report before the April 1st deadline.</p> <p>Motion by: Vice Chair Turrentine Second by: Treasurer Hamon Motion: The Committee moves to approve the contract with GSI Water Solutions Inc and approve the related budget for the development of the Water Year 2021 Annual Report for the Paso Basin</p> <table border="1" data-bbox="425 961 1393 1146"> <thead> <tr> <th>Members</th> <th>Ayes</th> <th>Noes</th> <th>Abstain</th> <th>Recuse</th> </tr> </thead> <tbody> <tr> <td>Debbie Arnold (Chair)</td> <td align="center">X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Matt Turrentine (Vice Chair)</td> <td align="center">X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>John Hamon (Treasurer)</td> <td align="center">X</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Rob Roberson (Member)</td> <td align="center">X</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Members	Ayes	Noes	Abstain	Recuse	Debbie Arnold (Chair)	X				Matt Turrentine (Vice Chair)	X				John Hamon (Treasurer)	X				Rob Roberson (Member)	X			
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Rob Roberson (Member)	X																									
<p>12. Committee Member Comments</p>	<p>There are no additional comments.</p>																									
<p>13. Upcoming meeting(s)</p>	<p><i>Meeting Audio: Item start ~ 01:53:22</i></p> <p>The next meeting will likely include actions related to addressing GSP deficiencies.</p> <p>2022 Regular Meetings: must be at least quarterly and have historically been the 4th Wednesday of each quarter:</p> <ul style="list-style-type: none"> • January 26, 2022 • April 27, 2022 • July 27, 2022 • October 26, 2022 <p>Chair Arnold: opens the floor to public comment, seeing none, closes the public comment period.</p>																									
<p>14. Future Items</p>	<p>There are no additional comments.</p>																									
<p>15. Adjourn</p>	<p>Chair Arnold moves to adjourn the meeting at 5:56p.m.</p>																									

Paso Basin Cooperative Committee
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October 27, 2021

I, Rob Roberson, Secretary to the Paso Basin Cooperative Committee, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held on October 27, 2021 by the Paso Basin Cooperative Committee.

Rob Roberson, Secretary of the Paso Basin Cooperative Committee.
Drafted by: Brandon Zuniga and Angela Ford, County of San Luis Obispo

PASO BASIN COOPERATIVE COMMITTEE
January 26, 2022

Agenda Item #7 – Receive update on GSP Implementation Round 1 Grant Application and Proposed Work Plan / Budget

Recommendation

It is recommended that the Paso Basin Cooperative Committee (Committee):

1. Receive update on GSP Implementation Round 1 Grant Application and Proposed Work Plan / Budget

Prepared By

GSA staff, County of San Luis Obispo

Background

On January 11, 2022, the Board of Supervisors of the County of San Luis Obispo approved Resolution 2022-005, authorizing the Director of Groundwater Sustainability, or designee, to file an application and execute a grant agreement with the California Department of Water Resources for funding under the Sustainable Groundwater Management Grant Program – Round 1 for implementation of the Paso Robles Subbasin Groundwater Sustainability Plan. The application is in response to a Proposal Solicitation Package (PSP), which was issued by the California Department of Water Resources (DWR). Round 1 funding is designated for groundwater basins that are designated in critical overdraft (COD), which includes the Paso Basin. Funding for the program will be from the 2021 Sustainable Groundwater Management (SGM) Grant Program SGMA Implementation – Planning and Projects Grant using funds authorized by the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68) (Pub. Resource Code, § 80000 et seq.) and the California Budget Act of 2021 (Stats. 2021, ch. 240, § 80).

DWR has determined that \$7.6 million is available per COD Basin and that each COD Basin will be required to conduct a self-evaluation of their project list using the scoring criteria outlined in the PSP to determine which projects are the most competitive within the basin. These self-evaluations are required to be submitted as backup documentation to a Spending Plan. Only one Spending Plan will be accepted per COD Basin and the applicant must meet the eligibility requirements listed within the PSP and the 2021 Guidelines.

Discussion

Through pre-determined grant award formulas developed by DWR, the Paso Basin is eligible to receive up to \$7,600,000 in 2021 Sustainable Groundwater Management (SGM) Grant Program Round 1 funding. Eligible GSP administration and SGMA compliance activities include the following:

- Preparation of GSP Water Year Annual Reports
- Preparation of the GSP 5-Year Update
- Biannual (or Quarterly) GW Level Measurements

In addition to GSP administration, monitoring and reporting, the following are the data gaps, projects and management actions that are generally identified in the Paso Basin GSP which may be considered for grant funding:

- Expand the monitoring well network by including additional existing wells (Paso Robles Formation and Alluvial) into the monitoring well network

- If appropriate, perform supplemental hydrogeologic investigations to sufficiently improve our understanding of the hydrogeologic conceptual model to support the adaptive management of the Paso Basin. Specific attention could be directed towards assessing surface water - groundwater interconnectivity and the impact on surface water from groundwater pumping
- Install new monitoring wells (Paso Robles Formation and Alluvial), stream gages, and climatologic stations, as deemed appropriate, and incorporate these new data sources into the Basin monitoring network to ensure that sufficient data is available to meet monitoring objectives, including Basin groundwater quality, relative to GSP sustainable management criteria (SMC)
- If appropriate, update and recalibrate the GSP hydrogeologic model or replace it with a new open-source model. New data and refinements to the hydrogeologic conceptual model, and possibly the updated numerical model, would be used for the following purposes:
 - Refining the aquifer parameters and model input values
 - Updating the estimated sustainable yield of the Basin
 - Evaluating benefits of alternative sustainability programs or projects

Specific management actions that were identified in the GSP include the following:

- Develop and implement a Basin-wide well verification and registration program.
- Develop and implement a Basin-wide groundwater extraction measurement (i.e., metering / remote sensing) program (subject to the exclusion of de minimis users)
- Develop and implement a Basin-wide pumping fee program (subject to the exclusion of de minimis users)
- Develop and implement a location(s) specific well interference mitigation program (Focus on areas of concentrated shallow domestic wells)
- Develop and implement an irrigated lands best management practices (BMP) program
- Develop and implement a multi-benefit land repurposing program
- Develop and implement a groundwater pumping allocation program

In addition to the programs and management actions listed above, the GSP identified the following projects that could help achieve sustainability throughout the Subbasin. These projects included the following:

- City of Paso Robles recycled water supply in-lieu of groundwater pumping
- San Miguel CSD recycled water supply in-lieu of groundwater pumping
- Projects that use Nacimiento Lake supplies via the Nacimiento Pipeline to be used directly for irrigation in-lieu of groundwater pumping or be blended with recycled water supplies and used for irrigation in-lieu of groundwater pumping
- Expansion of the Salinas Dam to increase storage capacity
- Projects that provide for floodplain expansion to provide storage of supplemental water supplies for in-lieu use of groundwater pumping and / or benefit groundwater recharge or habitat (e.g., basin recharge using peak flows from a river, creek, or stream)
- Use of San Luis Obispo County Flood Control and Water Conservation District (SLOFCWCD) State Water Project (SWP) allocations, and other supplemental water supplies, for the benefit of the Paso Basin.
- Distributed Stormwater Collection and Managed Aquifer Recharge (DSC-MAR) Facilities (Urban, Rural, On-Farm).

Only one grant application will be accepted per COD Basin and the application must be submitted after February 1, 2022, but no later than noon February 18, 2022.

* * *

PASO BASIN COOPERATIVE COMMITTEE
January 26, 2022

Agenda Item #8 – Consider approving and authorizing the Chairperson to sign a letter requesting that the City of Paso GSA, the San Miguel CSD GSA and the Shandon San Juan GSA approve and send resolutions and letters in support of the County’s GSP implementation grant application

Recommendation

It is recommended that the Paso Basin Cooperative Committee (Committee):

1. Consider approval and authorize the chairperson to sign the attached letter to the City of Paso GSA, the San Miguel CSD GSA and the Shandon San Juan GSA requesting that they approve and send resolutions and letters to DWR in support of the County's application for a 2021 Sustainable Groundwater Management Grant Program SGMA Implementation - Planning and Project Grant and authorize County staff to send the letter to both the GSAs and DWR.

Prepared By

GSA staff, County of San Luis Obispo

Background

A requirement of the 2021 Sustainable Groundwater Management (SGM) Grant Program Round 1 Program Solicitation Package (PSP) is that applicants representing other GSAs must have a letter of support from each GSA they represent. Because the County of San Luis Obispo is the applicant for this grant opportunity, the County is requesting the Committee approve and authorize the chairperson to sign the attached letter to the City of Paso GSA, the San Miguel CSD GSA and the Shandon San Juan GSA requesting that they approve and send resolutions and letters to DWR in support of the County's application for a 2021 Sustainable Groundwater Management Grant Program SGMA Implementation - Planning and Project Grant and authorize County staff to send the letter to both the GSAs and DWR. The signed letter of support will be included in the final grant application package and be submitted to DWR.

Discussion

Consider approval and authorize the chairperson to sign the attached letter to the City of Paso GSA, the San Miguel CSD GSA and the Shandon San Juan GSA requesting that they approve and send resolutions and letters to DWR in support of the County's application for a 2021 Sustainable Groundwater Management Grant Program SGMA Implementation - Planning and Project Grant and authorize County staff to send the letter to both the GSAs and DWR.

Attached

1. Letter to GSAs requesting Letters of Support and Resolutions in support of County’s SGM Grant Program Round 1 Application

* * *

***COOPERATIVE COMMITTEE
OF THE
PASO ROBLES GROUNDWATER BASIN
GROUNDWATER SUSTAINABILITY AGENCIES***

City of Paso Robles GSA
1000 Spring Street
City of Paso Robles, CA 93635

January 26, 2022

San Miguel Community Services District GSA
1150 Mission Street, P.O. Box 180
San Miguel, CA 93451

Shandon-San Juan Water District and Shandon-San Juan GSA
P.O. Box 150
Shandon, CA 93461

Subject: Request for Letters and Resolutions in Support of the County of San Luis Obispo Application for a 2021 Sustainable Groundwater Management (SGM) Grant Program SGMA Implementation – Planning and Projects Grant

The members of the Paso Basin GSA Cooperative Committee hereby request a Resolution and Letter from each of your GSAs in support of the County of San Luis Obispo (County) application to the Department of Water Resources for a 2021 Sustainable Groundwater Management (SGM) Grant Program SGMA Implementation – Planning and Projects Grant. The funding request and spending plan that the County is proposing will be used for the implementation of the Paso Basin Groundwater Sustainability Plan (GSP), and include filling critical data gaps, development and implementation of key programs and management actions, and provide funding for select projects that are identified in the GSP. The requested grant funding will also be used for the administration of the Paso Basin GSP, including monitoring, and reporting of basin conditions and for the required 5-year update to the GSP. The Cooperative Committee supports this grant application and the combined efforts of the Paso Robles Groundwater Basin GSAs to achieve sustainability in our basin.

Sincerely,

COOPERATIVE COMMITTEE OF THE PASO ROBLES GW BASIN GROUNDWATER
SUSTAINABILITY AGENCIES

Debbie Arnold, Chairperson

Cc Department of Water Resources – Financial Assistance Branch

PASO BASIN COOPERATIVE COMMITTEE
January 26, 2022

Agenda Item #9 – Receive presentation by Todd Groundwater on effort to address GSP deficiencies and consider approving contract amendment and related budget increase

Recommendation

It is recommended that the Paso Basin Cooperative Committee (Committee):

1. Receive presentation by Todd Groundwater on effort to address GSP deficiencies
2. Approve contract amendment and related budget increase and forward said recommendation to City of Paso Robles

Prepared By

GSA staff, County of San Luis Obispo

Discussion

On July 27, 2021, the Committee approved an approach and budget for addressing the Paso Basin GSP deficiencies that included engaging a consultant team, Todd Groundwater. Following the Committee's recommendation, on August 25, 2021, the City of Paso Robles, serving as the Committee contracting agent, awarded contract to Todd Groundwater for the work to address Paso Basin GSP deficiencies with a budget amount of \$82,186.

Under the scope of their contract, Todd Groundwater has prepared materials and presentations to review progress on their work and get concurrence from the Committee, GSA staff, and the Department of Water Resources (DWR). On December 16, 2021, a virtual meeting was held between GSA staff, the Todd Groundwater Team, and DWR staff. During that meeting, DWR staff requested a presentation of Todd Groundwater's analysis to a small group of DWR staff who have specific involvement in sustainability analysis. The additional meeting that DWR has requested was not anticipated and is outside the scope of work that is described in the base agreement.

Although the additional meeting was not anticipated or budgeted for, it is the opinion of the GSAs that this meeting will provide a valuable opportunity to present the current findings and conclusions, as they relate to the identified GSP deficiencies, to a focused group of DWR technical staff who will play a key role in the review and approval of the GSP.

The Committee could approve a budget increase of \$4,893 and recommend the GSAs negotiate, and the City of Paso award, a contract amendment with Todd Groundwater for the work identified in the attached scope, subject to ratification by each of the four GSA Boards/Council.

Attached

1. Todd Groundwater Proposal for Technical Support to Small Group Technical Meeting with DWR

* * *

Attachment 1



December 22, 2021

MEMORANDUM

Transmitted via e-mail

To: Christopher Alakel, City of Paso Robles
Blaine Reely, County of San Luis Obispo

From: Iris Priestaf, PhD, Gus Yates, PG, CHG, and Chad Taylor, PG, CHG

Re: Proposal for Technical Support to Small Group Technical Meeting with DWR

Todd Groundwater was retained in August 2021 by the Paso Robles Subbasin GSAs to provide technical support in responding to two DWR-defined corrective actions for the Paso Robles Subbasin GSP. These two actions are 1) to provide justification for, and effects associated with, the sustainable management criteria for groundwater levels, and 2) to develop sustainable management criteria for the depletions of interconnected surface water. Since August, Todd Groundwater has reviewed documents, assembled available data, developed a technical approach, and conducted technical analyses making use of best available information and science. Todd Groundwater has provided multiple presentations and prepared internal draft documents for GSA staff review and discussion.

On December 16, 2021, a meeting was held among the GSAs staff, Todd Groundwater team, and DWR staff. The meeting involved presentation of the Todd Groundwater technical analyses related to the two corrective actions. During the meeting, Craig Altare (DWR's Groundwater Sustainability Plan Review Section Manager) requested presentation of our technical analyses to a small group of DWR staff who have specific involvement in sustainability analyses of groundwater levels and interconnected surface water.

We are interested in such a meeting and understand that the Paso Basin GSAs are supportive of the idea as an additional item in our existing technical support contract. Our proposed scope includes preparation of a PowerPoint that would be based on the December 4 presentation with some additional context and technical detail and with more opportunity for discussion. The focus will remain on the Paso Basin, although examples from other basins may be used. The PowerPoint would be submitted to the GSAs for review and then finalized. We anticipate that the meeting would be scheduled for two hours, held virtually, and would be attended by the Todd team and one or more GSA staff representatives. We would coordinate the meeting and provide a handout to participants of the PowerPoint (via email) prior to the meeting.

This item would be in addition to and consistent with our existing contract, with an estimated not-to-exceed cost of \$4,893. This represents 19 total hours for preparation and participation. We assume that the meeting would occur in January 2022. Please do not hesitate to contact us if you have questions or comments.

PASO BASIN COOPERATIVE COMMITTEE
January 26, 2022

Agenda Item #12 – Amendment to Appendix A of the Committee’s Conflict of Interest Code

Recommendation

It is recommended that the Paso Basin Cooperative Committee (Committee) adopt the attached Resolution amending Appendix A of the Committee Code to add the County of San Luis Obispo Groundwater Sustainability Director position to the designated position list.

Prepared By

Joey Steil and Angela Ford, County of San Luis Obispo

Discussion

The Political Reform Act (Gov. Code, § 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes governing the political activities and financial disclosure requirements of certain officers and employees. A conflict of interest code tells public officials, governmental employees, and consultants who are listed within the code what financial interests they must disclose on their Statement of Economic Interests (Form 700). Consistent with this requirement, on February 14, 2018, the Commission voted to adopt the Paso Basin Cooperative Committee Conflict of Interest Code (“the Code”), including a designated position list (Appendix A to the Code).

The Political Reform Act also requires every local government agency to amend its Conflict of Interest Code when change is necessitated by changed circumstances, including the creation of new positions and to submit any amendments to its conflict of interest code for approval to the County Board of Supervisors, as the code reviewing body. (Gov. Code, §§ 87306).

On September 14, 2021, the County Board of Supervisors voted to approve the creation of the Groundwater Sustainability Department and Groundwater Sustainability Director position. The Groundwater Sustainability Director will be the County staff person responsible for the implementation of the Paso Basin Groundwater Sustainability Plan and compliance with the requirements of the Sustainable Groundwater Management Act in accordance with direction provided by the County Board of Supervisors. Based on the foregoing, it is necessary to identify the County of San Luis Obispo Groundwater Sustainability Director as a designated position in Appendix A of the Code. Because the Code adopts the state’s model code and any subsequent amendments thereto, the Committee Code Coordinator (the County Engineer or his/her designee) recommends this amendment to the Committee Code.

Attachments

1. Committee Code
2. Resolution Amending Appendix A to the Committee Code

ATTACHMENT 1
COMMITTEE CODE

CONFLICT OF INTEREST CODE OF THE PASO BASIN COOPERATIVE COMMITTEE

The Political Reform Act (Gov. Code, § 81000, et. seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes governing the political activities and financial disclosure requirements of certain of their officers and employees. The Fair Political Practices Commission (“FPPC”) has adopted a regulation (Cal. Code Regs., tit. 2, § 18730) that contains the terms of a standard conflict of interest code, which may be adopted by local agencies and its provisions incorporated by reference as the agency’s code. After public notice and hearing, the FPPC may amend section 18730 to conform to amendments in the Political Reform Act. Therefore, the terms of Title 2 of the California Code of Regulations, section 18730, and any amendments to it duly adopted by the FPPC are hereby adopted and incorporated herein by reference as the Conflict of Interest Code of the Paso Basin Cooperative Committee (“the Committee”), together with the attached appendices, designating positions (Appendix A) and establishing disclosure requirements (Appendix B). (The full text of Section 18730 is reproduced and included herewith.)

Individuals holding designated positions shall file their statements of economic interests with the Clerk of the Board of Supervisors of the County of San Luis Obispo (“Clerk of the Board”), who is hereby designated as the filing official for all statements of economic interest filed pursuant to this code. All statements will be retained by the Clerk of the Board in accordance with applicable law, and, upon request by any member of the public, such statements will be made available for public inspection and reproduction in accordance with Government Code Section 81008. Upon the Committee’s behalf, the Clerk of the Board will maintain the statements at the clerk’s office located at 1055 Monterey Street, Suite D430, San Luis Obispo, CA 93408.

California Code of Regulations, Title 2
§ 18730. Provisions of Conflict of Interest Codes.¹

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the [Appendix A] are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her

¹ This version of Section 18730 of Title 2 of the California Code of Regulations is effective as of February 6, 2018, the date this was reproduced for purposes of its adoption as the Committee's Code. Any officer or employee who is designated in Appendix A, attached hereto, is advised to ensure that this reproduced version is the most current version of the FPPC's model code.

statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Service member's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;

3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$470.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$470 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive

a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - a. The date the loan was made.
 - b. The date the last payment of \$100 or more was made on the loan.
 - c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$470 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

**CONFLICT OF INTEREST CODE FOR THE
PASO BASIN COOPERATIVE COMMITTEE**

APPENDIX A - Designated Position List

<u>Position</u>	<u>Disclosure</u>
<u>Category</u>	
Cooperative Committee Members	1,2
City of Paso Robles Director of Public Works	1,2
San Miguel Community Services District, District Engineer	1,2
Shandon-San Juan Water District—Designated Employee to Committee	1,2
County of San Luis Obispo Engineer	1,2
Attorney	1,2
Consultants/New Positions	*

Note: The position of Attorney is filled by an outside consultant, but acts in staff capacity.

*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The Committee may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Committee's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008.)

APPENDIX B – Disclosure Categories

1. Investments and business positions in business entities, and income, including receipt of loans, gifts, and travel payments, from sources of the type that provide services, supplies, materials, machinery, or equipment of the type utilized by the Committee.
2. Interests in real property located within the jurisdiction of the Committee, or within two miles of the jurisdictional boundaries of the Committee, or within two miles of any land owned or used by the Committee.

ATTACHMENT 2
RESOLUTION AMMENDING APPENDIX A TO THE COMMITTEE
CODE

RESOLUTION NO. 2022-02

**RESOLUTION OF THE PASO BASIN COOPERATIVE COMMITTEE
AMENDING APPENDIX A TO ITS CONFLICT OF INTEREST CODE**

WHEREAS, the Political Reform Act (Gov. Code, § 81000 et seq.) requires every state and local government agency to adopt and promulgate a conflict of interest code pursuant to Government Code section 87300; and

WHEREAS, on February 14, 2018, the Paso Basin Cooperative Committee adopted the Paso Basin Cooperative Committee Conflict of Interest Code; and

WHEREAS, Appendix A to the Committee's Conflict of Interest Code identifies those officials and employees who shall file statements of economic interests with the Clerk of the Board of Supervisors, upon assuming office, leaving office, and during each year in office disclosing those financial interests set forth in Appendix B of the Conflict of Interest Code; and

WHEREAS, pursuant to the process set forth in Government Code section 87306, the Committee has determined that a revision to the Committee's Designated Position List is required due to the creation of the County Groundwater Sustainability Department and Groundwater Sustainability Director position, which should be added to the Committee's Conflict of Interest Code.

NOW, THEREFORE, be it resolved and ordered by the Paso Basin Cooperative Committee that:

1. Appendix A of the Conflict of Interest Code for the Paso Basin Cooperative Committee is hereby amended to add the position of County of San Luis Obispo Groundwater Sustainability Director as set forth in Exhibit A attached hereto and incorporated herein by this reference.
2. Except as set forth in Paragraph 1, Appendix A and the Conflict of Interest Code shall remain unchanged and in full force and effect.
3. The County of San Luis Obispo Engineer, or his/her designee, is hereby directed to submit the Committee's code amendment, as adopted herein, to the Clerk of the Board of Supervisors for approval by the board in accordance with Government Code section 87303 and 87306.

PASSED AND ADOPTED by the Paso Basin Cooperative Committee on the 26th day of January 2022, by the following vote:

AYES, and all in favor, thereof, Committee Members:

NOES, Members:

ABSENT, Members:

ABSTAIN, Members:

Debbie Arnold, Chair, Cooperative Committee

ATTEST: _____

**AMENDMENT TO APPENDIX A TO PASO BASIN COOPERATIVE
COMMITTEE CONFLICT OF INTEREST CODE
(REDLINE/STRIKETHROUGH)**

**CONFLICT OF INTEREST CODE FOR THE
PASO BASIN COOPERATIVE COMMITTEE**

APPENDIX A - Designated Position List

**CONFLICT OF INTEREST CODE FOR THE
PASO BASIN COOPERATIVE COMMITTEE**

APPENDIX A - Designated Position List

<u>Position</u>	<u>Disclosure</u>
<u>Category</u>	
Cooperative Committee Members	1,2
City of Paso Robles Director of Public Works	1,2
San Miguel Community Services District, District Engineer	1,2
Shandon-San Juan Water District—Designated Employee to Committee	1,2
County of San Luis Obispo Engineer	1,2
<u>County of San Luis Obispo Groundwater Sustainability Director</u>	<u>1,2</u>
Attorney	1,2
Consultants/New Positions	*

Note: The position of Attorney is filled by an outside consultant, but acts in staff capacity.

*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:

The Committee may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Committee's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008.)

**AMENDMENT TO APPENDIX A TO PASO BASIN COOPERATIVE
COMMITTEE CONFLICT OF INTEREST CODE
(CLEAN)**

**CONFLICT OF INTEREST CODE FOR THE
PASO BASIN COOPERATIVE COMMITTEE**

APPENDIX A -Designated Position List

**CONFLICT OF INTEREST CODE FOR THE
PASO BASIN COOPERATIVE COMMITTEE**

APPENDIX A - Designated Position List

<u>Position</u>	<u>Disclosure</u>
<u>Category</u>	
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