

# Paso Basin Advisory Committee Meeting Agenda

**Templeton Community Center**      **Thursday, August 21, 2014**  
**601 S. Main Street, Templeton**      **2 pm – 4 pm**  
[www.PasoBasin.org](http://www.PasoBasin.org)

- |     |   |                  |         |
|-----|---|------------------|---------|
| 1.  | Introductions and Determination of a Quorum                                     | Committee/Public | 2:00 pm |
| 2.  | Roll Call Voting Procedures   | Staff            | 2:05 pm |
| 3.  | Approve July Meeting Minutes  | Chair            | 2:10 pm |
| 4.  | Agricultural Water Use Offset Program Presentation                              | US-LT RCD        | 2:15 pm |
| 5.  | Update on Nacimiento Pipeline   | Chair            | 2:30 pm |
| 6.  | Ongoing Uses of Nacimiento Water in the Basin                                   | Agencies         | 2:45 pm |
|     | a. Salinas River underflow enhancement/deliveries                               |                  |         |
|     | b. Paso Robles Water Treatment Plant Phases                                     |                  |         |
| 7.  | Update on Water District Legislation (AB 2453)                                  | Various          | 3:00 pm |
| 8.  | Conflict of Interest Discussion   | Chair/Staff      | 3:05 pm |
| 9.  | Subcommittee Administration   | Chair/Chairs     | 3:20 pm |
|     | a. Meeting coordination efforts   |                  |         |
|     | b. Consider member request to participate on the In-Basin Projects Subcommittee |                  |         |
|     | c. Subcommittee reports   |                  |         |
| 10. | Updated Cumulative Water Surface Elevation Trends                               | Staff            | 3:35 pm |
| 11. | Public Comment  | Public           | 3:40 pm |
| 12. | Future meeting topics/committee comments  | Committee        | 3:50 pm |
| 13. | Adjourn   |                  | 4:00 pm |

The purpose of the Paso Basin Advisory Committee is to advise the County Board of Supervisors concerning policy decisions relating to:

- Implementation of the Basin Groundwater Management Plan
- Development of a “enhanced” Groundwater Management Plan for the Basin
- Formation of a new water district
- Transition of an initial County-supported district to an independent district
- Other policies and ordinances

The Committee will also serve as a public forum to discuss and collect comments on Basin

PASO ROBLES GROUNDWATER BASIN ADVISORY COMMITTEE:  
PASO ROBLES CITY COUNCIL CHAMBERS

July 17, 2014  
Meeting Minutes

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An audio recording of the meeting and materials submitted during public comment are available online at [www.SLOCountyWater.org](http://www.SLOCountyWater.org).

Approximately 2:00 pm the meeting is called to order

1. Determination of Quorum and Introductions – Quorum established.
2. Approve June Meeting Minutes – The June 19, 2014, Paso Robles Groundwater Basin Advisory Committee were reviewed and approved by the Committee unanimously with one abstention.
3. Finalize Subcommittees (Number & Charge/Project Status/ Participants/ Chair) – Chair Neil reviews a matrix describing the six subcommittees and its participating members/ alternates. He notes each subcommittee is limited to 9 members/alternates each. Member Grewal inquires why there could not have been more members added to the committee because alternates, who have no voting privileges and should be assisting the members, are being added to subcommittees. Discussion ensues on the Brown Act and when alternates are allowed to vote. Courtney Howard, County Staff, suggests each subcommittee coordinate meeting times so they do not overlap, and alternates may assist members or attend in their absence. Chair Neil reminds the room that subcommittee meetings are open to the public<sup>1</sup>. Mrs. Howard recommends each subcommittee have an e-mail list for interested persons so they may be notified of their individual meeting times. Member Luft explains the symbols on the matrix: E means the member/alternate wishes to be added to the subcommittee's e-mail list, 1 means the subcommittee is the member/alternate's first choice, and 2 means the subcommittee is the member/alternate's second choice.
  - a. Groundwater Management Plan Subcommittee – Chair Neil describes the charge of the Groundwater Management Plan Subcommittee: to review groundwater management legislation that is under development, to participate in the development of amendments to the existing AB3030 Plan, and to update and make recommendations to the full Committee regarding amendments to the existing AB3030 Plan. Ms. Howard notes that Chair Neil stepped down from this subcommittee and Member Johnson was added. Chair Neil opens a motion for the Groundwater Management Plan Subcommittee Chair. Member Brown moves

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<sup>1</sup> Secretary's note: Upon subsequent review of the Brown Act, for a subcommittee to conduct business, no more than 9 members and/or alternates may show up to a subcommittee meeting unless the meeting has been properly noticed. Attendance by interested members of the public (people who are not advisory committee members or alternates) does not trigger the Brown Act.

to nominate Alternate Halley with a second by Member Luft (unanimous).

- b. Supply Options Feasibility Study Subcommittee – Chair Neil describes the main charge of the Supply Options Feasibility Study Subcommittee: to engage in the Supply Options study and advise the full committee at key milestones. Chair Neil opens a motion for the Supply Options Feasibility Study Subcommittee Chair. Alternate Halley moves to nominate Member Britz with a second by Member Christianson (unanimous).
- c. Computer Model Update Subcommittee – Courtney Howard, County Staff, states the first draft report of the computer model by GeoScience will be available to the public in early August. She describes the main charge of the Computer Model Update subcommittee: to comment on the draft report, and develop questions and scenarios to ask and use the computer model. Mrs. Howard notes Member Merrill switched subcommittee preferences and Member Johnson was added to the subcommittee. Member Kalvans suggested someone with viticulture experience to replace Member Merrill; however, discussions ensue other subcommittee members have viticulture experience. Mrs. Howard opens a motion for the Computer Model Update Subcommittee Chair. Member Wilmore moves to nominate Member Luft with a second by Member Brown (unanimous).
- d. Outreach and Education Subcommittee – Chair Neil notes only 3 member/alternates were on the list for the outreach and education subcommittee. Member Spencer and Member Ellis request to join the subcommittee. Member Engel notes that during the Blue Ribbon Steering Committee, members of the Outreach and Education subcommittee had their own agencies and groups spread the word about that committee’s efforts and basin conditions. Chair Neil opens a motion for the Outreach and Education Subcommittee Chair. Member Spencer moves to nominate Member Engel with a second by Member Kalvanz (unanimous).
- e. In-Basin Projects Subcommittee – Chair Neil describes the main charge of the In-Basin Projects Subcommittee: to develop and implement solutions, and to monitor and report on solutions in progress. Courtney Howard, County Staff, notes Member Merrill stepped down from the subcommittee and a position is available. Member Werner requests to join the subcommittee; however his alternate is already in the subcommittee. A position is still available. Chair Neil opens a motion for the In-Basin Projects Subcommittee chair. Member Engel moves to nominate Member Werner with a second by Member Kalvanz (unanimous).
- f. Conservation Subcommittee – Chair Neil states that 5 member/ alternates showed interest, and of those, 3 are rural residential representatives. He notes the advantage of diversifying the subcommittee. Member Engel, Member Spencer, Member Kalvans, and Member Brown request to join the subcommittee. Chair Neil opens a motion for Conservation Subcommittee Chair. Member Luft moves

4. Update on Water District Legislation (AB 2453) – Member Brown provides an update of the status of the Water District Legislation (AB 2453). He states the bill is being amended as it goes through the various legislative committees and notes there are no public processes to consider the bill. Discussion ensues on why the special district formation required state involvement, and how to move the bill forward. Alternate Halley states Paso City Council had previously approved AB 2453 and is now reconsidering the revised version on August 5, 2014 at 7:30 PM. Discussion ensues on regarding whether the committee should weigh in on the amendments to the legislation.
5. Public Comment – Sheila Lyons reports that while there was no formal action taken, the attendees at the last Creston Advisory Body meeting generally supported a one landowner one vote formation vote methodology for the Water District. Maria Lorca requests that the committee use roll call votes to better understand how decisions are made<sup>2</sup>. Laurie Gauge summarizes the Tribune article on the drought symposium. Gwen Pelfrey suggests following the development of two permanent ordinances that are anticipated to be considered just before the urgency ordinance ends on July 8, 2014. Barry Kinman informs attendees that he is starting a business to test water levels using sonic technologies for \$100 per well. Member Luft states a company called WellIntel is working on a groundwater level information system for well owners. Member Kalvans suggests Barry Kinman target wells north of the county line in Monterey to help cover areas not currently covered by existing well level measuring programs. Wayne Montgomery asks if there is information on the extent to which the different subareas in the basin are hydrogeologically connected.
6. Committee Member Reports/ Comments – Chair Neil noted there are no committee member reports.
7. Future Agenda Items – The following future agenda items were suggested: develop recommendations to the Board on the content of the Water Summit being held by the County in the fall; receive a report on current efforts to recharge the basin with Lake Nacimiento water; receive a report on the construction of the Paso Robles Water and Wastewater Treatment Plants; receive a report on the construction of a Shandon State Water turnout; consider the potential for development of catchment basins for the potential El Niño storm; and consider making recommendations to the Board regarding the Salinas-Nacimiento-CMC Emergency Intertie project.

Meeting adjourned approximately 3:50 pm.

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<sup>2</sup> Secretary's note: Upon subsequent review of the Brown Act, votes of individual committee members must be publicly reported.

Draft

PASO ROBLES GROUNDWATER RESOURCES ADVISORY COMMITTEE 2014

Organization	Representative		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>AGENCIES, ORGANIZATIONS AND ASSOCIATIONS</b>														
Atascadero Mutual Water Company	John Neil	M					X	X	X					
	Jaime Hendrickson	A						X						
Central Coast Vineyard Team	Kris Beal	M					X	X	•					
	Willy Cunha	A					X		•					
City of Atascadero	Vacant	M												
	Vacant	A												
City of Paso Robles	Christopher Alakel	M					X	X						
	Christine Halley	A							X					
City of San Luis Obispo	Carlyn Christianson	M						X	X					
	John Ashbaugh	A												
County of Monterey (Resource Management Agency)	Tom Moss*	M												
	Carl Holm*	A												
Monterey County Water Resources Agency	Robert Johnson	M					•	X	•					
	Howard Franklin	A					•	X	•					
Paso Robles Imperiled Overlying Rights (PRIOR)	Steve Sinton	M					•	•	•					
	Kent Gilmore	A					X		•					
Paso Robles Wine Country Alliance	Patricia Wilmore	M					X		X					
	Jerry Reaugh	A					X	X	•					
San Miguel Community Services District	Anthony Kalvans	M					X	X	X					
	Dan Gilmore	A					X	X						
Shandon (County Service Area 16)	Donna Ellis	M					X	X	X					
	Vacant	A												
SLO County Cattlemen's Association	Kurt Bollinger	M					X							
	Dale Evanson	A												
SLO County Farm Bureau	Paul Clark	M					X	X						
	Megan Silcott	A					X							
Templeton Community Services District	Jeff Britz	M					X	X	X					
	Tina Mayer	A												
Upper Salinas-Las Tablas RCD	Laura Edwards	M					X	X						
	Devin Best	A					X	X						
<b>AT-LARGE</b>														
Viticulture Agriculturalist At-Large	Dana Merrill	M					X		•					
	Robert Brown	A					X	X	X					
Non-Viticulture Irrigated Crop Agriculturalist At-Large	Bill Spencer	M					X		X					
	John DeRosier	A												
Environmental At-Large	Sue Harvey	M					X	X	X					
	Daniel Meade	A					X	X	X					
Rural Residential At-Large	Sue Luft	M					X	X	X					
	Michael Baugh	A					X	X	X					
	Claudia Engel	M					X	X						
	Maria Lorca	A					X	X	X					
	Edward C. Redig	M					X	X	X					
	Jim DeRose	A					•	X	X					
	Steve Crouch	M					X	X	X					
	William Frost	A					X		X					
	George Tracy	M					•	•						
	Don Wilson	A					X	•						
(District 1)	Randy Diffenbaugh	M					X	X	•					
	Randy Heinzen	A					X	X	X					
(District 5)	Greg Grewal	M					X	X	X					
	Dr. Serena Friedman	A						X						
Undesignated At-Large	Larry Werner	M					X							
	Miller Newlon	A					X	X	•					

M = Member; A = Alternate; NM = New Member; NA = New Alternate; O = Other Representatives (e.g Staff, Council, Board, etc.)  
~~strikethrough text~~ = indicates that this individual is no longer serving in this role; • = Notified of absence or conflict

\* = To be confirmed at a future BOS meeting  
 \*\* = Membership to be confirmed by the BOS on \_\_\_\_\_.

**PASO ROBLES WATER RESOURCES ADVISORY COMMITTEE**

**2014 GUEST LIST**

NAME	Affiliation (If Any)	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
C., German								X					
Du, Cherie	SLO County Intern						X	X					
Fitzhugh, Joy								X					
Fogleman, Vicki (Shelby)						X	X	X					
Gage, Laurie						X		X					
Hartzell, Robert	US-LT RCD					X							
Heimel, Daniel						X	X						
Hollenbeck, John	Hollenbeck Consulting					X	X	X					
Kaselionis, Pal						X							
Lyons, Sheila						X	X	X					
Mersmer, Mike						X							
Montgomery, Wayne								X					
Munds, Ron	City of SLO						X	X					
Myhre, Ann								X					
Nott, Caleb							X						
Pelfrey, Gwen								X					
Reely, Blane						X							
Thompson, Matt	City of Paso Robles						X						
Tozzi, Dale						X							
Whitney, C.Z.						X							
Williamson, Mark						X							
Wray, Beth						X	X	X					



# Agricultural Water Offset Program



[ 1 ]

## Background

County Planning Department contacted the RCD to design a water use offset program for agriculture users in Paso Basin.

- *developed in response to the urgency ordinance which requires **NEW** irrigated Ag to offset their total projected water use.*

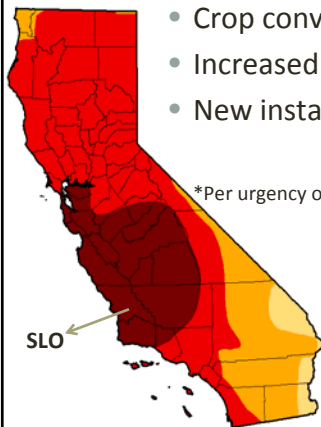
[ 2 ]

# More Background

1. Most Basic Reason for ordinance: **Severe Decline**

2. What is considered “new irrigated Ag?” \*

- Crop conversions
- Increased crop density
- New installations on previously un-irrigated lands



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# Phase I – Technical Analysis



RCD assembled a multidisciplinary project team (March)

- Hydrogeologist
- Hydrologic engineer
- UC Cooperative Extension staff
- Cal Poly ITRC department faculty
- NRCS Conservationist
- GIS specialist
- Agricultural manager
- Biological Expertise
- **Analysis** of potential for offset credits within regional areas
- **GIS mapping** and verification of crop layer data
- Data and methodology **review of water use by crop type**
  - **Master Water Report**
- UC Extension input

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## Phase II – Public Outreach



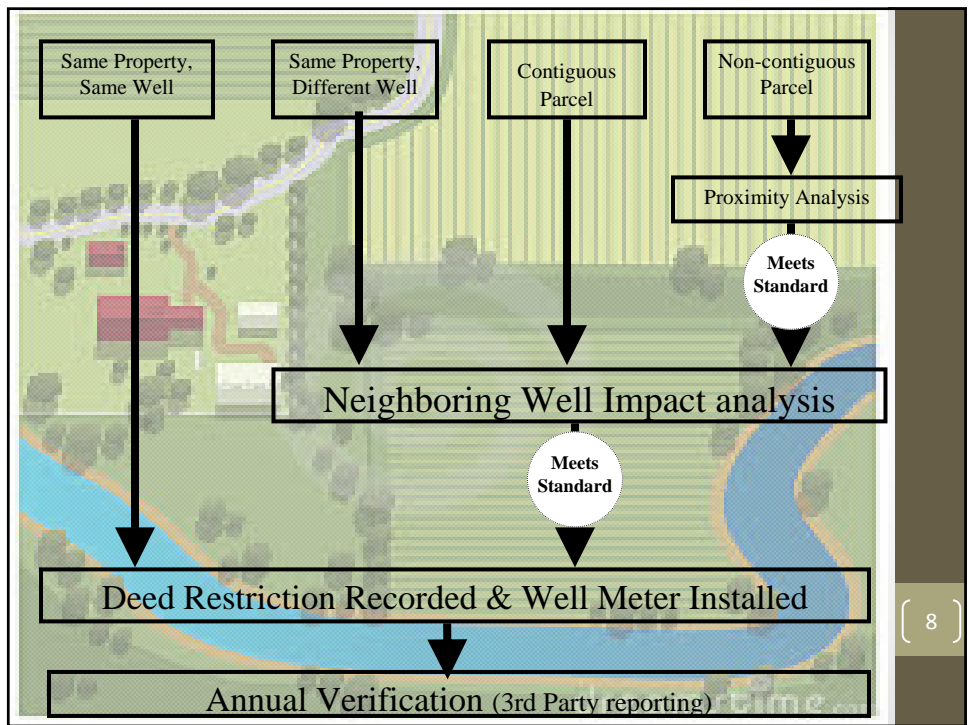
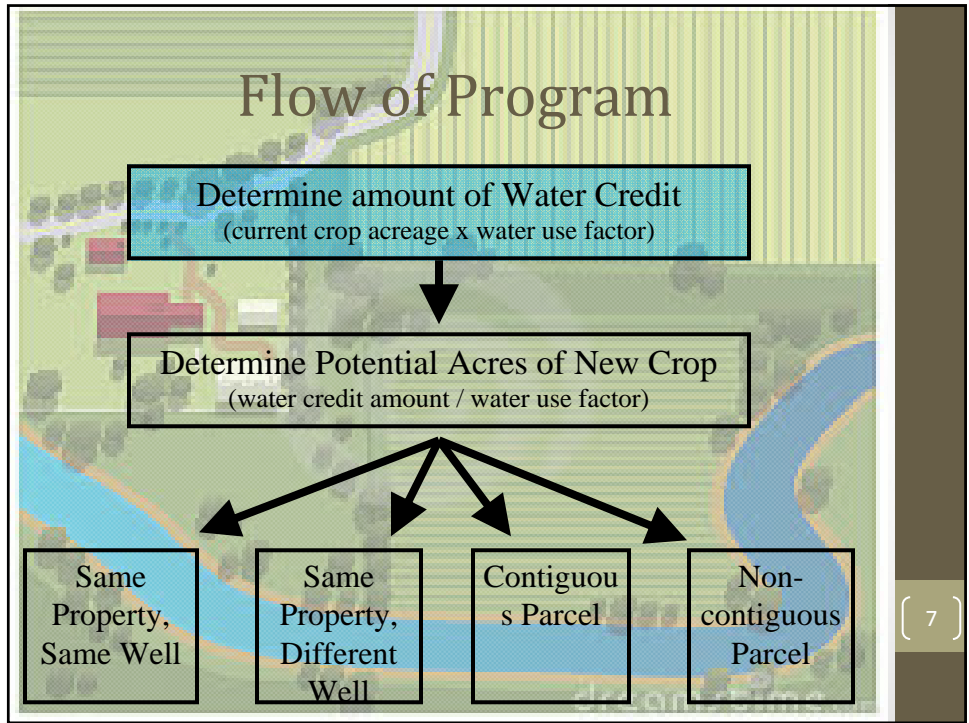
- RCD collaborating with YOU!
  - Paso Robles Wine Alliance
  - Ag Liaison Committee
    - Farm Bureau
  - Cattlemans Association
    - Vineyard Team
  - Olive Growers Association
    - Pro Water Equity
  - Other Stakeholder Groups TBD
- Town Hall meetings (Later Phase)
- Open to the public for general discussion and questions

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## Draft program Standards

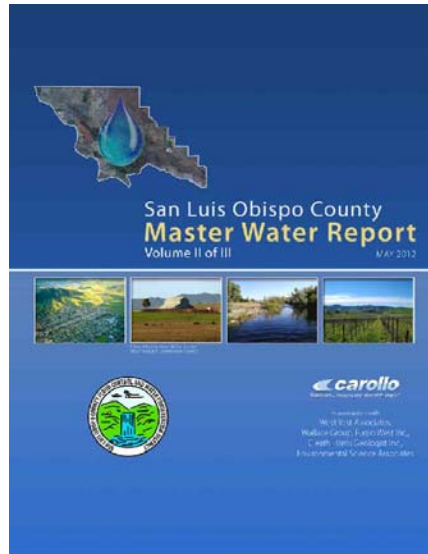
- Framework Provisions
  - Crop Conversions
  - New irrigated acreage
  - Increased crop density
  - Rootstock conversions (still under analysis)
  - Rural GW uses not included in urban domestic program thru County

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# Master Water Report

<http://www.slocountywater.org>



## Crop Water Calculations

- **Annual Crop Specific Applied Water**

$$(AF/Ac/Yr) = \frac{ETc - ER}{(1 - LR) \times IE} + FP$$

where:

**ETc = crop evapotranspiration = ETo x Kc**

ETo = reference evapotranspiration

Kc = crop coefficient

ER = effective rainfall

FP = frost protection

LR = leaching requirement

IE = irrigation efficiency

# Crop Groups MWR/Offsets

Table 1. Crop Group and Commodities Used for the Agricultural Demand Analysis

Crop Group	Primary Commodities
Alfalfa	Alfalfa
Nursery	Christmas trees, miscellaneous nursery plants, flowers
Pasture	Miscellaneous grasses, mixed pastures, sod/turf, sudangrass
Small Grains	Oats, barley, wheat
Citrus	Avocados, grapefruits, lemons, oranges, olives, kiwis, pomegranates (nondeciduous)
Deciduous	Apples, apricots, berries, peaches, nectarines, plums, figs, pistachios, persimmons, pears, quinces, strawberries
Strawberries	Strawberries
Vegetables	Artichokes, beans, miscellaneous vegetables, mushrooms, onions, peas, peppers, tomatoes
Vineyard	Wine grapes, table grapes

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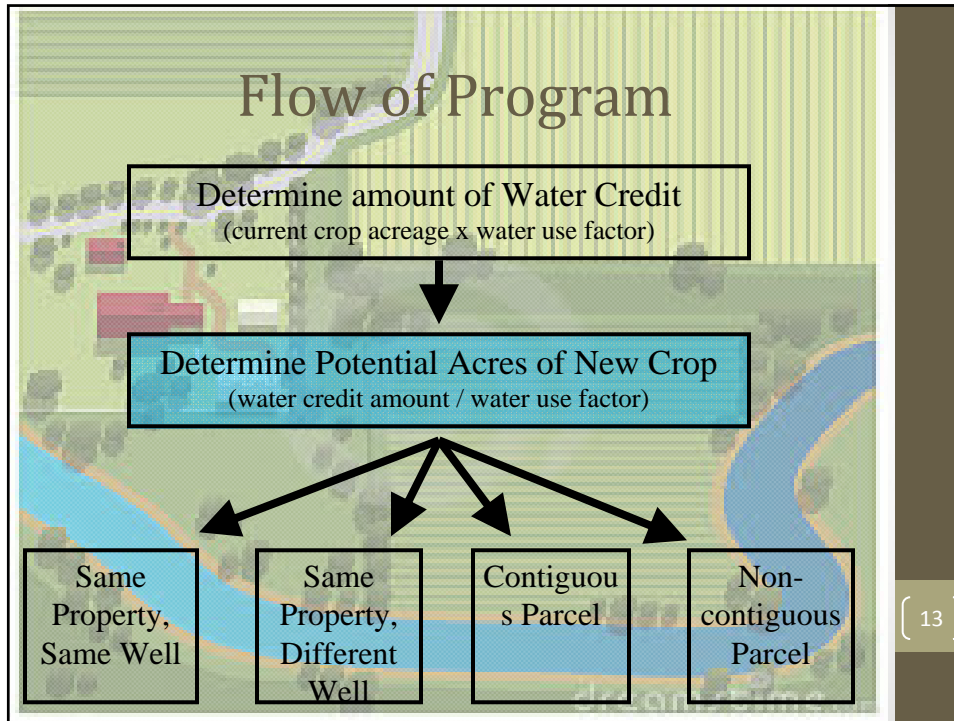
# Crop Water Average #'s

Table 2. Existing Crop-Specific Applied Water (AF/Ac/Yr) by Crop for the Salinas/Estrella WPA

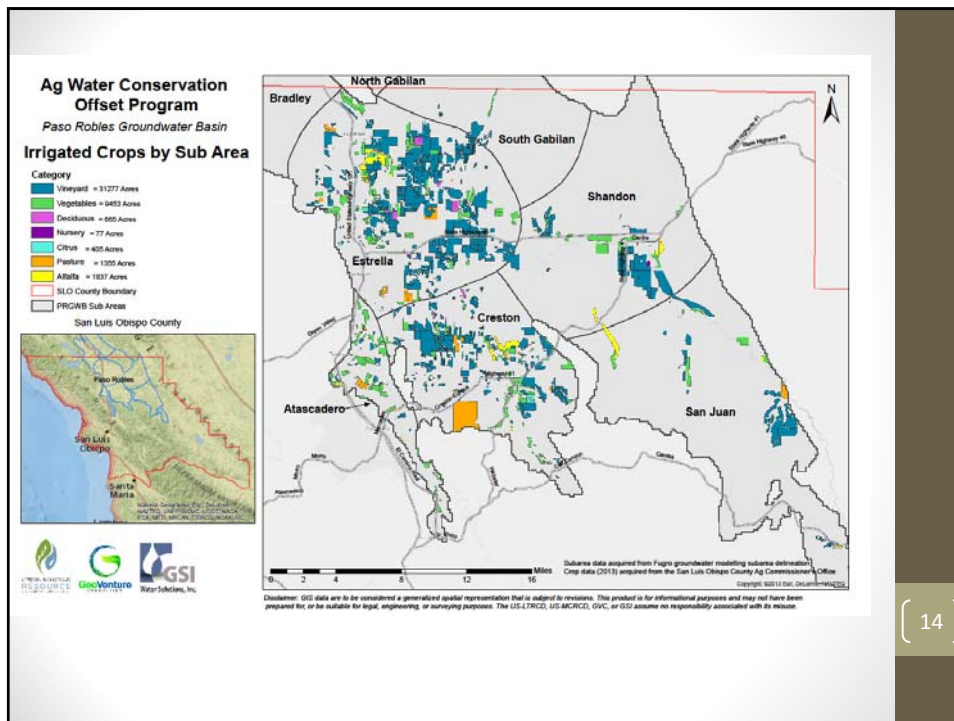
Crop Group	Applied Water (AF/Ac/Yr)
Alfalfa	4.5
Citrus	2.3
Deciduous	3.5
Strawberries	2.3*
Nursery	2.5
Pasture	4.8
Small Grain	1.7*
Vegetables	1.9
Vineyard	1.7

\*Information obtained from Current Cost and Return Studies, UCCE, UC Davis (Small grains 2013 data, Strawberries 2011 data)

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# Crop Water Savings Analysis

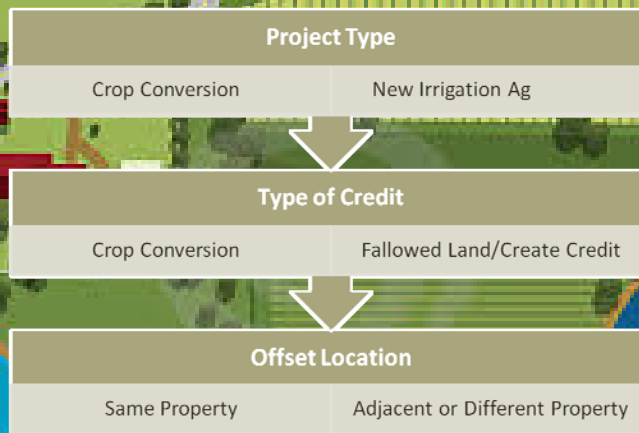
Crop conversions for higher water use crops such as Alfalfa *could yield* potential new irrigated acreage for lower water use crops as follows.

Sub Area	Convert Alfalfa Acreage to					
	Citrus	Deciduous	Nursery	Pasture	Vegetables	Vineyard
Estrella	531	271	489	204	643	582
Creston	0	0	0	0	0	0
Shandon	601	307	553	230	727	658
Atascadero	0	0	0	0	0	0
San Juan	650	332	598	249	786	711
South Gabilan	0	0	0	0	0	0
<b>Total potential acreage conversions</b>	<b>1782</b>	<b>910</b>	<b>1640</b>	<b>683</b>	<b>2156</b>	<b>1951</b>

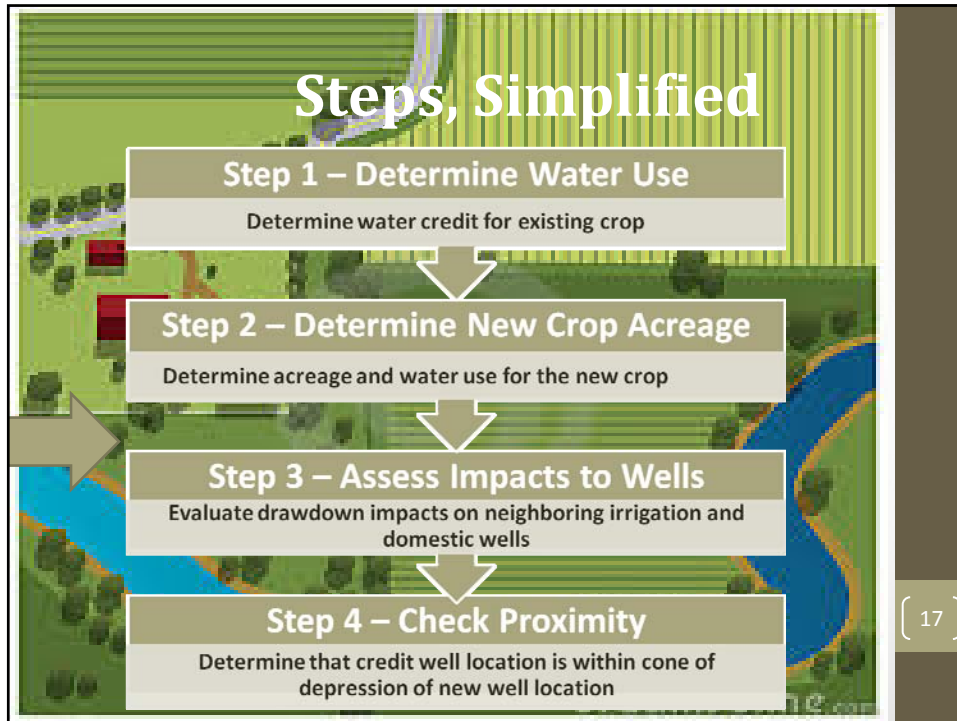
\*basin sub-area boundaries used for analysis purposes

( 15 )

## Steps, Simplified

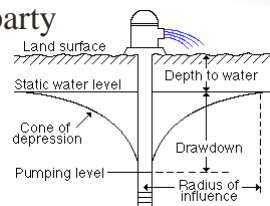


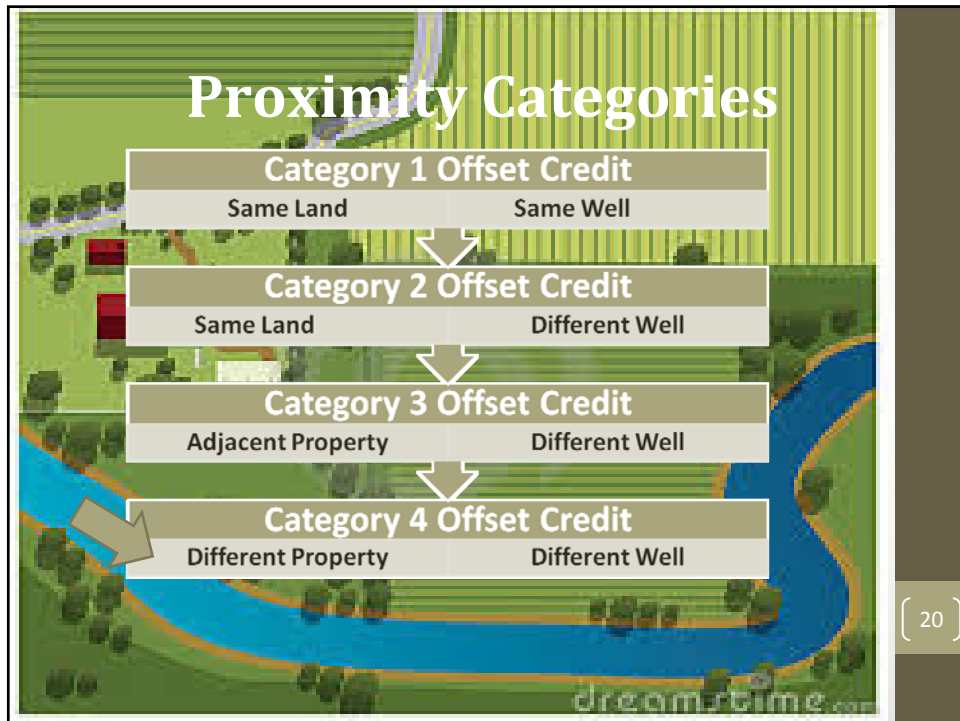
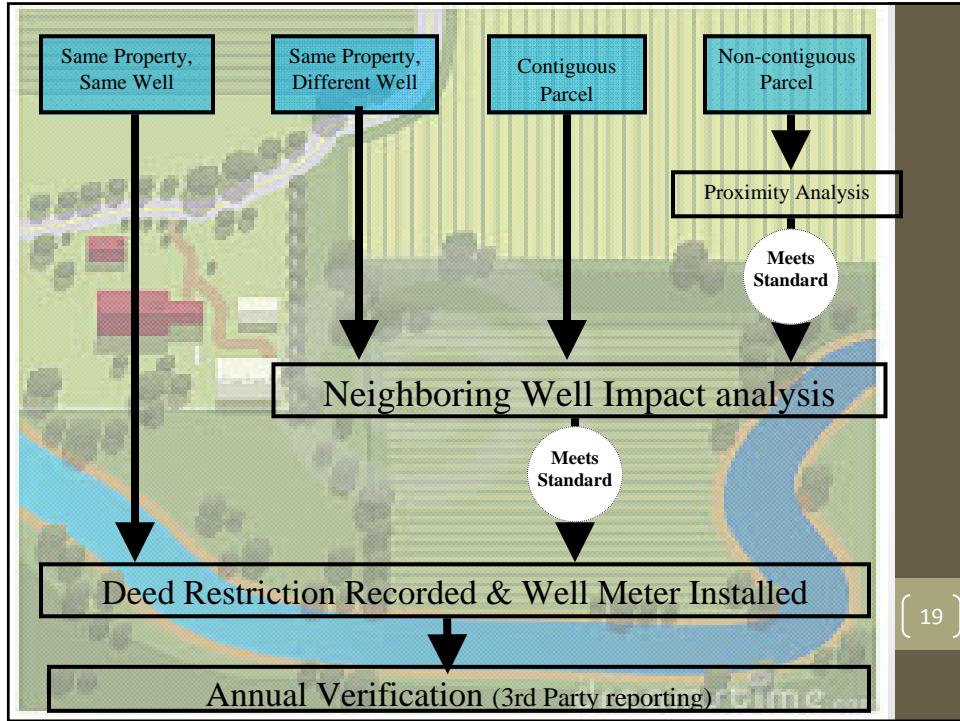
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## Well Pumping Impacts: *Proximity*

- Tiered Approach – heightened standards for offset credits located at greater distances (Category 1-4)
- Analysis of impacts to neighboring wells
- Vertical and Horizontal qualifying factors
- Well Metering for all participants in the program
  - Verification of compliance by 3<sup>rd</sup> party

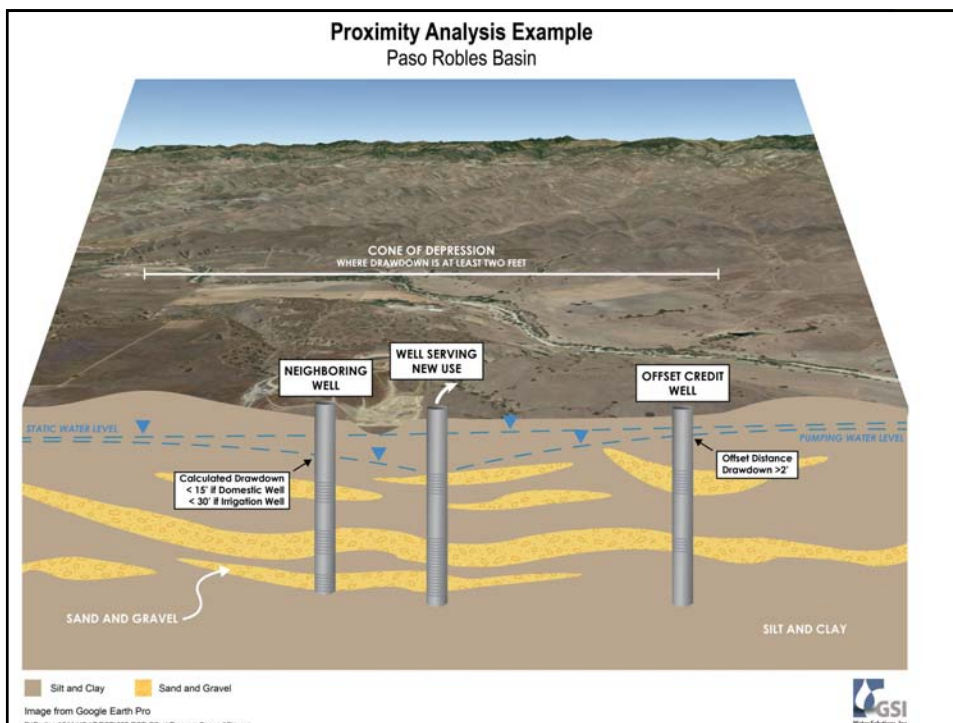
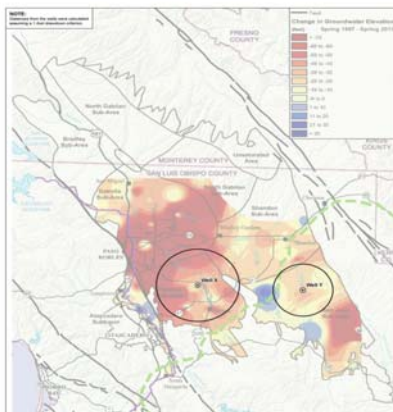


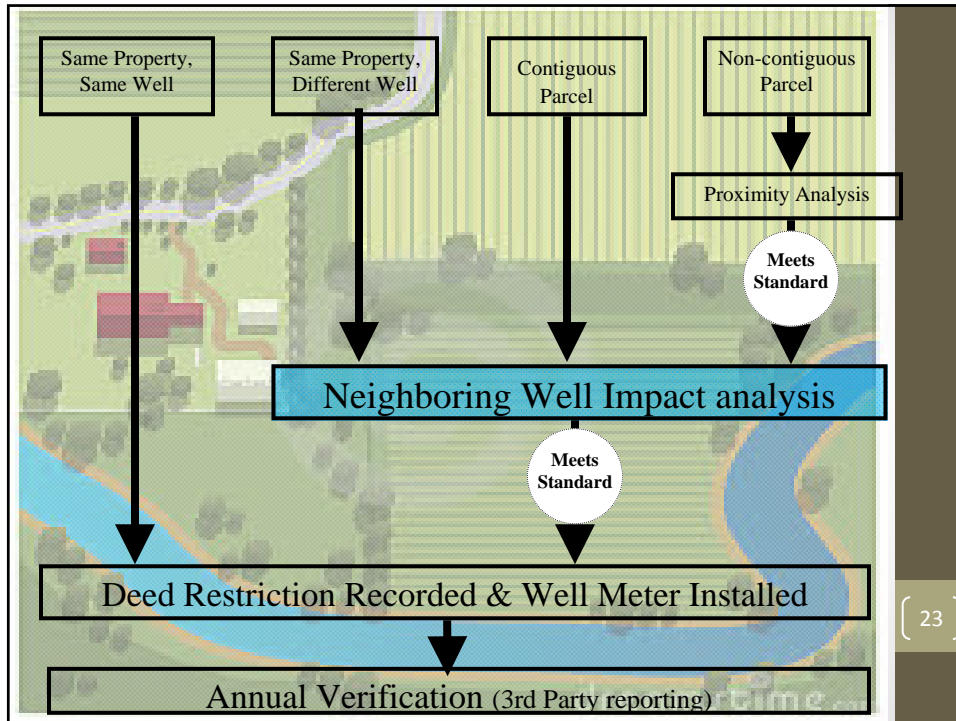




# Category 4 applications

1. Cone of Depression model
  - a. Based on well drawdown, hydrogeology, and transmissivity characteristics
  - b. Crediting well must be within identified cone of depression parameter radius to qualify





## Neighboring Well Criteria

**Increased pumping cannot impact neighboring irrigation and domestic wells**

- ✓ Domestic wells – 15 feet additional drawdown
- ✓ Irrigation wells – 30 feet additional drawdown
- ✓ Well providing credit must be within the cone of depression of well serving the new use (category 4)
  - Where there is at least 2 feet of drawdown

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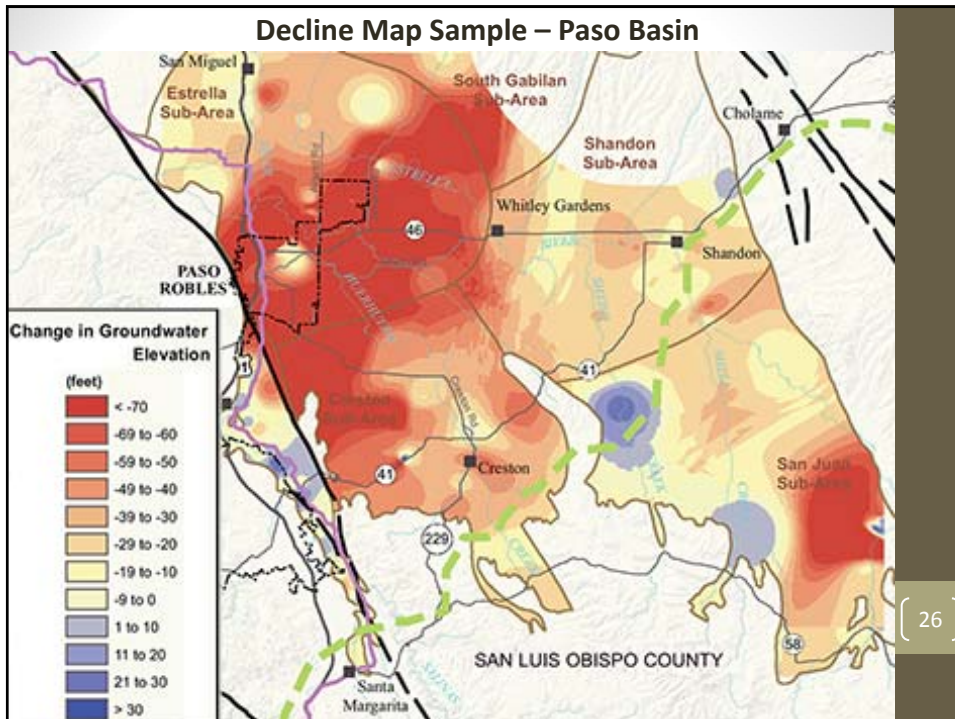


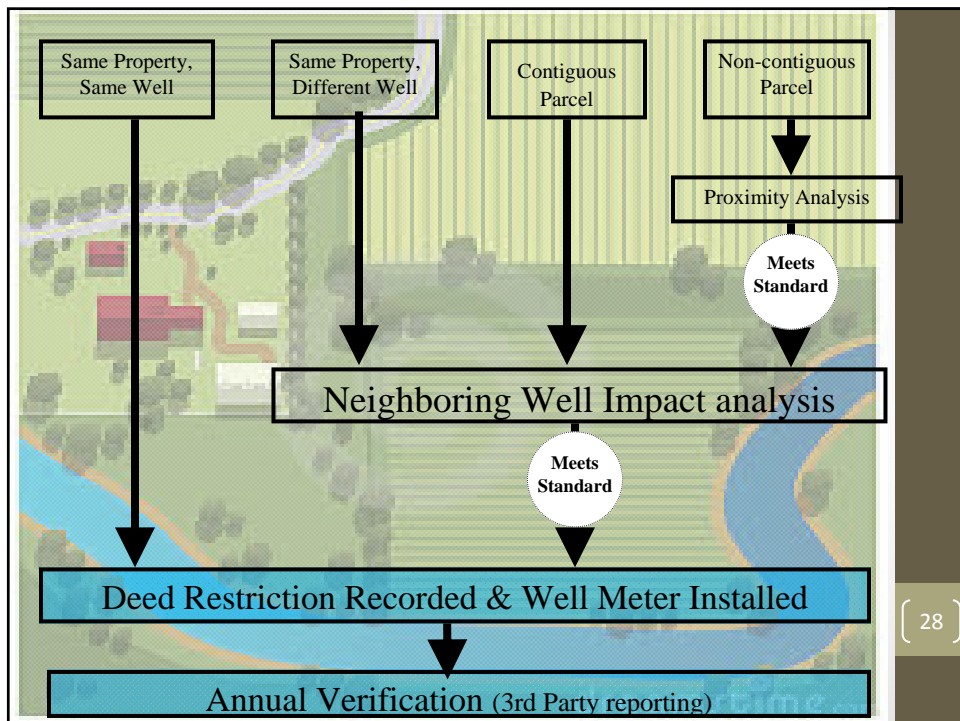
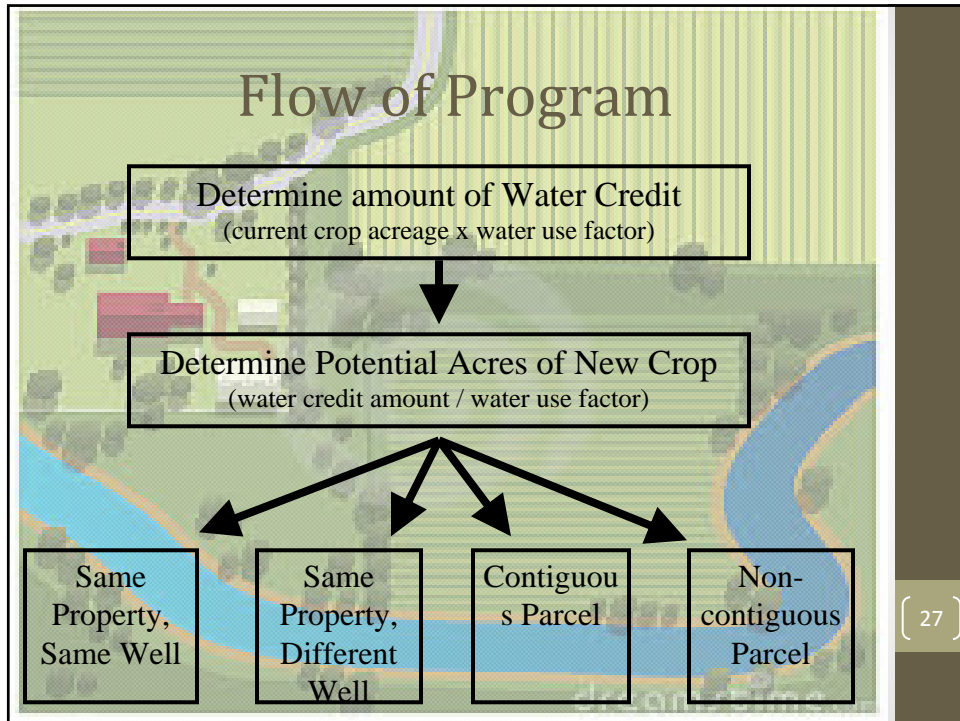
# Area of Severe Decline Criteria

**Credit cannot be used to increase pumping within severe groundwater level decline area as defined by SLO County**

- *Proposed 50' water level decline*
- *Reviewed annually*
- *Annual map of decline published*

## Decline Map Sample – Paso Basin





## Next Steps

- RCD is refining program framework and defining associated language to support the transactions to come and finalize the draft report for the County.
- Education and Outreach (June – September)
  - Peer Review
  - County Staff Interface
  - Key stakeholders – Ag Community
  - Focus Group, Case Study Development
  - Public at large
- Final program presented for adoption – estimated for October 2014

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## Conclusion



- Program designed to be flexibly tiered, simplified, and user-friendly.
- Issue is complex in nature, and program tries to encompass multiple layers of operational complexity.
- Groundwater basin(s) are natural features that change over time and the program is designed with flexibility and adaptation in mind.

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# Questions?



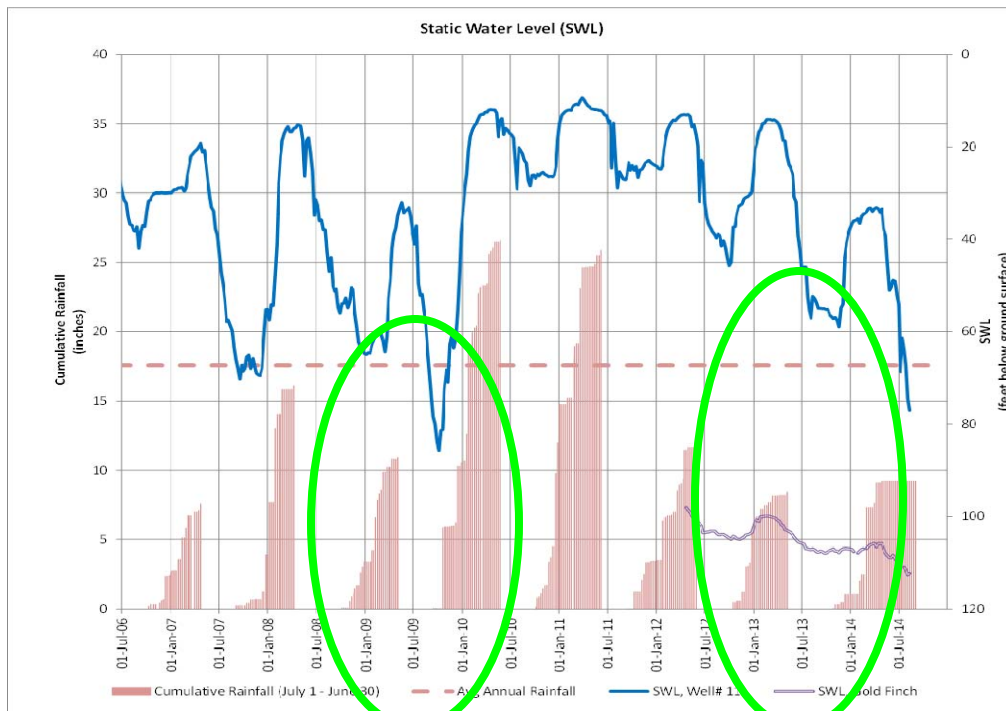
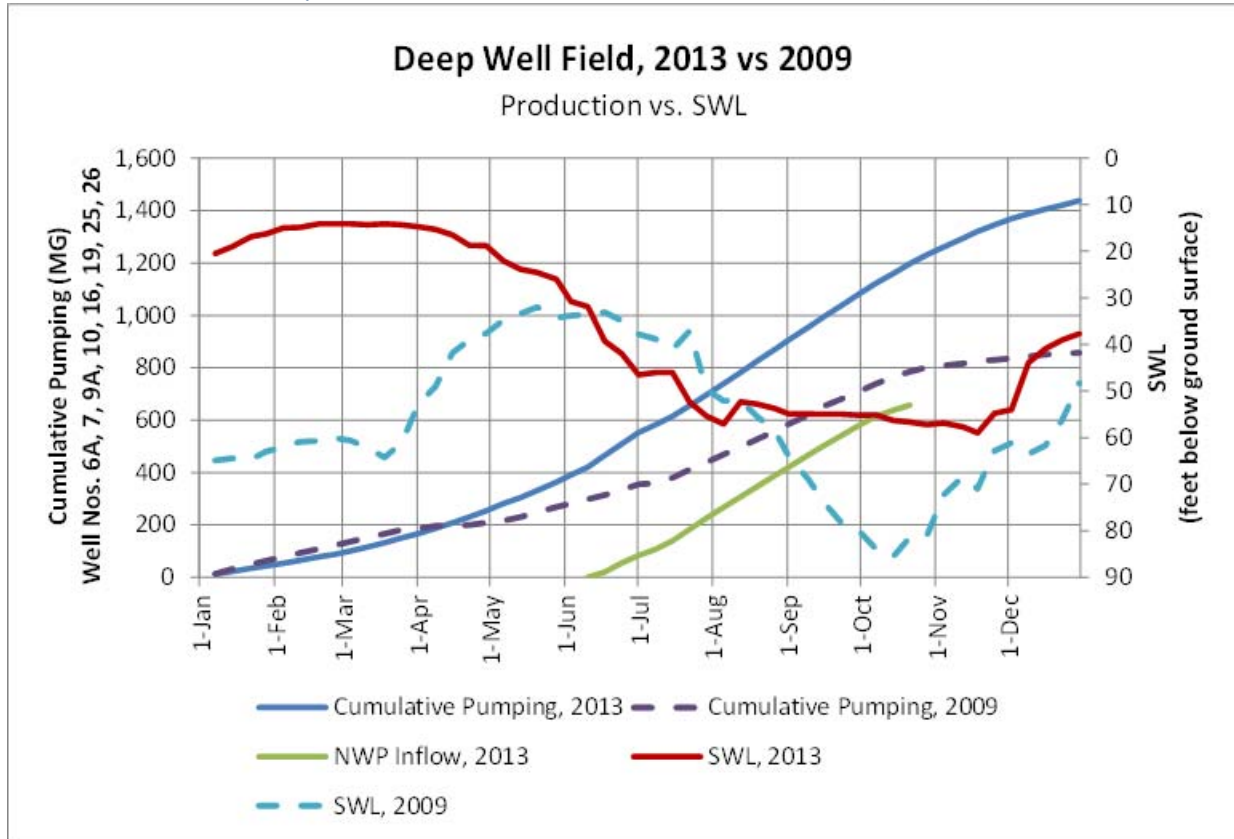
Contact	Email
Laura Edwards, Program Mgr	<a href="mailto:laura@us-ltrcd.org">laura@us-ltrcd.org</a>
Jeff Barry, Hydrogeologist	<a href="mailto:JBarry@gsiws.com">JBarry@gsiws.com</a>
Ben Burgoa, Ag Engineer	<a href="mailto:Ben.Burgoa@rcdmonterey.org">Ben.Burgoa@rcdmonterey.org</a>
Kelly Gleason, Policy Specialist	<a href="mailto:kelly@us-ltrcd.org">kelly@us-ltrcd.org</a>
Devin Best, Biology Specialist	<a href="mailto:Devin@us-ltrcd.org">Devin@us-ltrcd.org</a>

## Thank You



Agenda Item #6

Atascadero Subbasin Response to Nacimiento Water Percolation in 2013 (vs. 2009)



# Agenda Item #6

Nacimiento Water Project Deliveries from WY 2012 to 2041 for Basin Computer Modeling Purposes

Notes	Water Year	City of Paso Robles (T2)		Templeton CSD (T4)		Atascadero MWC (T6)		San Luis Obispo WTP (T11)	
		AF <sup>5</sup>	Delivery Type <sup>1</sup>	AF	Delivery Type <sup>1</sup>	AF	Delivery Type <sup>1</sup>	AF	Delivery Type
Actuals	2012	0	UR	233	PP	1,072	PP	2,101	TP
Actuals	2013	644	UR	167	PP	1,854	PP	973	TP
Request	2014	1,618	UR	250	PP	2,000	PP	3,380	TP
Note 2	2015	1105, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2016	1105, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2017	1105, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2018	1105, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2019	1105, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2020	1105, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2021	1105, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2022	1105, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2023	1105, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2024	1105, 166	TP, UR	250	PP	2,000	PP	3,380	TP
Note 3	2025	4000, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2026	4000, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2027	4000, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2028	4000, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2029	4000, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2030	4000, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2031	4000, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2032	4000, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2033	4000, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2034	4000, 166	TP, UR	250	PP	2,000	PP	3,380	TP
Note 4	2035	5400, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2036	5400, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2037	5400, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2038	5400, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2039	5400, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2040	5400, 166	TP, UR	250	PP	2,000	PP	3,380	TP
	2041	5400, 166	TP, UR	250	PP	2,000	PP	3,380	TP

1. Indication of method for NWP deliveries: "PP" for percolation pond; "TP" for treatment plant; "UR" for underflow recharge.
2. 2015 - 2024: When Paso City Treatment Plant Phase I goes online: 2.4 MGD for 5 months (1105 AF) plus avg annual net Salinas River recharge/recovery of Naci (250 GPM for 5 Months [166 AF])
3. 2025 - 2041: When Paso City Treatment Plant Phase II goes online (actual timing will ultimately depend on rate of development): 4000 AFY plus avg annual net Salinas River recharge/recovery of Naci (250 GPM for 5 Months [166 AF])
4. City of PR plans to purchase 1400 AFY from Nacimiento unallocated supply.
5. In years of 8 in or less, UR of 2000 gpm for 5 months



**TO: Paso Basin Advisory Committee**

**FROM: Courtney Howard, Water Resources Staff Engineer**

**DATE: August 21, 2014**

**SUBJECT: Agenda Item #8: Conflict of Interest Discussion**

The county has received several inquiries regarding potential conflicts of interest for Paso Robles Groundwater Basin Advisory Committee (PBAC) members who are also plaintiffs in the *Steinbeck v County* quiet title action, and has developed the following response based largely on an analysis by the County Counsel's office.

From a purely legal standpoint, there is no legal conflict of interest, although someone could argue that there is an appearance of a conflict. However, given that the PBAC is only advisory to the Board of Supervisors, proving a legal conflict of interest would be quite difficult, if not impossible, under the current state of the law.

The Political Reform Act of 1974 disqualifies public officials from participating in governmental decisions in which they have a financial interest. The PBAC is not a decision-making authority (it may not make final governmental decisions and it may not compel or prevent the making of governmental decisions by its action or inaction) unless its recommendations are regularly approved without significant modification (there probably isn't an adequate track record to support any such contention yet). In addition, with respect to the financial interest component, it's possible that all at-large members would share the same potential applicable conflict--interest in real property (at-large members must live and/or have a business within the Basin) although it could be argued that an interest in a lawsuit arising out of property ownership is a financial interest over and above the underlying property interest. However, we don't think that argument would meet the legal standard.

Government Code Section 1125 et seq. prohibits any officer or employee of a local agency from engaging in any employment or other activity for compensation that is in conflict with his or her public duties. This prohibition is not self-executing --the appointing power of the local agency determines which activities fall outside the prohibition. Also, the court has found the prohibition is applicable only to local employees. Thus, it would not apply to PBAC members.

The common law doctrine requires a public officer to exercise the powers conferred on him with disinterested skill, zeal and diligence and primarily for the benefit of the public. However, we don't think that the PBAC members are "public officers" under this rule given their limited authority ("officer" implies "an authority to exercise some portion of the sovereign power of the state, either in making, administering or executing the laws").

Accordingly, we don't believe there is a legal conflict of interest with regard to BAC members who are also plaintiffs in the quiet title action.

The county has also been made aware that Don Campbell, Planning Commissioner, is also a plaintiff in the *Steinbeck* case. We think that an analysis would need to be performed, if a Basin project comes before the Planning Commission, to determine whether a financial interest exists (based on his status in the lawsuit) and/or whether or not there is a common law conflict of interest. That analysis will be done if and when such a project comes before the Planning Commission.

Interested parties may also wish to review the Board's brief review of this issue during Item #10 of their April 8, 2014 meeting (Paso Basin Advisory Committee Appointments; approximately minute 23), which was pulled from the consent agenda to discuss.

**TO: Paso Basin Advisory Committee**  
**FROM: Courtney Howard, Water Resources Staff Engineer**  
**DATE: August 21, 2014**  
**SUBJECT: Agenda Item #9: Subcommittee Administration**

## **Recommendations**

1. Consider establishing guidelines for subcommittee meeting coordination efforts
2. Consider adding Member Luft to the In-Basin Projects Subcommittee as the ninth participant

## **Discussion**

### Meeting Coordination Efforts

Advisory committees often form temporary (ad-hoc) subcommittees to review a subject in detail and present findings to the entire committee for consideration. After discussion during its June meeting, the PBAC's general consensus was that the subcommittees were to be kept below a quorum to facilitate their "working group", less formal nature but that attendance by interested members of the public should be reasonably accommodated as appropriate.

To assist in developing a uniform approach to coordinating the subcommittee meetings, which are not subject to the normal procedures of the Brown Act but are intended to be open to members of the public who express interest, the following guidelines are suggested:

- Members determine whether they or their alternate will be the "official" subcommittee participant with the other being the alternate for subcommittee purposes
- If willing, make Subcommittee Chairs' email information available to the public via the county website and an informational email
- Subcommittee Chairs each establish an email list of interested parties for meeting notification purposes, and include the chairs of the other subcommittees to avoid scheduling conflicts
- Subcommittee Chairs ensure that no more than nine members or alternates of the PBAC attend unless the meeting is noticed per the Brown Act
- Chairs are able to use discretion with respect to when it is appropriate to include members of the public at any given subcommittee meeting, however including members of the public who express interest is encouraged

### In-Basin Projects Subcommittee

Member Sue Luft has requested to fill the ninth position on the In-Basin Projects subcommittee.

# Sub-Area WSE Trend Analysis

Mon. Entity The County of San Luis Obispo, CA

Date 08/06/2014

Sub-Area Information	
Sub-Area	Atascadero
Basin Name	Atascadero

Sub-Area Well Records	
Period of Record	1969-2014
Num. BMO Wells	4

Report Information	
Report Start Year	1981
Period of Record	1981-2014

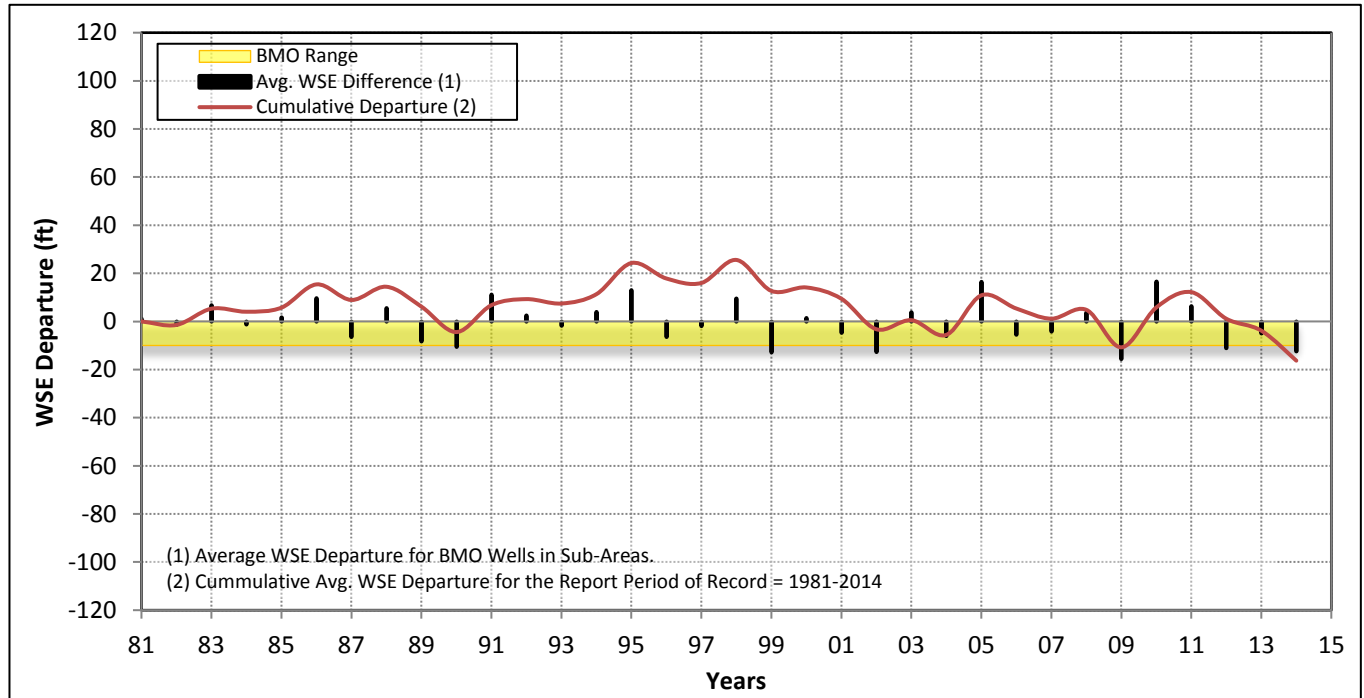
Raingage Information	
Raingage Name	Atas. Mutual Water # 34
Raingage Elev.	835.00 ft

Raingage Records	
Period of Record	1916-2014
Average Precip.	17.54 in

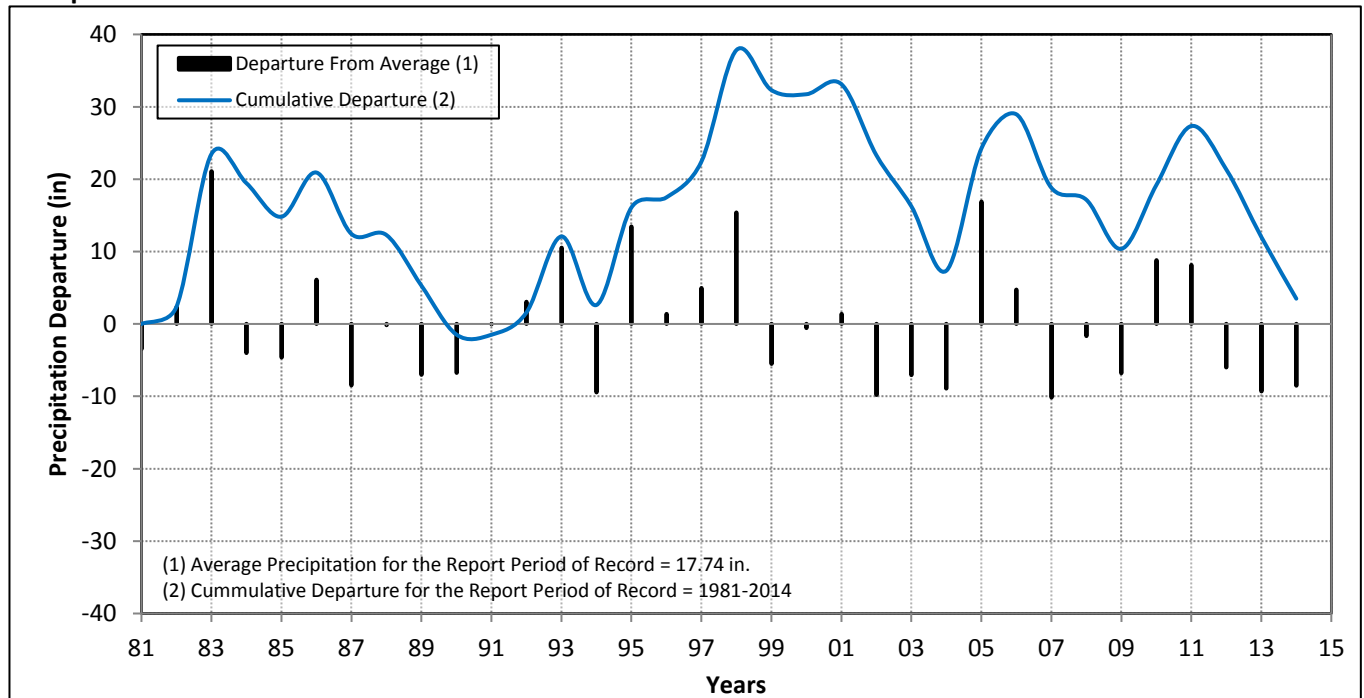
Trend Analysis Results	
BMO Target <sup>1)</sup>	(10.00 ft)
2014 CD	(16.30 ft)

**NOTES:** 1) The Basin Management Objective (BMO) is to maintain the Cummulative Departure (CD) above the BMO Target

## Spring Water Surface Elevation (WSE) Trends



## Precipitation Trends



# Sub-Area WSE Trend Analysis

Mon. Entity The County of San Luis Obispo, CA

Date 08/06/2014

Sub-Area Information	
Sub-Area	Creston
Basin Name	Paso Robles

Sub-Area Well Records	
Period of Record	1975-2014
Num. BMO Wells	4

Report Information	
Report Start Year	1981
Period of Record	1981-2014

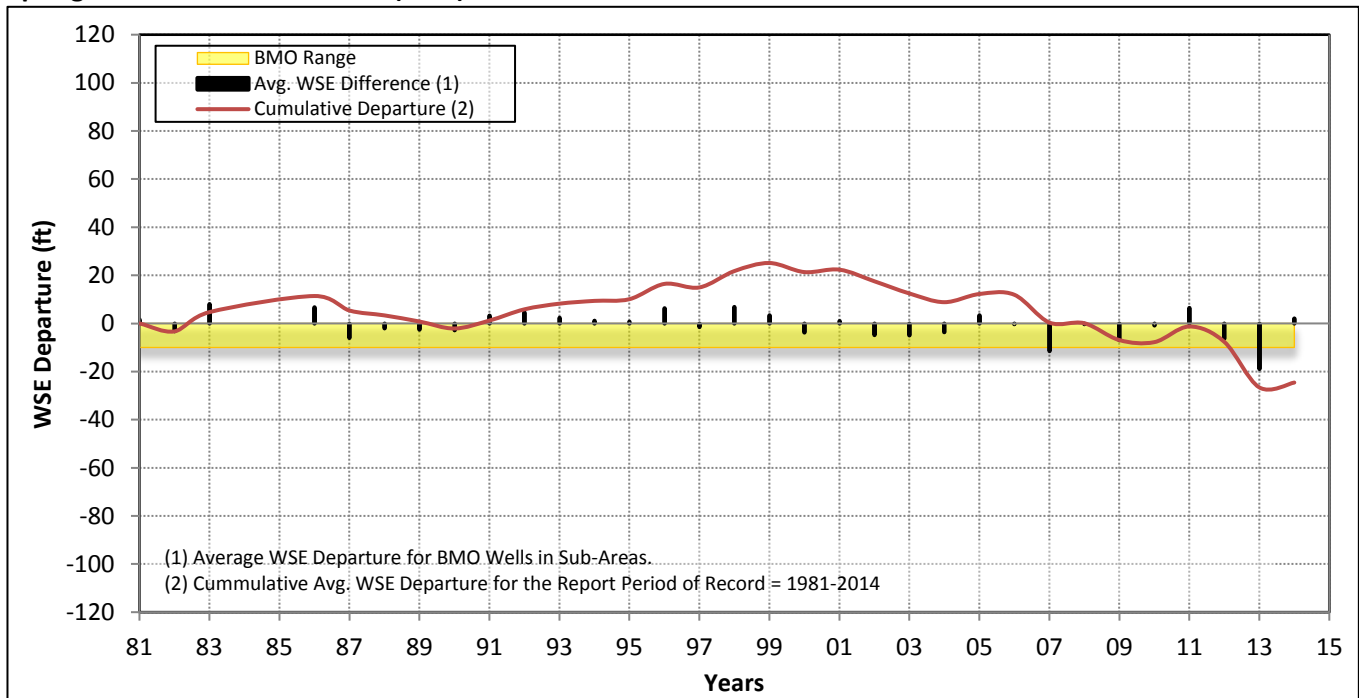
Raingage Information	
Raingage Name	Atas. Mutual Water # 34
Raingage Elev.	835.00 ft

Raingage Records	
Period of Record	1916-2014
Average Precip.	17.54 in

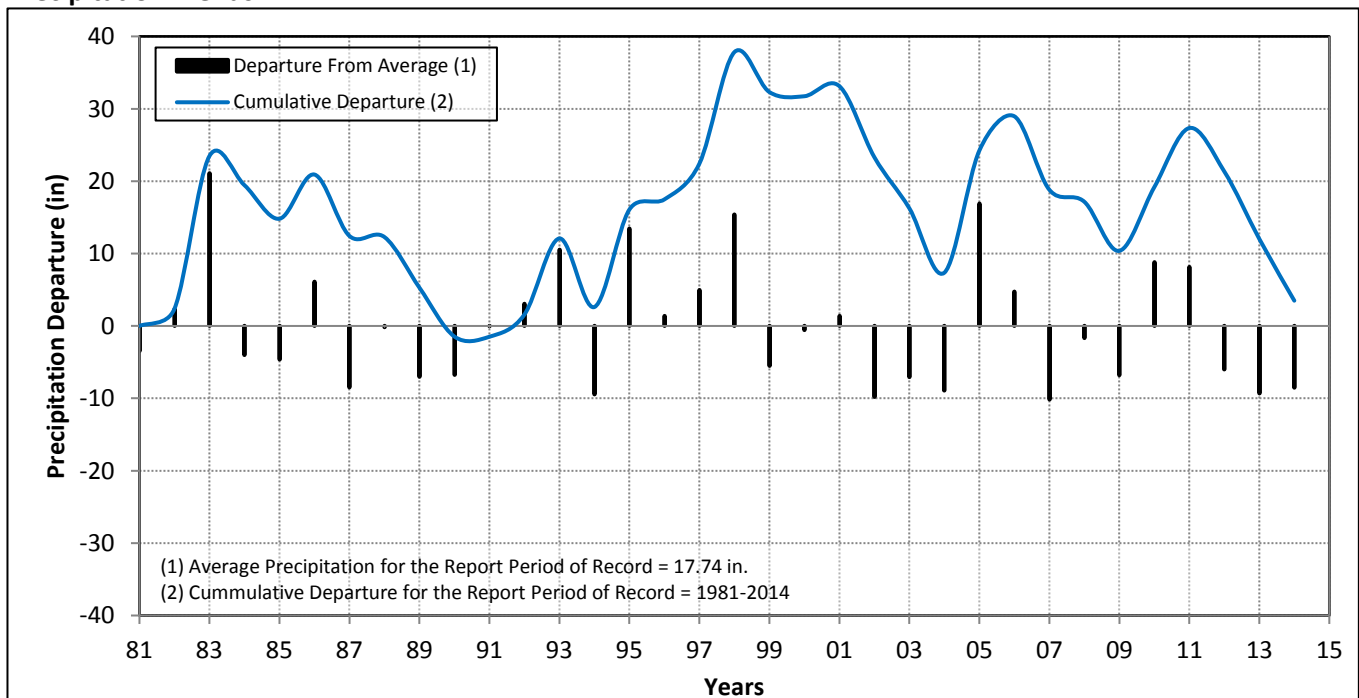
Trend Analysis Results	
BMO Target <sup>1)</sup>	(10.00 ft)
2014 CD	(24.57 ft)

**NOTES:** 1) The Basin Management Objective (BMO) is to maintain the Cumulative Departure (CD) above the BMO Target

## Spring Water Surface Elevation (WSE) Trends



## Precipitation Trends



# Sub-Area WSE Trend Analysis

Mon. Entity The County of San Luis Obispo, CA

Date 08/06/2014

Sub-Area Information	
Sub-Area	Estrella
Basin Name	Paso Robles

Sub-Area Well Records	
Period of Record	1977-2014
Num. BMO Wells	6

Report Information	
Report Start Year	1981
Period of Record	1981-2014

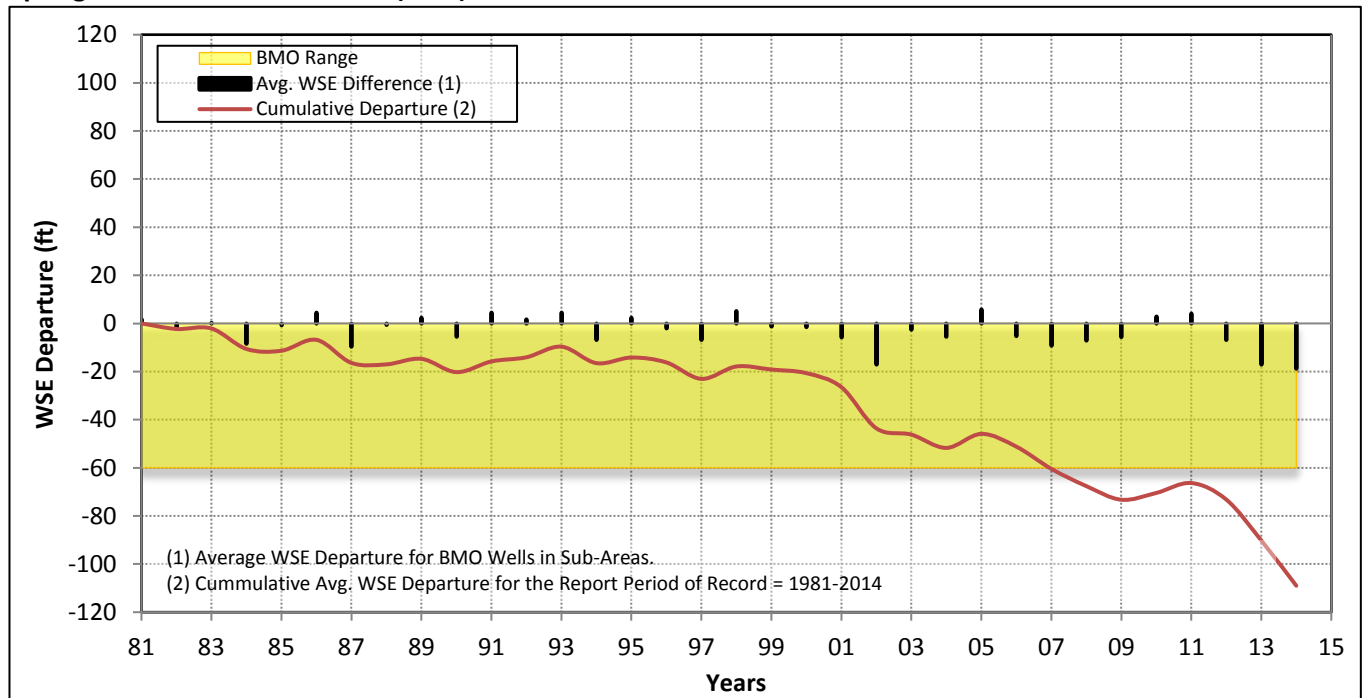
Raingage Information	
Raingage Name	Atas. Mutual Water # 34
Raingage Elev.	835.00 ft

Raingage Records	
Period of Record	1916-2014
Average Precip.	17.54 in

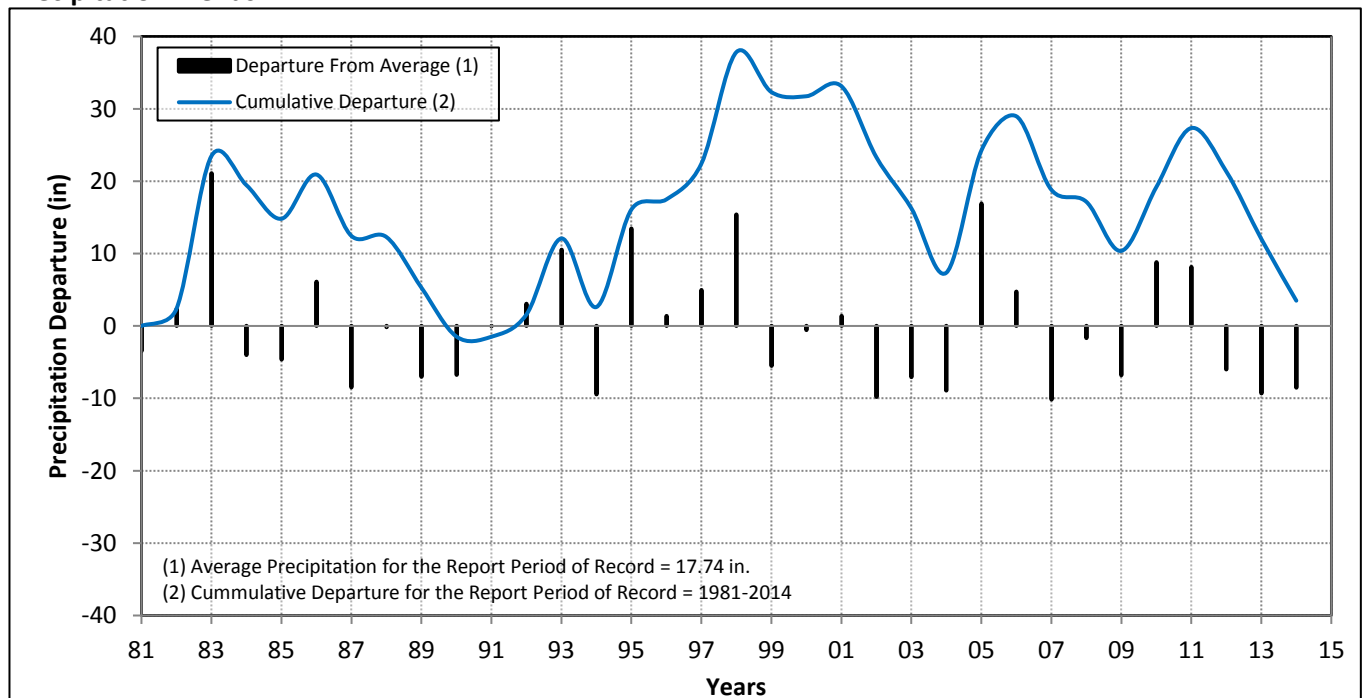
Trend Analysis Results	
BMO Target <sup>1)</sup>	(60.00 ft)
2014 CD	(109.00 ft)

**NOTES:** 1) The Basin Management Objective (BMO) is to maintain the Cumulative Departure (CD) above the BMO Target

## Spring Water Surface Elevation (WSE) Trends



## Precipitation Trends



# Sub-Area WSE Trend Analysis

Mon. Entity The County of San Luis Obispo, CA

Date 08/06/2014

Sub-Area Information	
Sub-Area	San Juan
Basin Name	Paso Robles

Sub-Area Well Records	
Period of Record	1971-2014
Num. BMO Wells	4

Report Information	
Report Start Year	1981
Period of Record	1981-2014

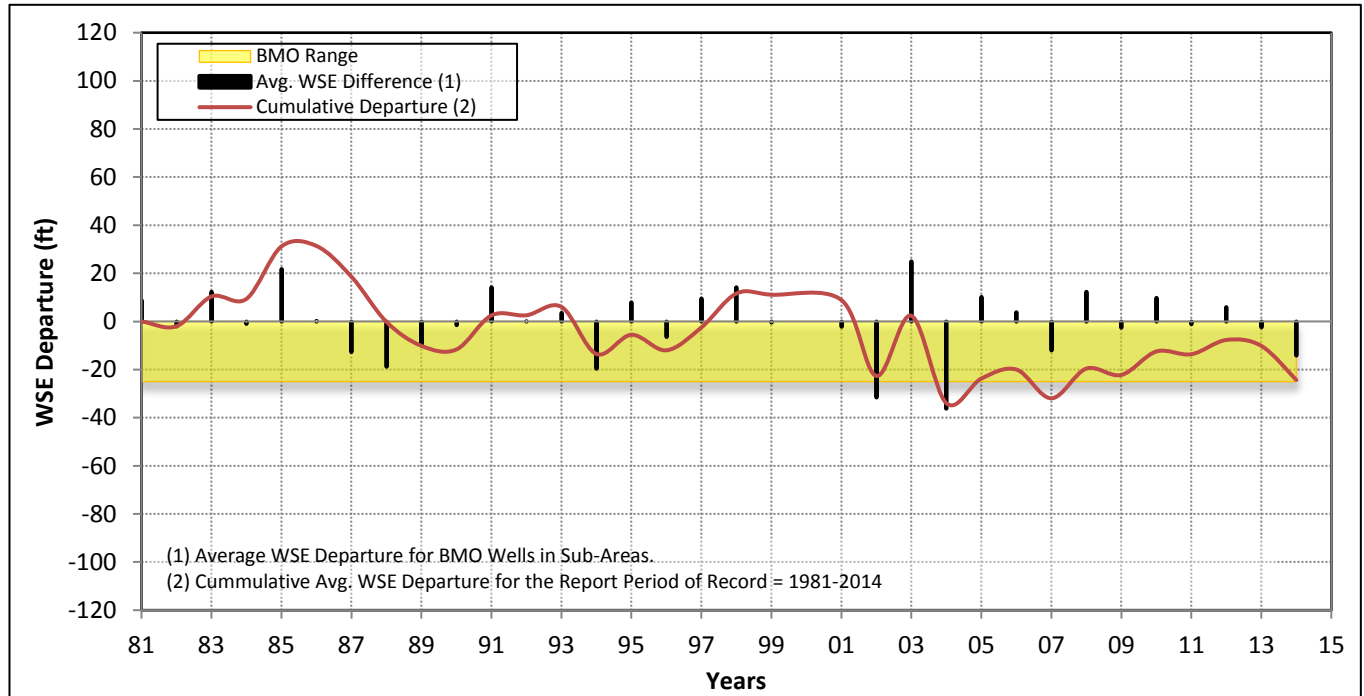
Raingage Information	
Raingage Name	Atas. Mutual Water # 34
Raingage Elev.	835.00 ft

Raingage Records	
Period of Record	1916-2014
Average Precip.	17.54 in

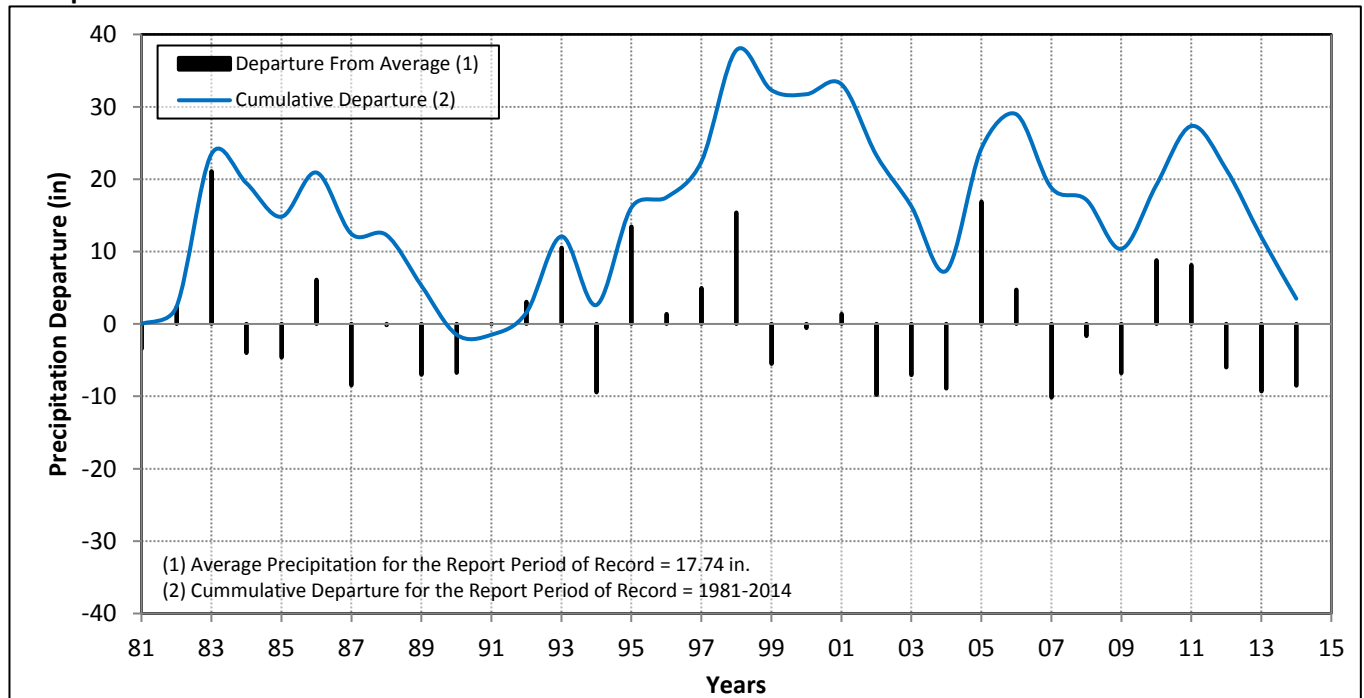
Trend Analysis Results	
BMO Target <sup>1)</sup>	(25.00 ft)
2014 CD	(24.35 ft)

**NOTES:** 1) The Basin Management Objective (BMO) is to maintain the Cumulative Departure (CD) above the BMO Target

## Spring Water Surface Elevation (WSE) Trends



## Precipitation Trends



# Sub-Area WSE Trend Analysis

Agenda Item #10 -  
Atascadero Rain Gauge

Mon. Entity The County of San Luis Obispo, CA

Date 08/06/2014

Sub-Area Information	
Sub-Area	Shandon
Basin Name	Paso Robles

Sub-Area Well Records	
Period of Record	1976-2014
Num. BMO Wells	4

Report Information	
Report Start Year	1981
Period of Record	1981-2014

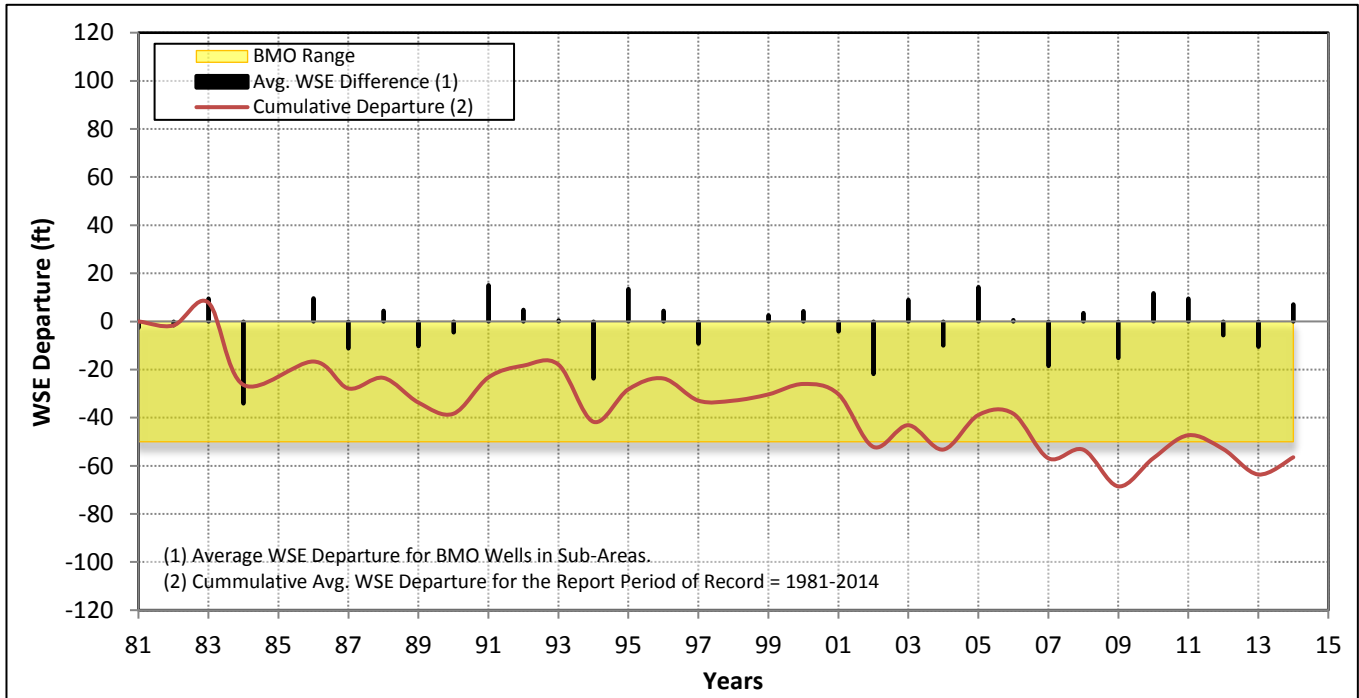
Raingage Information	
Raingage Name	Atas. Mutual Water # 34
Raingage Elev.	835.00 ft

Raingage Records	
Period of Record	1916-2014
Average Precip.	17.54 in

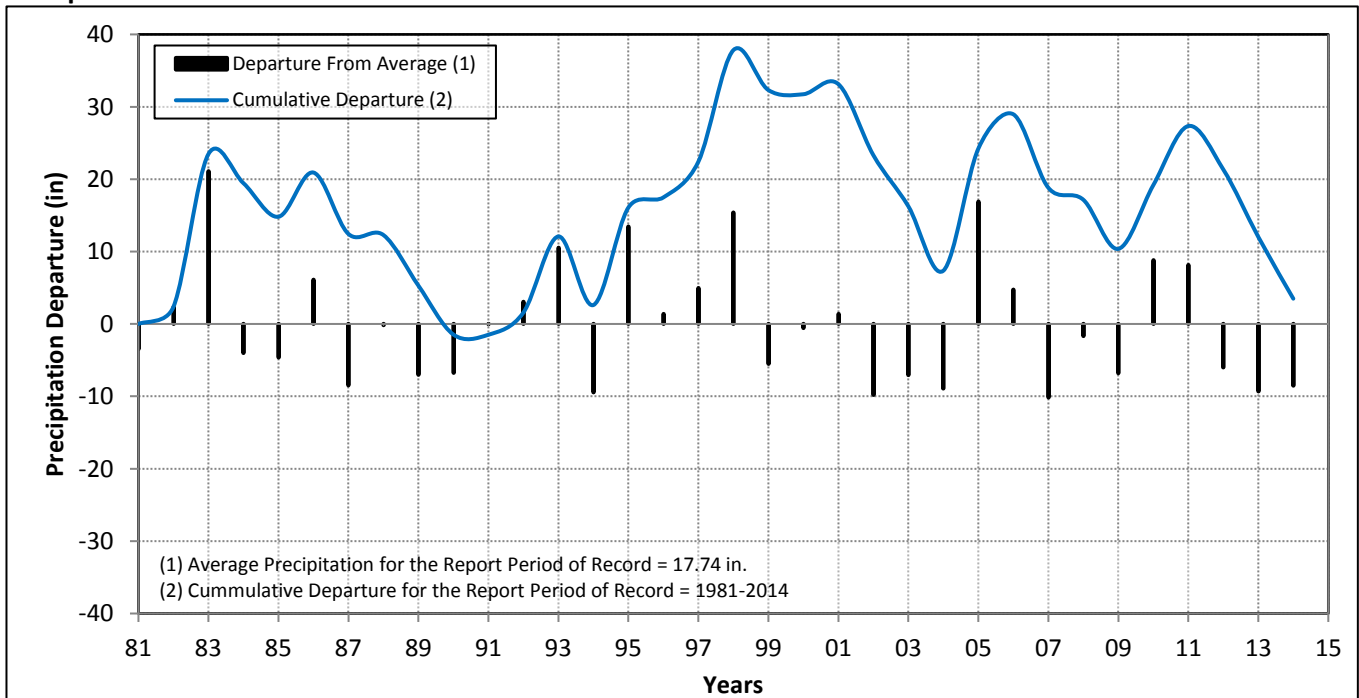
Trend Analysis Results	
BMO Target <sup>1)</sup>	(50.00 ft)
2014 CD	(56.45 ft)

**NOTES:** 1) The Basin Management Objective (BMO) is to maintain the Cumulative Departure (CD) above the BMO Target

## Spring Water Surface Elevation (WSE) Trends



## Precipitation Trends





# Sub-Area WSE Trend Analysis

Mon. Entity The County of San Luis Obispo, CA

Date 08/06/2014

Sub-Area Information	
Sub-Area	Atascadero
Basin Name	Atascadero

Sub-Area Well Records	
Period of Record	1969-2014
Num. BMO Wells	4

Report Information	
Report Start Year	1981
Period of Record	1981-2014

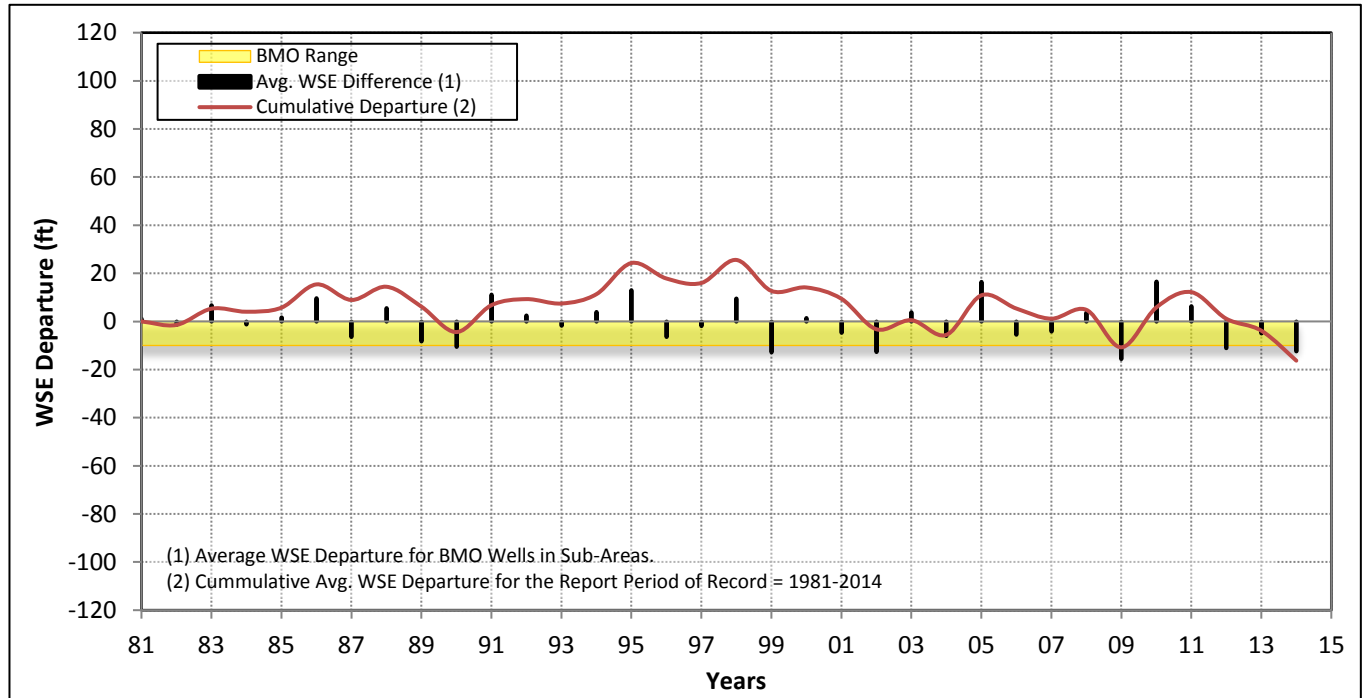
Raingage Information	
Raingage Name	Paso Robles #10
Raingage Elev.	700.00 ft

Raingage Records	
Period of Record	1887-2014
Average Precip.	14.93 in

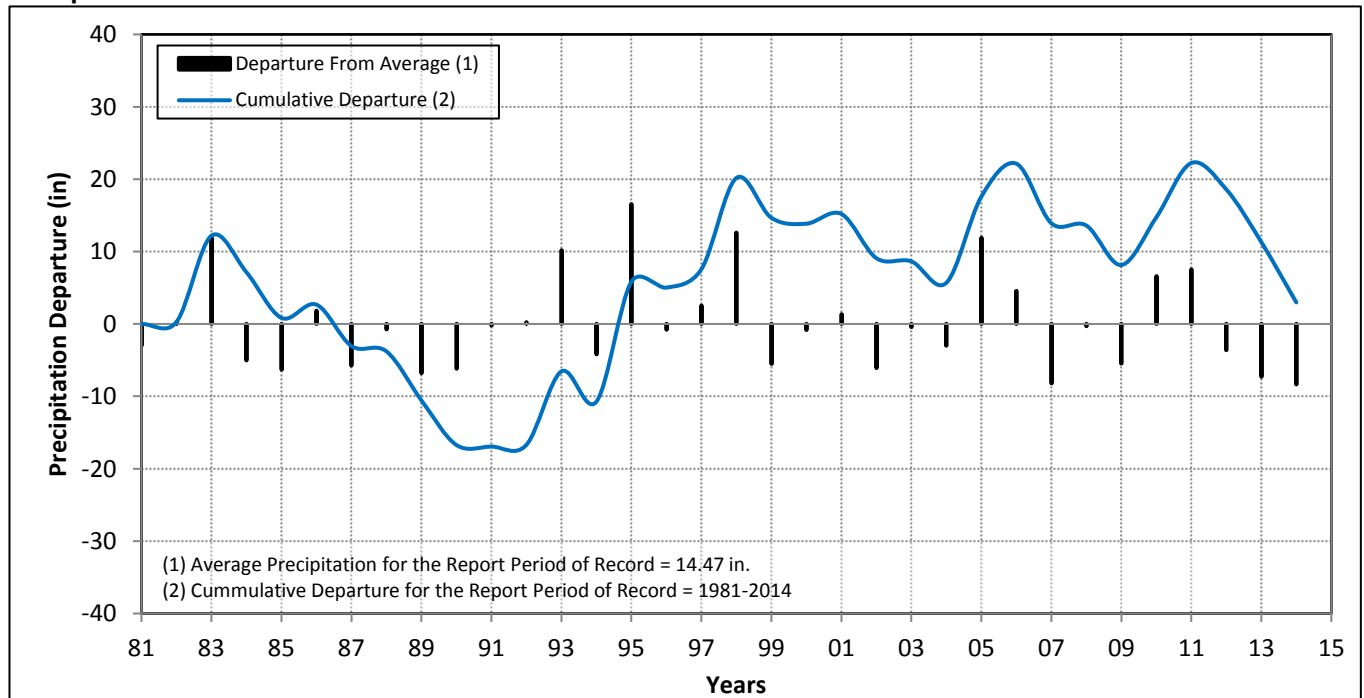
Trend Analysis Results	
BMO Target <sup>1)</sup>	(10.00 ft)
2014 CD	(16.30 ft)

**NOTES:** 1) The Basin Management Objective (BMO) is to maintain the Cumulative Departure (CD) above the BMO Target

## Spring Water Surface Elevation (WSE) Trends



## Precipitation Trends



# Sub-Area WSE Trend Analysis

Mon. Entity The County of San Luis Obispo, CA

Date 08/06/2014

Sub-Area Information	
Sub-Area	Creston
Basin Name	Paso Robles

Sub-Area Well Records	
Period of Record	1975-2014
Num. BMO Wells	4

Report Information	
Report Start Year	1981
Period of Record	1981-2014

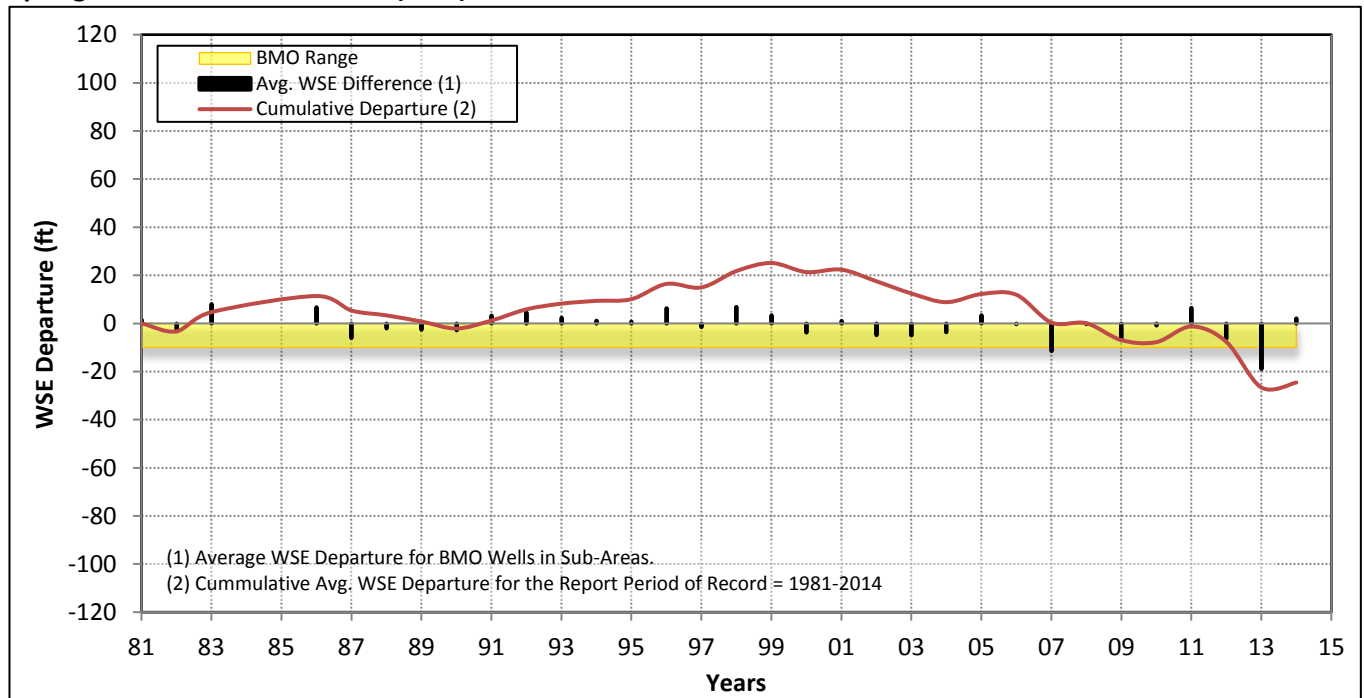
Raingage Information	
Raingage Name	Paso Robles #10
Raingage Elev.	700.00 ft

Raingage Records	
Period of Record	1887-2014
Average Precip.	14.93 in

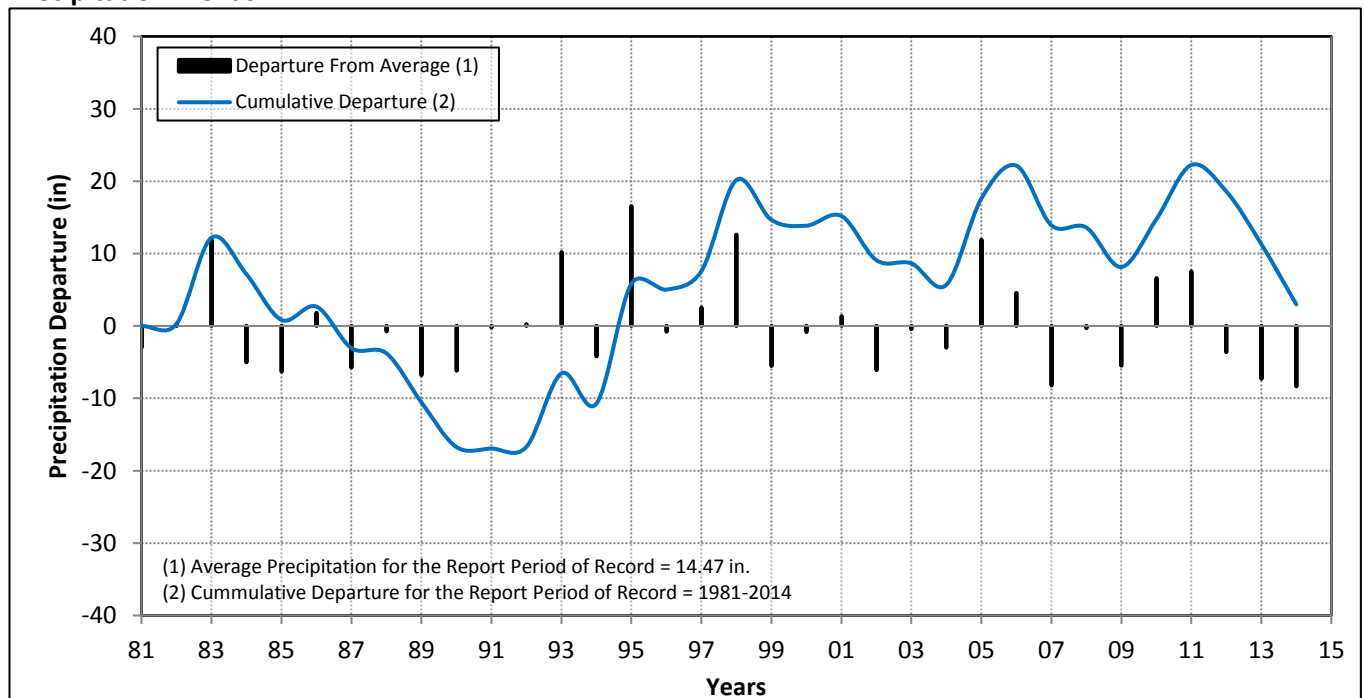
Trend Analysis Results	
BMO Target <sup>1)</sup>	(10.00 ft)
2014 CD	(24.57 ft)

**NOTES:** 1) The Basin Management Objective (BMO) is to maintain the Cumulative Departure (CD) above the BMO Target

## Spring Water Surface Elevation (WSE) Trends



## Precipitation Trends



# Sub-Area WSE Trend Analysis

Mon. Entity The County of San Luis Obispo, CA

Date 08/06/2014

Sub-Area Information	
Sub-Area	Estrella
Basin Name	Paso Robles

Sub-Area Well Records	
Period of Record	1977-2014
Num. BMO Wells	6

Report Information	
Report Start Year	1981
Period of Record	1981-2014

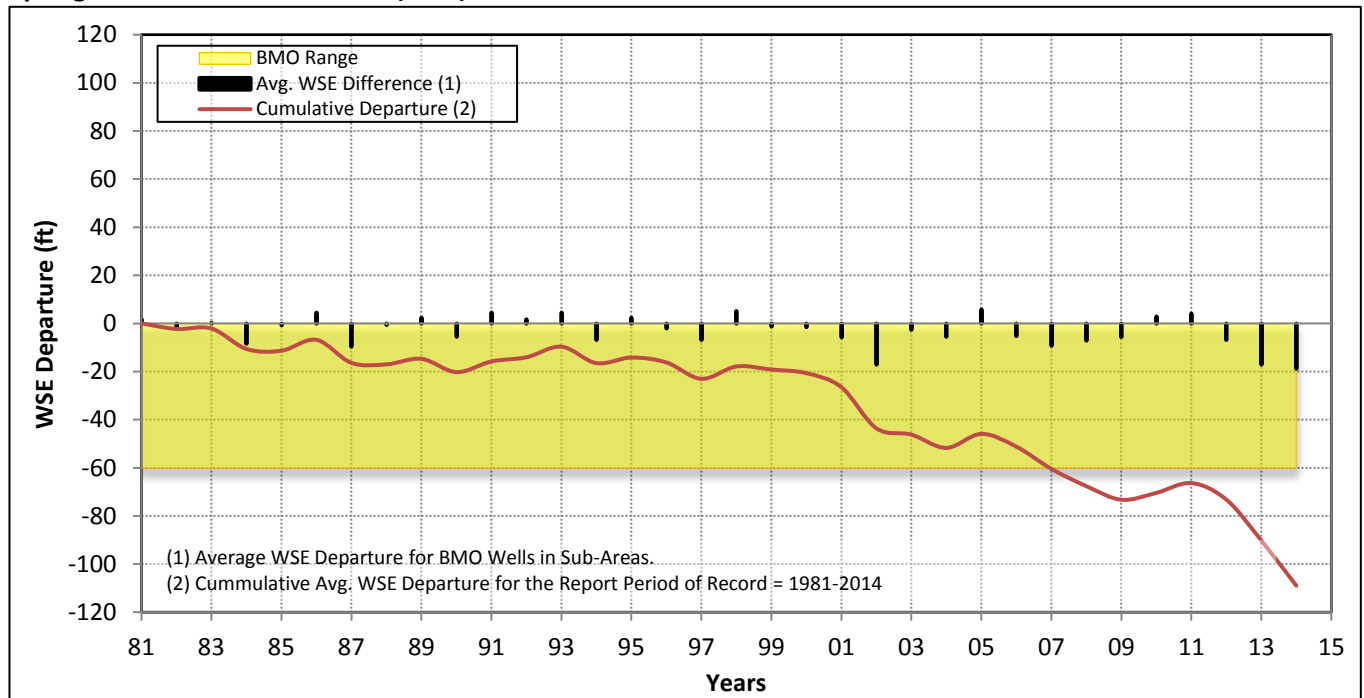
Raingage Information	
Raingage Name	Paso Robles #10
Raingage Elev.	700.00 ft

Raingage Records	
Period of Record	1887-2014
Average Precip.	14.93 in

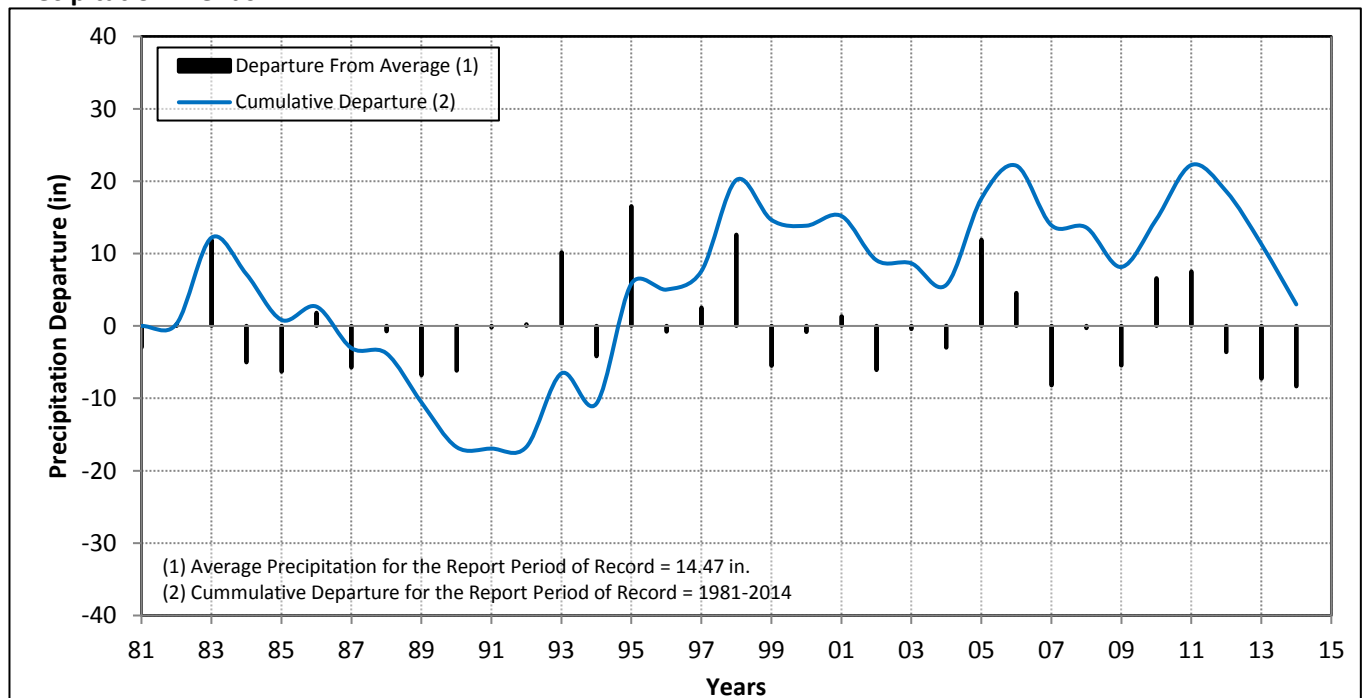
Trend Analysis Results	
BMO Target <sup>1)</sup>	(60.00 ft)
2014 CD	(109.00 ft)

**NOTES:** 1) The Basin Management Objective (BMO) is to maintain the Cumulative Departure (CD) above the BMO Target

## Spring Water Surface Elevation (WSE) Trends



## Precipitation Trends



# Sub-Area WSE Trend Analysis

Mon. Entity **The County of San Luis Obispo, CA**

Date **08/06/2014**

Sub-Area Information	
Sub-Area	San Juan
Basin Name	Paso Robles

Sub-Area Well Records	
Period of Record	1971-2014
Num. BMO Wells	4

Report Information	
Report Start Year	1981
Period of Record	1981-2014

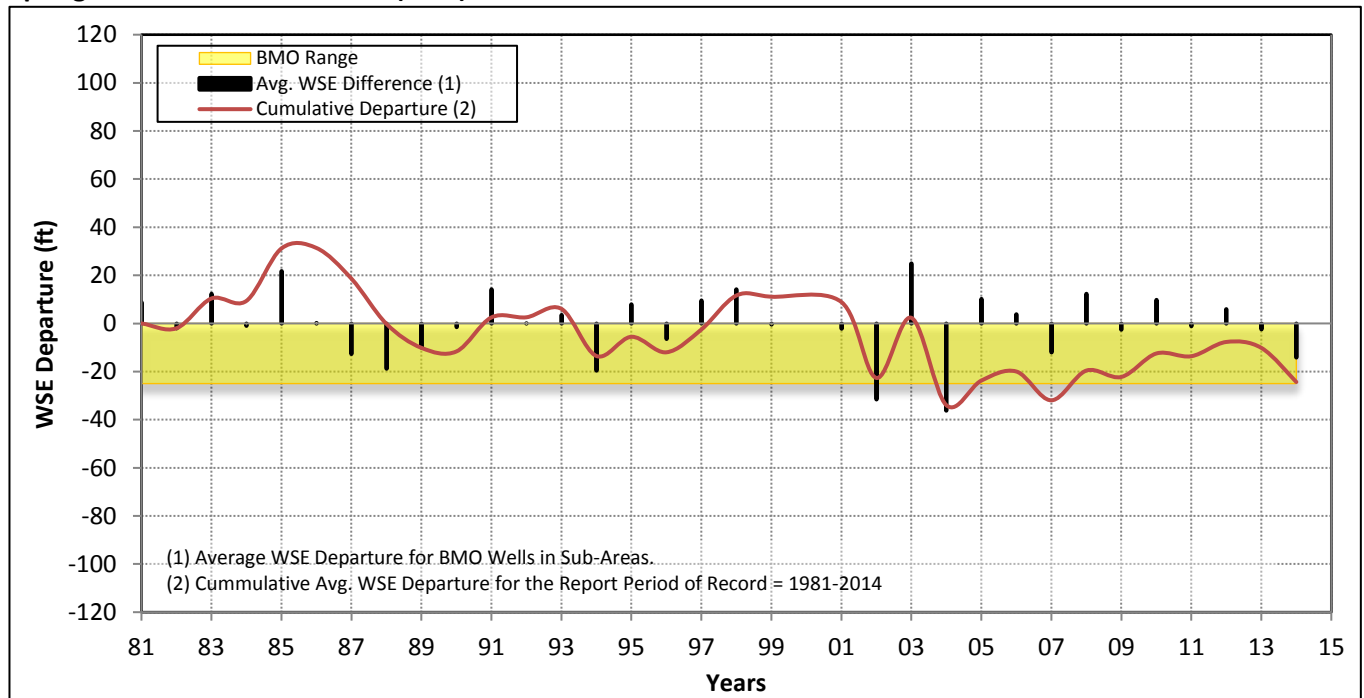
Raingage Information	
Raingage Name	Paso Robles #10
Raingage Elev.	700.00 ft

Raingage Records	
Period of Record	1887-2014
Average Precip.	14.93 in

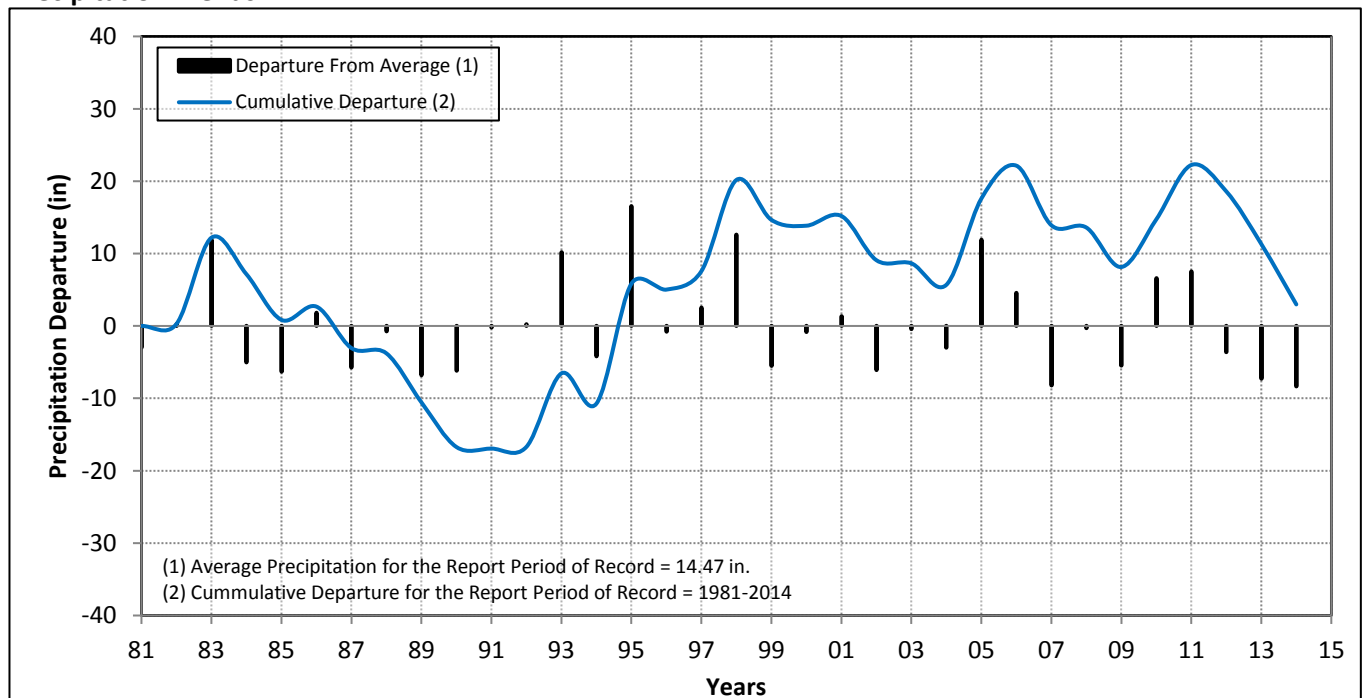
Trend Analysis Results	
BMO Target <sup>1)</sup>	(25.00 ft)
2014 CD	(24.35 ft)

**NOTES:** 1) The Basin Management Objective (BMO) is to maintain the Cumulative Departure (CD) above the BMO Target

## Spring Water Surface Elevation (WSE) Trends



## Precipitation Trends



# Sub-Area WSE Trend Analysis

Agenda Item #10 - Paso Robles Rain Gauge

Mon. Entity The County of San Luis Obispo, CA

Date 08/06/2014

Sub-Area Information	
Sub-Area	Shandon
Basin Name	Paso Robles

Sub-Area Well Records	
Period of Record	1976-2014
Num. BMO Wells	4

Report Information	
Report Start Year	1981
Period of Record	1981-2014

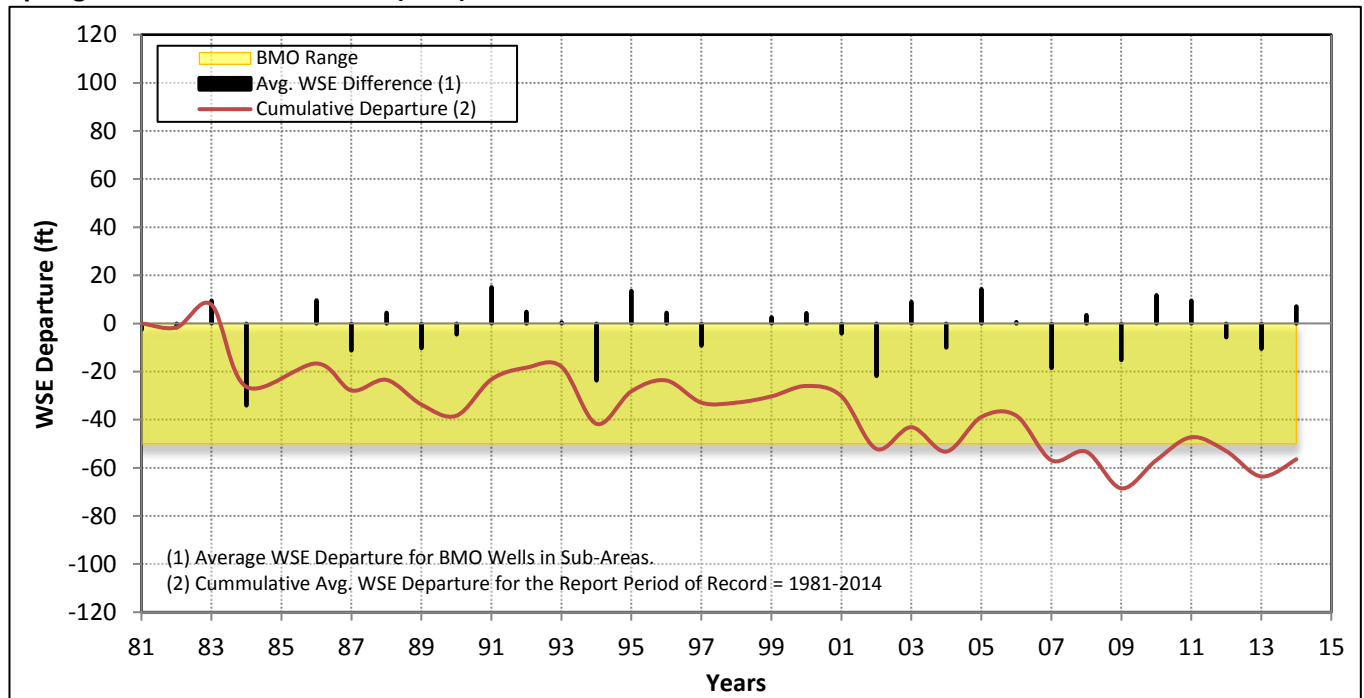
Raingage Information	
Raingage Name	Paso Robles #10
Raingage Elev.	700.00 ft

Raingage Records	
Period of Record	1887-2014
Average Precip.	14.93 in

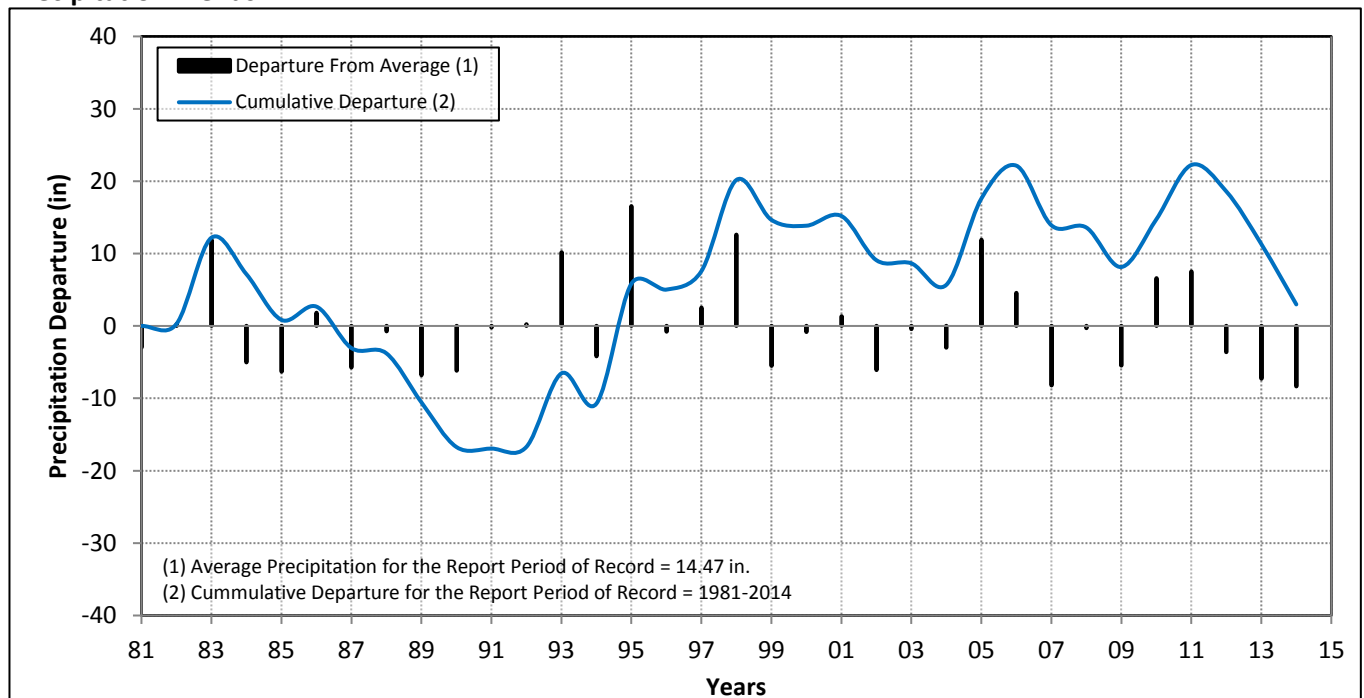
Trend Analysis Results	
BMO Target <sup>1)</sup>	(50.00 ft)
2014 CD	(56.45 ft)

**NOTES:** 1) The Basin Management Objective (BMO) is to maintain the Cumulative Departure (CD) above the BMO Target

## Spring Water Surface Elevation (WSE) Trends



## Precipitation Trends



**TO: Paso Basin Advisory Committee**  
**FROM: Courtney Howard, Water Resources Staff Engineer**  
**DATE: August 21, 2014**  
**SUBJECT: Agenda Item # 12: Suggested Future Agenda Items**

The following list was developed to help members of the PBAC, the public, and County staff track requests for future PBAC agenda items. This list contains some of the potential items that have been requested by PBAC members, by the public, or by County staff. *Near-Term Items* are expected to come to the PBAC within several months, whereas *Long-Term Items* are expected to take longer. Items under the heading of “*Ongoing Updates*” reflect ongoing efforts/programs that staff or others would provide updates on as appropriate.

Near-Term Items

- Water Summit being held by the County in Fall 2014
- Ongoing uses of Lake Nacimiento water in the Basin
- Potential for development of catchment basins for storm water
- Consider commenting on the Salinas-Nacimiento-CMC Emergency Intertie project

Long-Term Items

- To be identified

Ongoing Updates (as needed)

- Water District Legislation (AB 2453)
- Shandon State Water Turnout Project progress
- Paso Robles Water and Wastewater Treatment Plant Projects progress
- Subcommittee Reports
- Member Reports
- Water Surface Elevation Trends (annually after Spring measurements)