

Paso Basin Advisory Committee Meeting Agenda

Templeton Community Center Thursday, August 20, 2015
601 S. Main Street, Templeton **2:00 PM – 4:00 PM**

www.PasoBasin.org

- | | | |
|--|------------------|---------|
| 1. Introductions and Determination of a Quorum | Committee/Public | 2:00 PM |
| 2. Approve July 16 th and Special August 3 rd Meeting Minutes | Chair/Staff | 2:05 PM |
| 3. Presentation - League of Women Voters' Civil Discourse Task Force | Chair/Staff | 2:15 PM |
| 4. General Public Comment | Public | 2:20 PM |
| 5. County Efforts (attachment) | Staff/Chair | 2:30 PM |
| a. Water District Application Review Process Update
b. Countywide Water Conservation Program Development Update
c. US Bureau of Reclamation Basins Study Update
d. Consider advising the Board of Supervisors regarding County efforts | | |
| 6. Subcommittee Reports/Recommended PBAC Actions (attachments) | Chair/Chairs | 3:10 PM |
| a. Computer Model Update
b. Conservation
c. In-Basin Projects
d. Management
The Management Subcommittee requests that the Paso Basin Advisory Committee recommend to the San Luis Obispo County Board of Supervisors (with a copy to the Local Agency Formation Commission) that no groundwater be allowed to be exported from the Basin. That prohibition should include native groundwater, water imported for the purpose of recharging the groundwater Basin, native waters which would naturally or by artificial means recharge the Basin and waters extracted from the Basin that have been used or stored, but could be returned to the Basin.
e. Outreach and Education
f. Supply Options | | |
| 7. Disclosure of Potential Conflicts of Interest – PBAC Members | Committee | 3:45 PM |
| 8. Public Comment (if needed) | Public | 3:50 PM |
| 9. Future Meeting topics/committee comments | Committee | 3:55 PM |
| 10. Adjourn (Next Meeting September 9, 2:00 - 4:00 pm, Paso) | Chair | 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 BASIN ADVISORY COMMITTEE
TEMPLETON COMMUNITY CENTER

July 16, 2015
Draft Meeting Minutes

An audio recording of the meeting and materials submitted during public comment are available online at www.PasoBasin.org

Approximately 2:00 pm the meeting is called to order.

1. Introductions and determination of a Quorum- Quorum established.
2. Approve June meeting minutes- The June 18, 2015, Paso Robles Groundwater Basin Advisory Committee minutes were reviewed, Member Bollinger requested that in regards to Item 5, municipal water use be reported specifically for Barney Schwartz Park. Member Engel moves to approve the June meeting minutes, seconded by Member Bill Spencer. (20-0-1-3)
3. Consider moving Public Comment to the beginning of each agenda- Member Harvey recommends moving public comment to the beginning of each agenda to allow for public comment on topics not mentioned on the agenda. Concern was raised about time being limited for official agenda items. The possibility of reducing the subcommittee verbal report time and utilizing memoranda was mentioned. Member Werner notes that previously public comment had been permitted at the beginning and end of the meeting agenda without issue. Further discussion ensues. The committee votes to have a time-constrained public comment period at the beginning and end of the meeting agenda starting with the following meeting upon a motion by Member Harvey and second by Member Kalvans (18-2-1-3)
4. County Efforts
 - a. Water District Application Review Process Update
 - i) Consider moving September PBAC meeting to Wednesday, September 9th, 2-4pm- Chair Luft asks for any opposition to the change of date; no opposition expressed, therefore meeting date is changed.

Funding options – John Diodati, County Public Works, reviewed the three funding options under Prop 218. Mr. Diodati mentions that it will likely be a special tax, voted on by registered voters by mail ballots and requiring a 2/3 majority of returned ballots. Staff is working with a consultant to develop a report on the funding mechanism, which will be presented to the Board of Supervisors. David Church briefly describes the Local Agency Formation

Commission's (LAFCO's) status of review of the proposed district application. He notes that LAFCO will not consider financial portion until September 17th. LAFCO will hold a hearing on August 20th, starting at 5:30 P.M. in the Paso Robles Event Center.

- b. Countywide Water Conservation Program Development Update- Xzandrea Fowler, County Planning, stated that the Final Supplemental Environmental Impact Report (EIR) is now available. Revised draft amendment language has been released, which covers Title 8, 19, and 22. The Board of Supervisors is scheduled to discuss the revisions on August 11th. Discussion and questions ensue on revisions and potential implementation.
 - c. U.S. Bureau of Reclamation Basin Study Selection- Courtney Howard, County Public Works, stated that the U.S. Bureau of Reclamation (USBR) basin study selections have been awarded, and USBR will conduct the Salinas and Carmel River Basin Study along with local partners. This ensures consistency between agencies and technical information for the Paso Basin across county lines. It will continue over the coming two to three years, and will likely involve engagement of subcommittees.
 - d. Public Well Logs- Ms. Howard stated that California Senate Bill 83 makes all well completion reports public, however with personal information removed.
5. Subcommittee Reports/ Recommended PBAC Actions
- a. Computer Model Update- Ms. Howard expects to send an update the following week.
 - b. Conservation- The subcommittee describes an underground irrigation system that allows alfalfa and forage growers to use less water and still produce a successful yield. Next meeting Paso Robles Wine Country Alliance will be discussing conservation focusing on best practices so that recommendations can be made. Concern was raised about lack of assistance programs over restriction practices.
 - c. In-Basin Projects- Please see reports. Infiltration basins at Atascadero Mutual Water Company infiltrating Nacimiento water has caused deep well levels in the system to rise, in some cases 20 feet over the dry season.
 - d. Management
 - i. The subcommittee requests that the committee send a letter to the Board of Supervisors, copied to the Planning Commission, reiterating a request in our letter of May 21, 2015: An Agricultural Offset Clearance should not be issued to a receiving site for discontinuous properties within the Red Zone as defined by GEI's (Fugro) Generalized Difference in Spring Groundwater Elevations between 1997- 2013 map. Since the time the subcommittee met, revised ordinance language had been prepared by County staff which addressed this concern. Alternate Member Brown moves to vote on changing the recommended termination provision to expire upon the adoption of a Groundwater Sustainability Plan by the Groundwater Sustainability Agency(ies) for the Paso Robles Groundwater Basin, and Section 22.30.204.B.3 revised de minimus exemption is limited to the establishment of crop production representing a new total of no

more than 2.5 acre feet per year per site, which was seconded by Member Wilmore (15-1-1-7).

Member Faulkner motions to extend meeting for 15 minutes to allow for public comment, seconded by Member Kalvans. (17-0-0-7)

- ii. The subcommittee requests that the committee send a letter to the Board of Supervisors, copied to LAFCO, strongly suggesting that LAFCO make a condition of approval that the water district be prohibited from moving water outside of the basin. Alternate Member Brown moves to vote on proposed request, and is seconded by Member Sinton (16-0-0-8)
 - e. Outreach and Education – Met on July 6th with the County and continued discussion of future townhall meetings and home visits. Mr. Diodati highlighted that we have met the milestone of outreaching to at least 1000 people.
 - f. Supply Options – Update will be sent by Ms. Howard.
6. Public Comment- Member Friedman suggests capturing rainwater in addition to conserving water, noted for further discussion for In-Basin subcommittee.
 7. Future meeting topics/Committee comments- Mentioned topics include export restrictions, Public Health approach to AB 83well logs and public access, results of the July 20th DWR webcast, and a more comprehensive SGMA update.
 8. Adjourn- Meeting adjourned approximately 4:15 pm.

Paso Robles Groundwater Advisory Committee - Roll Call Vote Form
Meeting date: 07/16/2015

Organization	Representative	MOTION 1			MOTION 2			MOTION 3			MOTION 4						
		AYE	NO	ABSTAIN	AYE	NO	ABSTAIN	AYE	NO	ABSTAIN	AYE	NO	ABSTAIN				
Abasco Mutual Water Company	John Neil	X			X												
Central Coast Vineyard Team	Jaime Hendrickson												X				
City of Paso Robles	Kris Beal	X			X												
City of San Luis Obispo	Willy Cunha				X												
Monterey County Water Resources Agency	Christopher Alakel												X				
Paso Robles Imperiled Overlying Rights (PRIOR)	Christine Halley				X												
Paso Robles Wine Country Alliance	John Ashbaugh																
San Miguel Community Services District	Noah Evaris	X			X												
Shandon (County Service Area 16)	Robert Johnson																
SLO County Cattlemen's Association	Howard Franklin	X			X												
SLO County Farm Bureau	Steve Sinton	X			X												
Templeton Community Services District	Kent Gilmore																
Upper Salinas-Las Tablas RCD	Patricia Wilmore	X			X												
Viticulture Agriculturalist At-Large	Jerry Reaugh																
Non-Viticulture Irrigated Crop Agriculturalist At-Large	Anthony Kavans	X			X												
Environmental At-Large	Vacant																
Rural Residential At-Large	Susan Howard				X												
Undesignated At-Large	Vacant																
	Kurt Bollinger	X			X												
	Dale Evanson																
	Paul Clark	X			X												
	Megan Slocott																
	Jeff Brillz	X			X												
	Tina Mayer																
	Devin Best																
	Amy Smart				X												
	Dana Merrill																
	Robert Brown	X			X												
	Bill Spencer	X			X												
	John DeRosier																
	Sue Harvey	X			X												
	Daniel Meade																
	Sue Luft	X			X												
	Michael Baugh																
	Claudia Engel																
	Maria Lorca	X			X												
	Edward C. Redig	X			X												
	Jim DeRose																
	Laurie Gage	X			X												
	George Tracy																
	Don Wilson	X			X												
	Randy Dillenbaugh																
(District 1)	Randy Helzen	X			X												
(District 5)	Erin Faulkner																
	Dr. Serena Friedman	X			X												
	Larry Werner	X			X												
	Miller Newton	X			X												
Total:		20	0	1	3	18	2	1	3	21	0	0	3	15	1	1	7

MOTION 1

Item #: 2 Pass/Fail?: Pass

Motion Maker: Claudia Second: Spencer

AYE: 20 NO: 0 ABSTAIN: 1 ABSENT: 3

Motion: Approve June meeting minutes.

MOTION 2

Item #: 3 Pass/Fail?: Pass

Motion Maker: Harvey Second: Kalvans

AYE: 18 NO: 2 ABSTAIN: 1 ABSENT: 3

Motion: Move public comment to beginning and end of agenda if needed.

MOTION 3

Item #: 5.d.1 Pass/Fail?: Pass

Motion Maker: Brown Second: Wilmore

AYE: 15 NO: 1 ABSTAIN: 1 ABSENT: 7

Motion: changing the recommended termination to expire upon the adoption of a Groundwater Sustainability Plan by the Groundwater Sustainability Agency for the RCGWB, and Section 22.20.204.B.3 revised exception is limited to the establishment of crop production representing a net total of no more than 2.5 AF per year per site.

MOTION 4

Item #: 17 Pass/Fail?: Pass

Motion Maker: Faulkner Second: Kalvans

AYE: 17 NO: 0 ABSTAIN: 0 ABSENT: 8

Motion: extend meeting by 15 minutes.

Paso Robles Groundwater Advisory Committee - Roll Call Vote Form
Meeting date: 07/16/2015

Organization	Representative	MOTION 5			MOTION 6			MOTION 7			MOTION 8		
		AYE	NO	ABSTAIN	AYE	NO	ABSTAIN	AYE	NO	ABSTAIN	AYE	NO	ABSTAIN
Abascadero Mutual Water Company	John Neil												
Central Coast Vineyard Team	Jaime Hendrickson												
City of Paso Robles	Kris Beal	X											
City of San Luis Obispo	Willy Cunha												
Monterey County Water Resources Agency	Christopher Alakel												
Paso Robles Impaired Overlying Rights (PRIOR)	Christine Halley												
Paso Robles Wine Country Alliance	John Ashbaugh												
San Miguel Community Services District	Noah Evans												
Shandon (County Service Area 16)	Robert Johnson												
SLO County Cattlemen's Association	Howard Franklin												
SLO County Farm Bureau	Steve Sinton												
Templeton Community Services District	Kent Gilmore												
Upper Salinas-Las Tablas RCD	Patricia Wilmore												
Viticulture Agriculturalist At-Large	Jerry Reaugh												
Non-Viticulture Irrigated Crop Agriculturalist At-Large	Anthony Kavans												
Environmental At-Large	Vacant												
Rural Residential At-Large	Susan Howard												
	Kurt Bollinger												
	Dale Evanson												
	Paul Clark												
	Megan Sliott												
	Jeff Brillz												
	Tina Mayer												
	Devin Bist												
	Amy Smart												
	Dana Merrill												
	Robert Brown												
	Bill Spencer												
	John DeRosier												
	Sue Harvey												
	Daniel Meade												
	Sue Luft												
	Michael Baugh												
	Claudia Engel												
	Maria Lorca												
	Edward C. Redig												
	Jim DeRose												
	Laurie Gage												
	George Tracy												
	Don Wilson												
(District 1)	Randy Dillenbaugh												
(District 5)	Randy Helzen												
	Erin Faulkner												
	Dr. Serena Friedman												
	Larry Werner												
	Miller Newton												
Total:		17	0	0	7	16	0	0	0	0	0	0	0

MOTION 5
 Item #: 6
 Motion Maker: Brown
 Pass/Fail?: Pass
 Second: Wilmore
 AYE: 16 NO: 0 ABSTAIN: _____ ASSENT: 7
 Motion: Extend Minutes by 15 minutes to allow for public comment

MOTION 6
 Item #: 5.d.ii
 Motion Maker: Brown
 Pass/Fail?: Pass
 Second: Luft
 AYE: 15 NO: 0 ABSTAIN: 0 ASSENT: 8
 Motion: subcommittee requests that the PBAC send a letter to the Board of Supervisors, copied to LAFCO, strongly suggesting that LAFCO make a condition of approval that the water district be prohibited from moving water outside of the basin

MOTION 7
 Item #: _____
 Motion Maker: _____
 Pass/Fail?: _____
 Second: _____
 AYE: _____ NO: _____ ABSTAIN: _____ ASSENT: _____
 Motion: _____

MOTION 8
 Item #: _____
 Motion Maker: Clark
 Pass/Fail?: _____
 Second: _____
 AYE: _____ NO: _____ ABSTAIN: _____ ASSENT: _____
 Motion: _____

PASO BASIN ADVISORY COMMITTEE
SPECIAL MEETING
PASO ROBLES CITY COUNCIL CHAMBERS

August 3, 2015
Draft Meeting Minutes

An audio recording of the meeting and materials submitted during public comment are available online at www.PasoBasin.org

Approximately 11:00 AM the meeting is called to order.

1. Introductions and determination of a Quorum- Quorum established.
2. General Public Comment- Greg Grewal, rural resident, and Alternate Member Friedman express concerns regarding disclosure of committee member conflict of interest. Discussion ensues, and Chair Luft suggests that Alternate Member Friedman request in writing that the item be agendized or bring it up at the regular committee meeting since the agenda for the special meeting was limited to one item. Ann Myhre raises concern over high price per acre for water district fee on non-irrigated agriculture/rangeland for fixed income families.
3. Consider recommendation to the Board of Supervisors regarding the funding methodology for the Paso Robles Basin Water District Formation Process – John Diodati, County Public Works, presents the Paso Robles Groundwater Basin Proposition 218 funding methodology (presentation to be posted on www.slocountywater.org). Considerable discussion and questions by the committee and public ensued.

The meeting is extended by 10 minutes upon a motion by Member Kalvans, second by Member Engel, and unanimous vote (15-0-0-9).

The management subcommittee notes that the funding methodology seems fair and recommends that the committee consider supporting the funding approach and send it to the Board of Supervisors by August 18th. Questions and discussion ensue.

The meeting is extended by 5 minutes upon a motion by Member Kalvans, second by Alternate Member Gage, and unanimous vote (15-0-0-9).

Member Beal moves to support the management subcommittee's recommendation to support the Paso Basin Water District funding methodology and send it to the Board of Supervisors, seconded by Member Gage, and a supportive vote. (12-3-0-9)

4. Adjourn- Meeting adjourned approximately 12:15 pm.

Paso Robles Groundwater Advisory Committee – Roll Call Vote Form
Meeting date: 8/3/15 *Special Meeting*

Organization	Representative	MOTION 1			MOTION 2			MOTION 3			MOTION 4		
		AYE	NO	ABSTAIN	AYE	NO	ABSTAIN	AYE	NO	ABSTAIN	AYE	NO	ABSTAIN
Alascadero Mutual Water Company	John Neil			X									
Central Coast Vineyard Team	Jaime Hendrickson												
City of Paso Robles	Kris Beal	X			X								
	Willy Cunha												
City of San Luis Obispo	Christopher Alakel	X											
	Christine Halley				X								
Monterey County Water Resources Agency	John Ashbaugh	X											
	Noah Evaris												
Paso Robles Impeniled Overlaying Rights (PRIOR)	Robert Johnson				X								
	Howard Franklin												
Paso Robles Wine Country Alliance	Steve Sinton	X											
	Kent Gilmore												
San Miguel Community Services District	Patricia Wilmore	X											
	Jerry Reaugh				X								
Shandon (County Service Area 16)	Anthony Kavans	X											
	Vacant												
SLO County Cattlemen's Association	Susan Howard				X								
	Kurt Bollinger	X											
SLO County Farm Bureau	Dale Evanson												
	Paul Clark				X								
Templeton Community Services District	Megan Slocott												
	Jeff Brillz	X											
Upper Salinas-Las Tablas RCD	Tina Mayer												
	Devin Best				X								
AT-LARGE	Amy Smart												
	Dana Merrill	X											
Non-Viticulture Irrigated Crop Agriculturalist At-Large	Robert Brown												
	Bill Spencer				X								
Environmental At-Large	John DeRosier												
	Sue Harvey				X								
Rural Residential At-Large	Daniel Meade												
	Sue Luft	X											
AT-LARGE	Michael Baugh												
	Cleudia Engel	X											
Environmental At-Large	Maria Lorca												
	Edward C. Redig	X											
Environmental At-Large	Jim DeRose				X								
	Laurie Gage												
Environmental At-Large	George Tracy	X											
	Don Wilson				X								
Environmental At-Large	Randy Dillenbaugh												
	Randy Helzen	X											
Environmental At-Large	Erin Faulkner												
	Dr. Serena Friedman	X											
Environmental At-Large	Larry Werner				X								
	Miller Newton												
Total:		15	0	0	9	15	0	0	9	12	3	0	9

Item #: 3 MOTION 1
 Pass/Fail: PASS
 Motion Maker: Kavans
 Second: Engel
 AYE: 15 NO: 0 ABSTAIN: 0 ABSENT: 9
 Motion: Extend meeting by 10 minutes

Item #: 3 MOTION 2
 Pass/Fail: PASS
 Motion Maker: Kavans
 Second: Gage
 AYE: 15 NO: 0 ABSTAIN: 0 ABSENT: 9
 Motion: Extend meeting by 5 minutes

Item #: 3 MOTION 3
 Pass/Fail: PASS
 Motion Maker: BEAL
 Second: GAGE
 AYE: 12 NO: 3 ABSTAIN: 0 ABSENT: 9
 Motion: To support the management subcommittee's recommendation to support the Paso Basin Water District funding methodology and send to the Board of Supervisors.

Item #: MOTION 4
 Pass/Fail:
 Motion Maker:
 Second:
 AYE: NO: ABSTAIN: ABSENT:
 Motion:

PASO ROBLES GROUNDWATER RESOURCES ADVISORY COMMITTEE 2015

Organization	Representative		Jan	Feb	Mar	Apr	May	Jun	Jul	3-Aug	Aug	Sept	Oct	Nov	
AGENCIES, ORGANIZATIONS AND ASSOCIATIONS															
Atascadero Mutual Water Company	John Neil	M	X	X	Not Recorded	X	X	X	X						
	Jaime Hendrickson	A	X	X			X		X						
Central Coast Vineyard Team	Kris Beal	M				X	X		X	X					
	Willy Cunha	A	X	X		X	X	X	X	X					
City of Atascadero	Vacant	M													
	Vacant	A													
City of Paso Robles	Christopher Alakel	M									X				
	Christine Halley	A		X		X	X								
City of San Luis Obispo	John Ashbaugh	M									X				
	Noah Evans	A	X	X		X	X	X	X						
County of Monterey (Resource Management Agency)	Tom Moss*	M													
	Carl Holm*	A													
Monterey County Water Resources Agency	Robert Johnson	M													
	Howard Franklin	A	X	X		X	X	X	X						
Paso Robles Imperiled Overlying Rights (PRIOR)	Steve Sinton	M	X	X		X	X	X	X	X					
	Kent Gilmore	A													
Paso Robles Wine Country Alliance	Patricia Wilmore	M					X	X	X	X	X				
	Jerry Reaugh	A	X	X		X	X	X	X	X					
San Miguel Community Services District	Anthony Kalvans	M	X	X		X	X	X	X	X	X				
	Vacant	A													
Shandon (County Service Area 16)	Susan Howard	M													
	Vacant	A													
SLO County Cattlemen's Association	Kurt Bollinger	M		X		X	X	X	X	X					
	Dale Evanson	A		X		X	X	X	X	X					
SLO County Farm Bureau	Paul Clark	M	X	X		X	X	X	X	X					
	Megan Silcott	A													
Templeton Community Services District	Jeff Britz	M	X			X	X	X	X	X					
	Tina Mayer	A		X		X	X	X	X	X					
Upper Salinas-Las Tablas RCD	Devin Best	M	X												
	Amy Smart	A							X						
AT-LARGE															
Viticulture Agriculturalist At-Large	Dana Merrill	M						X		X					
	Robert Brown	A	X	X	X	X	X	X	X						
Non-Viticulture Irrigated Crop Agriculturalist At-Large	Bill Spencer	M	X	X	X	X	X	X	X						
	John DeRosier	A													
Environmental At-Large	Sue Harvey	M	X	X	X	X	X	X	X						
	Daniel Meade	A	X	X	X	X	X	X	X						
Rural Residential At-Large	Sue Luft	M	X	X	X	X	X	X	X	X					
	Michael Baugh	A	X	X	X	X	X	X	X						
	Claudia Engel	M	X	X	X	X	X	X	X						
	Maria Lorca	A	X	X	X	X	X	X	X						
	Edward C. Redig	M	X	X	X	X	X	X	X						
	Jim DeRose	A													
	William Frost	M	X	X	X	X	X	X	X						
	Laurie Gage	A				X	X	X	X	X					
	George Tracy	M	X	X	X	X	X	X	X						
	Don Wilson	A													
(District 1)	Randy Diffenbaugh	M	X	X	X	X	X	X	X						
	Randy Heinzen	A	X	X	X	X	X	X	X						
(District 5)	Erin Faulkner	M	X	X	X	X	X	X	X						
	Dr. Serena Friedman	A	X	X	X	X	X	X	X						
Undesignated At-Large	Larry Werner	M	X	X	X	X	X	X	X						
	Miller Newlon	A					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

PASO ROBLES GROUNDWATER BASIN ADVISORY COMMITTEE
2015 GUEST LIST

NAME	Affiliation (If Any)	JAN	FEB	MAR	APR	MAY	JUN	JUL	3-Aug	AUG	SEP	OCT	NOV	DEC
Baird, Bruce	Guest	X		X	X	X		X						
Banister, Katie	Resident	X												
Barrett, Della	Resident				X	X								
Berg, Carolyn	County Public Works	X		X	X									
Brehe, Andrea	Paso Robles Resident					X								
Brehe, David	Paso Robles Resident					X								
Brown, Robert	Alternate	X	X	X	X	X								
Church, David	LAFCCO					X	X							
Cochran, Cheryl	County Planning					X								
DeBrish, Jeff	Templeton Resident					X								
Diodati, John	County of San Luis Obispo			X	X			X						
Duffield, Scott	County Public Works							X	X					
Evenson, Dale	SLO Cattle Association			X										
Fogleman, Vicki	District 1	X	X	X	X	X	X	X	X					
Fowler, Xzandrea	County Planning			X		X		X						
Gage, Laurie	Rural Resident	X	X	X	X									
Gilmore, Dan						X								
Gilmore, Kent	PRIOR					X								
Grewal, Greg	Rural Resident			X	X			X	X					
Hagen, Jim	SLMWC	X			X				X					
Hanebutt, Michael	County Planning					X								
Hartzell, Richard	USLTRCD					X								
Hollenbeck, John	Atascadero Resident			X				X						
LaM_n							X							
Latton, Shelley	SLO Resident							X						
Lundy, David	Resident							X						
McKinley, Dick	City of Paso Robles					X	X	X						
Mesmer, Mike	KPRL	X												
Montgomery, Wayne	Paso Resident	X		X			X		X					
Myhre, Ann		X	X	X	X		X	X	X					
Pelfrey, Gwen	Guest	X	X	X	X	X	X							
Petersen, Wayne	Guest			X										
Reaugh, Jerry						X								
Russell, Mary				X			X	X						
Sorensen, Paul	Fugro					X								
Sprague, Joy	County Resident					X		X						
Talea, Carole	Resident	X												
Tallman, April	Rural Resident					X	X							
Thomas, Craig	Spanish Lake MWC	X												
Thompson, Matt	City of Paso Robles		X			X								
Voigt, Paula	Paso Resident							X						
Votaw, Gail							X							
Votaw, Marty							X							

TO: Paso Basin Advisory Committee
FROM: Scott Duffield, Water Resources Engineer
DATE: August 20, 2015
SUBJECT: Agenda Item # 5.a, b, and c: County Efforts

Recommendation

Receive an update on County efforts and consider developing recommendations for the Board of Supervisors.

Discussion

a. Water District Application Review Process Update

On August 18, 2015 the Board of Supervisors, acting as the board of the Flood Control and Water Conservation District, was asked to consider and approve the NBS Phase II report on Proposition 218 funding for the Paso Basin's compliance with SGMA. On Monday August 3, 2015, Public Works staff presented to both the Management subcommittee and Paso Basin Advisory Committee and received an endorsement of the funding formula and Proposition 218 process. It is anticipated that staff will present a verbal update of the August 18, 2015 Board of Supervisors meeting.

b. Countywide Water Conservation Program Development Update

See **attached** status update from the County Department of Planning and Building.

c. US Bureau of Reclamation (USBR) Basin Study Update

The study partners and USBR held a conference call July 21, 2015 to discuss the study development and project schedule. The next step is to prepare the Plan of Study with a desirable completion date of December 2015. USBR will prepare and send a preliminary project schedule to the study partners.

Attached: Status Update on the Countywide Water Conservation Program



DEPARTMENT OF PLANNING AND BUILDING

Promoting the Wise Use of Land – Helping to Build Great Communities

Date: July 31, 2015
To: Paso Basin Advisory Committee
From: Xzandrea Fowler, Supervising Planner, Dept. of Planning and Building
Subject: Status Update on the Countywide Water Conservation Program

Final Environmental Impact Report (FSEIR)

The FSEIR is available for public review. Here is the link to the FSEIR:

<http://www.slocounty.ca.gov/planning/water-amendments/environmental-review.htm>

Board of Supervisors Hearing

On July 21, 2015 the Board of Supervisors declined to set a hearing date for the Introduction of the proposed General Plan and Code amendments until the Planning Commission had completed their review and had a recommendation on all of the proposed amendments associated with the Countywide Water Conservation Program.

Planning Commission Hearing

The Planning Commission held a public hearing on the CWWCP on Thursday, **July 30, 2015**. At that hearing, the Planning Commission reviewed the Final SEIR and the proposed amendments to the General Plan and County Code (Titles 8, 19, & 22). Based on public comment and Commission discussion revisions were made to the proposed amendment language to address the following issues:

- Vested Rights under the PRGWB Urgency Ordinance (Title 22)
- Well Permit requirements (Title 8)
- Agricultural Water Waste Prevention(WWP) BMP examples (Agriculture Element)
- Identification of long-term water resource supplies (Agriculture Element)
- Restrictions on lawn and landscaping watering (Title 8)
- Clarification that references to the PRGWB excludes the Atascadero Sub-basin (All documents)
- Clarification that the Water Neutral New Development(WNND) Urban/Rural offset requirement is a 1:1 ratio for the PRGWB and Nipomo Mesa Water Conservation Area (Title 19)
- Clarification that the sunset for the WNND provisions in the PRGWB will occur upon the final approval of a Groundwater Sustainability Plan(s) by a local Groundwater Sustainability Agency or Agencies covering the entirety of the PRGWB within the land use jurisdiction of the County of San Luis Obispo (Titles 19 & 22)
- Water meter installation clarification (Titles 19 & 22)
- Increasing the de minimis for AF per year for new irrigated crop production (Title 22)
- Clarification of the Courtesy Notice process (Title 22)
- Clarification of definition for “New or Expanded Irrigated Crop Production” (Title 22)

The Commission continued the hearing to Thursday, August 13, 2015 to allow staff time to make changes to the proposed amendments to address those issues. The staff report (continuance memo) and the changes to the amendments are available online at:

<http://agenda.slocounty.ca.gov/agenda/sanluisobispo/Proposal.html?select=5017>

At the hearing on August 13, 2015, staff anticipates that the Planning Commission will be making a recommendation to the Board of Supervisors regarding certification of the FSEIR; the adoption of the proposed amendments to the General Plan; and the adoption of Code amendments to Title 8 (Health and Sanitation Ordinance), Title 19 (Building and Construction Ordinance), and Title 22 (Land Use Ordinance).

Please contact Xzandrea Fowler at xfowler@co.slo.ca.us for additional information.

Paso Robles Groundwater Basin Conservation Subcommittee Minutes

DRAFT

Date: August 6th 2015 1:30-3:30 pm RCD Office

- I. Introduction and determination of a quorum:
 - A. Members present:
 1. Claudia Engel: Rural at large
 2. Devin Best: US-LT RCD
 3. Mike Baugh: Rural at large
 4. Anthony Kalvans: San Miguel CSD
 5. Robert Brown: viticulture
 - B. Members Absent:
 1. Kris Beal: viticulture
 2. Bill Spencer: non-irrigated
 3. Randy Heinzen: District 5
 - C. Member Reports:
 1. Member Kalvans gave a presentation on a discussion between the San Miguel CSD and the US-LT RCD regarding opportunities to apply for funding to improve water recharge within San Miguel CSD's jurisdiction. Member Best informed the group of potential Prop 1 funds being a source of funding to seek for the proposed feasibility study.
- II. Populate Conservation strategies:
 - A. Outreach with Vineyard practitioners. Outreach letter distributed to Agricultural Groups.
 1. The group discussed BMPs to develop, distribute, educate, and/or employ to improve water use efficiency. the lack of response and how to proceed. The group chose to solicit input at face-to-face meetings. Two options were considered.
 - a. Consider incorporating County's WNNd implementation recommendations into Conservation Subcommittee's recommendation list.
 - b. The group made additional suggestions to include into the recommendation list for agriculture.
 - c. Consider hosting several seminars/workshops to disseminate information to vineyard owners and managers.
- III. Technical Peer Input
 - A. The Conservation Subcommittee will reconvene next month to review the input from IGGPRA, PWRAC, and UCCE.

Next meeting September 3rd.

PASO ROBLES GROUNDWATER BASIN ADVISORY COMMITTEE
MANAGEMENT SUBCOMMITTEE
PASO ROBLES CITY HALL

**August 3, 2015
MEETING NOTES**

1. Introductions and Members Present:

Subcommittee attendance:

Subcommittee Members	Aug, 2015	July, 2015	June, 2015	May, 2015	April, 2015	March, 2015	Feb, 2015	Jan, 2015
Christopher Alakel	X	---	X	X	---	---	---	---
Christine Halley	---	---	---	---	X	X	X	X
Bob Brown	X	X	X	X	X	X	X	X
Paul Clark	---	X	X	---	X	X	---	X
Willy Cunha	X	X	X	X	---	X	X	X
Jim DeRose	---	---	---	---	---	---	---	---
William Frost	*	X	X	X	X	X	X	---
Sue Harvey	---	X		X	X	X	X	X
Rob Johnson	---	---	X	---	---	X	X	---
Sue Luft	X	X	X	X	X	X	X	X

*Laurie Gage, Alternate Member, sat in for William Frost.

County/LAFCO staff present – John Diodati, David Church, Scott Duffield, Carolyn Berg

Other BAC members/alternates present - Claudia Engel, Dana Merrill, Jerry Reaugh, Steve Sinton, Serena Friedman

Others present – Hilary Graves, Greg Grewal

2. Approve July Management Subcommittee Notes: Subcommittee Member Luft moved to approve July 6, 2015 meeting notes, as amended; seconded by Member Cunha; passed unanimously with abstention by Alternate Member Gage.
3. Update on Ag Offset Ordinance: Planning staff had indicated they could not attend. Subcommittee discussed concern with Title 8 language regarding repairs of existing wells; appears to have been resolved with new ordinance language.

4. Water District Formation Update: David Church, LAFCO Executive Officer, stated that staff report for August 20th hearing is available online. He has received some requests for exclusions. The August 20th hearing may go longer than 10:30 p.m. John Diodati, County Public Works, discussed DWR draft basin boundary regulations. Only agencies can apply, which must be done between January and March, 2016. County plans to apply to have basin boundaries updated from Bulletin 118 to Fugro. DWR's first priority is to fix errors in basin boundaries. DWR does not want political boundaries used for basin boundaries.
5. Discussion of a motion to the PBAC to impose a no exceptions water export ban as a condition of district approval: After a brief discussion, Member Luft moved, seconded by Alternate Member Gage, passed unanimously, the following: The Management Subcommittee requests that the Paso Basin Advisory Committee recommend to the San Luis Obispo County Board of Supervisors (with a copy to the Local Agency Formation Commission) that no groundwater be allowed to be exported from the Basin. That prohibition should include native groundwater, water imported for the purpose of recharging the groundwater Basin, native waters which would naturally or by artificial means recharge the Basin and waters extracted from the Basin that have been used or stored, but could be returned to the Basin. Action on this item will be requested by the PBAC at the August 20th regular meeting.
6. Discussion & recommendation of weighted assessment options for district funding: John Diodati presented the proposed Proposition 218 funding for SGMA compliance. The funding formula was developed with NBS, a consulting firm with considerable experience with Prop. 218, in conjunction with the Assessor's office and the Ag Commissioner's office. John's Power Point will be posted on the pasobasin.org website. A property-related fee was considered, but the principal act of the Flood Control District does not give authority for a property-related fee. The parcel tax, a 2/3 registered voter vote, will be used. There will be a per parcel charge, a land use based charge and a per unit charge and a per acre charge for each parcel. The subcommittee indicated that the funding formula appears to be fair and well researched. John has now outreached to over 1,000 people. The funding will be presented to the Board of Supervisors on August 18th, November 3rd is the target date for the BoS to call for the special parcel tax, the election and a designation of zone of benefit for the FCD, February 8th the ballots will be released, and March 8th is election day. Member Cunha moved, seconded by Alternate Member Gage, passed unanimously, to request that the PBAC support the funding formula presented by staff at the special PBAC meeting which was to follow.
7. Powers and Authority of the Proposed District and the FCD: David Church compared the powers and authority of the water district to a CSD, where the County still retains their land use authority and other County functions; however, the CSD has its own authority. The staff report lists seven powers that will need agreement with the County before the water district can utilize those powers. All powers are recommended by LAFCO staff to be active except for the emergency ordinance power.

8. Recommendations to the BAC: See above.
9. Public comments: None.
10. Future Subcommittee Topics: See above.

Meeting adjourned approximately 11:00 am. Next meeting of the Management Subcommittee is scheduled for Monday August 31, 2015, at 9:00 am at Paso Robles City Council Chambers located at 1000 Spring Street.

Notes prepared by R. Brown

Outreach and Education Subcommittee of Paso Basin Advisory Committee Meeting August 3, 2015

1:00 – 2:30 pm

Humbug Vineyards, 7900 Creston Road, Paso Robles

Charge of the Subcommittee:

- Provide input on the integration of outreach, education and conservation programs into the amended AB 3030 Plan
- Provide input on the approach to advertising for and conducting public workshops associated with basin efforts
- Provide input on the basin website(s)
- Provide input on how to convey technical information, such as the computer modeling results

ATTENDANCE

Name		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
Bill Spencer, Chair	Member	x	x	x	x	x	x	x	
Michael Baugh, Chair	Alternate	x	x	x	x	x	x	x	x
Robert Brown	Alternate	x	x	x	x	x	x		x
Sue Luft	Member	x	x	x	x	x	x	x	x
Laurie Gage	Guest		x	x	x	x	x		x
Jaime Hendrickson	Alternate	x	x	x					
John Diodoti	SLO Co.	x				x	x	x	x
Carolyn Berg	SLO Co.	x	x	x	x				
Courtney Howard	SLO Co.						x		
Hilary Graves	Guest		x	x			x	x	
Bruce Baird	Guest	x	x			x	x	x	x

MINUTES

1. O&E Update from County Staff
 - Planning Department Administrator John Diodati reported on several neighborhood and professional group meetings held during the month of July. To date, the Department has addressed in person over 1,000 individual residents, and continues on track to reach more than 2,000 persons before the election next year.
 - The upcoming LAFCO Hearing – Thursday, August 20th – was discussed
2. Review of **pasobasin.org** website
 - Various issues with the website were discussed, and will be addressed by County staff.
 - The primary issues identified concerned timely updates, and regular servicing.
3. Ongoing Outreach
 - Suggestions were discussed, and several committee members volunteered to host future neighborhood meetings. Dates will be coordinated with County staff.
 - Plans were discussed to involve non-resident persons and organizations who make up approximately fifty-percent of the landowners overlying the Basin.
4. Other items
 - Next meeting: Date to be selected pending discussion of the Labor Day holiday, which falls on the regular meeting date. Time and venue: 1:00 – 2:30 pm, Windrose Farm



SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Wade Horton, Director

County Government Center, Room 206 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

[email address: pwd@co.slo.ca.us](mailto:pwd@co.slo.ca.us)

TO: Paso Basin Advisory Committee

FROM: Mark Hutchinson, Deputy Director

DATE: August 12, 2015

SUBJECT: Conflict of Interest

Introduction

At your August 3, 2015 meeting a member of your Committee requested an overview of potential Conflict of Interest issues pertaining to the Advisory Committee members. The following information was developed in conjunction with County Counsel. It describes various statutes and regulations and how they pertain to members of the Committee. It is important to note that there is no single overarching rule regarding conflicts of interest and it is acknowledged that members of the Committee may, and in fact likely do, have some degree of financial interest in the Paso Robles Basin. As detailed below, such interests may or may not be in conflict with the applicable statutes and regulations. Each Advisory Committee member has the responsibility to determine if they have a conflict of interest on any particular matter which may come before the Advisory Committee.

Some Committee members may feel that all members should disclose all interests and activities related to groundwater, regardless of any statute or regulation. This perspective is outside the scope of this memorandum as it appears more appropriately considered as part of the Committee's bylaws or other guiding documents as approved by the Board of Supervisors.

Background

Pursuant to the Board of Supervisors' formation of the Paso Robles Groundwater Basin Advisory Committee (and its subsequent Bylaws), the Advisory Committee is an "advisory committee" comprised of representatives from the City of Paso Robles, Atascadero Mutual Water Company, City of Atascadero, Templeton Community Services District, San Miguel Community Services District, Monterey County Water Resources Agency, County of Monterey (Resources Management Agency), Shandon (County Service Area 16), Paso Robles Imperiled Overlying Rights (PRIOR), Paso Robles Wine Country Alliance, Central Coast Vineyard Team, San Luis Obispo County Farm Bureau, San Luis Obispo County Cattlemen's Association, Upper Salinas-Las Tablas Resource Conservation District, City of

San Luis Obispo and At-Large members representing: viticulture agriculturalist, non-viticulture irrigated crop agriculturalist, environmental, rural residential, rural (District 1, District 5), and undesignated. All members and alternates are appointed by the San Luis Obispo County Flood Control and Water Conservation District (FCWCD) “to advise the County and FCWCD Board of Supervisors” concerning policy decisions relating to the implementation of the Basin Groundwater Management Plan, development of an “enhanced” AB 3030 Groundwater Management Plan for the Basin, formation of a new water district, transition of an initial County-supported district to an independent district, and other policies and ordinances.

Conflict of Interest Statutes

There are several statutes and accompanying regulations that govern conflicts of interest. As noted above, it is the responsibility of each Advisory Committee member to determine if they have a conflict of interest on any particular matter which may come before your committee.

Financial Conflict of Interest (Political Reform Act, Government Code §§ 87100 et seq.):

The Political Reform Act (PRA) disqualifies “public officials” from participating in “government decisions” in which they have a “financial interest” (see Government Code § 87100). The PRA defines a “public official” as “every member, officer, employee or consultant of a state or local government agency” (emphasis added) (see Government Code § 82048).

Regulations promulgated by the Fair Political Practices Commission (FPPC) interpret “members” to mean members of all boards or commissions with “decision-making authority” (see FPPC Regulation § 18700) (emphasis added). The FPPC regulations further provide that a board or commission has decision-making authority if:

- i it may make a final governmental decision;
- ii it may compel or prevent a governmental decision or,
- iii it makes substantive recommendations that are, and over an extended period of time have been, regularly approved without significant amendment or modification by another official or governmental agency.

The FPPC regulations interpret “consultants” to mean individuals delegated specified decision-making authority or individuals acting in a “staff capacity” while participating in the making of a decision or performing the duties of an officer or employee of a government agency (see FPPC Regulation § 18700.3). Examples of the type of delegated decision-making authority that may make a consultant a “public official” include the power to approve a rule or regulation or to issue, deny or suspend a permit. Factors to consider in determining whether a person is working in a staff capacity include whether the duties involve general advice or assistance, as opposed to a single or limited number of projects.

As members of the Advisory Committee, you are neither an officer nor an employee of the FCWCD. Advisory Committee members are unlikely to be a “member” because the Paso Robles Groundwater Basin Advisory Committee does not have decision-making authority

unless the Board of the FCWCD has regularly approved the Committee's recommendations without amendment.

Financial Interests in Contracts (Government Code §§ 1090 et seq.):

Section 1090 prohibits members of the Legislature, state, county, district, judicial district and city officers and employees from being financially interested in any contract made by them in their official capacity or by any body or board of which they are members.

The section 1090 prohibition applies to persons in advisory positions to contracting agencies if they participate in the making of a contract through their advisory function (see Schaefer v. Berinstein (1955) 140 Cal.App.2d 278; City Council v. McKinley (1978) 80 Cal.App.3d 204). Although Section 1090 refers to a contract "made" by the officer or employee, the word "made" is not used in the statute in its narrower and technical contract sense but is used in the broad sense to encompass such embodiments in the making of a contract as preliminary discussions, negotiations, compromises, reasoning, planning, drawing of plans and specifications and solicitation for bids (see Millbrae Assn. for Residential Survival v. City of Millbrae (1968) 262 Cal.App.2d 222). Advisory committee members (unlike Board members) with a financial interest in a contract may avoid a conflict by disqualifying themselves from any participation in connection with the contract (see 82 Ops.Cal.Atty.Gen. 126).

Based on the above, participating at all in the making of a contract would violate Section 1090. Any participation in discussions that constitute "preliminary discussions, negotiations, reasoning, planning, drawing of plans and specifications or solicitation for bids," would violate Section 1090. It is noted that any contract made in violation of Section 1090 is void and unenforceable and that any payments made to the contracting party must be returned. In addition, a person who willfully aids or abets an officer or person in violating the Section 1090 prohibition is punishable by a fine of not more than \$1,000 or by imprisonment and is forever disqualified from holding any office in the state (see Government Code § 1097).

Appearance of Financial Conflict of Interest (Common Law):

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." The above analysis with respect to Section 1090 applies here as well and the existence of a conflict depends on the nature of an Advisory Committee member's involvement in the consideration of the project.

Incompatible Activities (Government Code §§ 1125 et seq.):

Section 1126 prohibits a local agency officer or employee from engaging in any employment activity that is inconsistent or incompatible with his duties as a local agency officer or employee. Section 1126 is not self-executing and the agency determines which outside activities fall within the prohibition.

Advisory Committee member participation on the Paso Robles Groundwater Basin Advisory Committee is unlikely to render that member an "officer" or "employee" of the FCWCD for purposes of Section 1126. In addition, the FCWCD has not adopted an incompatible activities statement for Advisory Committee members.

Economic Disclosures (Political Reform Act, Government Code §§ 87200 et seq.):

In addition to the requirements set forth above, the PRA requires certain individuals to disclose their financial interests. Government Code Section 87200 identifies the following as individuals required to file a disclosure statement: elected state officers, judges and commissioners of courts of the judicial branch of government, members of the Public Utilities Commission, members of the State Energy Resources Commission, members of the Fair Political Practices Commission, members of the High-Speed Rail Authority, members of planning commissions, members of the board of supervisors, district attorneys, county counsels, county treasurers and chief administrative officers of counties, mayors, city managers, city attorneys, city treasurers, chief administrative officers and members of city councils and cities, and other public officials who manage public investments, and to candidates for any of these offices at any election (these individuals are oftentimes referred to as “87200 filers”).

The PRA also requires every state agency and local government agency to adopt and promulgate a conflict of interest code (see Government Code § 87300). Such conflict of interest codes are to enumerate the positions within the agency that “involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest” (see Government Code § 87302). Each such “designated employee” must disclose their financial interests. The PRA excludes “any unsalaried member of any board or commission which serves a solely advisory function” from the definition of “designated employee” (emphasis added) (Government Code § 82019).

Conclusion

Additional information for Advisory Committee members regarding conflict of interest issues is available from the California Attorney General at: <http://ag.ca.gov/publications/coi.pdf> and/or the California Fair Political Practices Commission at: <http://www.fppc.ca.gov/>

Advisory Committee members may also wish to consult their individual counsels for advice on specific projects or matters that may come before the Committee.

TO: Paso Basin Advisory Committee

FROM: Scott Duffield, Water Resources Engineer

DATE: August 20, 2015

SUBJECT: Agenda Item # 8: 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

- State Water Overview
- USGS Water Quality Study Presentation (November)
- Potential new uses of Lake Nacimiento water in the Basin
- Potential for development of catchment basins for storm water
- Percolation areas in the groundwater basin
- Basin hydrogeology overview
- Environmental Health's GIS Public Interface

Long-Term Items

- Development of recommendations for a more robust monitoring and reporting program

Ongoing Updates (as needed)

- Basin boundary determinations – discuss differences between DWR 118 and Fugro
- Reservoir conditions and water use information
- Water District Legislation (AB 2453)
- Ordinances (Export, Water Waste, Net Water Neutral Development)
- Sustainable Groundwater Management Act (SGMA) – invite State Water Board and/or Department of Water Resources staff and/or other Basin Management entities (e.g. Fox Canyon)
- 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)
- Proposition 1 opportunities