



Correspondence for Aug 6 agenda
Fran Zohns to: cr_board_clerk Clerk Recorder

08/02/2013 10:54 AM



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Fran Zohns
Board of Supervisors
San Luis Obispo County
(805)781-5450



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to the
Clerk Recorder

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AUG -2 2013

RE: Paso Robles Water regulations

Board of Supervisors
San Luis Obispo County

July 31, 2013

Dear Supervisor Gibson,

Please consider the following when looking at the Paso Robles Groundwater issue. We need job growth in the North County and businesses located outside of city limits contribute many jobs to the north county. Please do not over regulate this issue so that job growth is limited.

We need more conservation measures in place, and mandatory conservation measures are going to be more effective than a well drilling moratorium. These conservation measures should include:

1. Add a water recycling process to the Paso Robles Sewer Plant. The cost for this upgrade will likely be less than the SLO County Planners will spend on studying the ground water table, and it will provide a positive result.
2. Provide incentives for homeowners in the North County who install water recycling or water saving devices.
3. Mandate all new developments have water recycling plans, and water conservation plans.
4. Do not regulate irrigation for grape growers or other farmers, as the savings incurred will not be offset by the costs to the county. That money can be used for other things which will actually provide water table improvements.
5. Do limit the number of new grape plantings in the North County. (you should probably limit them county wide, as we are the first area to loose water levels, but we will not be the last.)
6. Do not shut down construction on already existing parcels. Construction benefits everyone due to its positive impact on the community's bank accounts.
7. Do place limitations on residential building, if it is not already in subdivided areas.

My name is Kathy Tucker, and I am a vineyard owner and business owner in the north county.

Sincerely yours,

Kathy Tucker

Agenda #27 - correspondence

Tarey Jo Blandford

to:

cr_board_clerk Clerk Recorder

08/02/2013 11:50 AM

Hide Details

From: Tarey Jo Blandford/ClerkRec/COSLO

To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings

1 Attachment



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Received in NoCo 8/2/13 at 11:40 am.

Thanks,
Tarey Jo

Honorable Supervisors,

The Paso Robles groundwater basin problem is clear: some landowners are pumping so much groundwater that other landowners' wells are going dry or are producing only a trickle of water.

On August 6th, of course the large-scale water users are going to mob the chamber and protest any change to business as usual.

I hope during public comment you will ask anyone protesting urgency measures how much water they use per acre that they manage or own and how that amount can be verified and why they would object to having their wells metered and monitored twice yearly.

In addition, ask if a Williamson Act contract reduces their property tax. And then ask if they have federal crop insurance. And ask if they know who paid for the state water project and the Nacimiento project.

The point being that ordinary taxpayers should not have to subsidize the destruction of the basin.

We are expecting you to adopt the strongest possible urgency measures without delay while all well-meaning stakeholders work together to determine the best management structure for the long term.

Sincerely,

Maria Lorca
Creston

Agenda
27



Correspondence Aug 6 agenda
Fran Zohns to: cr_board_clerk Clerk Recorder

08/02/2013 01:26 PM

via fax machine



0378782166-44.pdf

August 2, 2013

Ms. Kami Griffin

Assistant Director, Planning and Building Department

kgriffin@co.slo.ca.us

RE Potential Urgency Ordinance re Paso Robles Groundwater Basin—your memo of 8/6/13

Dear Ms. Griffin:

As you may know the County of San Luis Obispo is a party to the PRIOR Agreement with the City of Paso Robles and numerous overlying landowners in the Paso Robles Basin, dated August 19, 2005, a copy of which is attached. This Agreement was an initial step to attempt to have the County, City and overlying landowners coordinate efforts regarding groundwater matters in the Basin and hopefully avoid the need for litigation.

We call your attention to paragraph 4.a which provides the Landowners and Municipal Users (which includes the County) shall participate in good faith in forums involving monitoring and evaluation of groundwater conditions in the Basin. Furthermore, it provides in developing and plans or programs, the San Luis Obispo County Flood Control and Water Conservation District or other public agency with jurisdiction over the Basin (such as the County) "shall facilitate, to the extent reasonable possible, the participation of other overlying owners within the Basin who are not parties to this Agreement."

We believe consideration of a proposed Urgency Ordinance as outlined in your memorandum, without consulting with PRIOR in its formulation, violates the letter and spirit of the PRIOR agreement. As your memorandum acknowledges the staff has not had time to interact with various stakeholders in the Basin and if the schedule is pursued as tentatively outlined by your Board you will not have time for any such interaction. This not only is an unacceptable way to develop an ordinance that could significant affect the economy of the North County region, but also a potential breach of the PRIOR Agreement.

We insist, consistent with the PRIOR Agreement, that the Board of Supervisors postpone consideration of the proposed Urgency Ordinance in order to provide an opportunity for all stakeholders, including PRIOR, to work with the staff in order to consider more effective and equitable options.

Very truly yours,

Kent C. Gilmore 

Designated Agent of Landowners under PRIOR Agreement

Cc: Board of Supervisors *each member*



Fw: Urgency Ordinances
Cytasha Campa to: cr_board_clerk Clerk Recorder

08/02/2013 03:54 PM

Kindest regards,

Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/02/2013 03:54 PM -----

From: "Sheila Lyons" <salyons@airspeedwireless.net>
To: <BoardofSup@co.slo.ca.us>, "James Caruso" <jcaruso@co.slo.ca.us>, "Kami Griffin" <kgriffin@co.slo.ca.us>, <mwulkan@co.slo.ca.us>, <nforester@co.slo.ca.us>, <choward@co.slo.ca.us>, <ahill@co.slo.ca.us>, <bgibson@co.slo.ca.us>, <fmecham@co.slo.ca.us>, <pteixeira@co.slo.ca.us>, "Cytasha Campa" <ccampa@co.slo.ca.us>, "Darnold@Co. Slo. Ca. Us" <darnold@co.slo.ca.us>
Cc: "Larry Werner" <pasobasincommittee@gmail.com>, "Cam Berlogar" <cberlogar@wildblue.net>, "Dale Tozzi" <tea4tozzi@gmail.com>, "Karen/Frank Armitage \ (Karen Connolly Armitage)" <karen@armitageimages.com>, "Kathryn & Tom Carter" <lavan3539@gmail.com>, "Mary & Drew Sweeney" <auntem@tcsn.net>, "Ralph Richards" <ralphrichards@msn.com>, "Ren Patenaude" <renpatenaude@gmail.com>, "Tim Long" <rockylong.tim@gmail.com>, "Wayne Lyons" <wdlyons@yahoo.com>
Date: 08/02/2013 03:13 PM
Subject: Urgency Ordinances

Please find enclosed a letter from the Creston Advisory Body on the topic of Urgency Ordinances, Item #27 on the Aug. 6, 2013 Board of Supervisors Agenda.

Please distribute to all the supervisors and include in the official record for input on this agenda item.

Thank you for the opportunity to comment on this topic.

Sheila Lyons



CAB Chairperson CAB on Urgency Ordinances B of S Aug 6 2013.doc

Creston Advisory Body



Chairperson: Sheila Lyons

Creston, CA 93432 salyons@airspeedwireless.net

July 26, 2013

San Luis Obispo County Board of Supervisors
County Government Center
San Luis Obispo, California 93408

RE: Adoption of Emergency Measures such as Urgency Ordinances over the Paso Robles Groundwater Basin, Item #27 of the Aug. 6, 2013 Board of Supervisors Agenda

Dear Supervisors,

The Creston Advisory Body (CAB) met on July 17, 2013 at the Creston Community Church for a regularly scheduled meeting. The topic of water is a standing agenda item at every monthly meeting, and has been for over a year. We were very pleased to learn that the topic of Emergency Measures and Urgency Ordinances has been added to the Board of Supervisors (B of S) agenda for the August 6th meeting. It was gratifying to hear Supervisor Mecham at the July 9th B of S meeting refer to the letter written by CAB in June on this topic. Supervisor Arnold has been present at CAB during many of our discussions in 2013. As the two supervisors whose districts are most impacted by the crisis the PR Groundwater Basin is currently facing, we are hopeful that they will, along with Supervisors Gibson and Hill, formally declare a "state of emergency" over the Basin, and take the actions necessary to slow the increase in pumping.

Creston has long been known as a bastion of good plentiful water, however, the symptoms that have been seen over other parts of the basin are now appearing in Creston as well. Many of our residents are seniors on fixed incomes. Some have multi-generations of family raised here. Some wells were drilled 75 years ago and have performed reliably until now. The cost of drilling a new well is beyond the reach of many. Those whose wells are only working in fits and spurts are hauling water that they can ill afford to pay for in addition to their other monthly expenses. In most cases the trucked water is not actually potable. There is an additional danger that they will not have water in their water storage tanks to protect their homes should a fire break out in areas which are "tinder box" dry due to the lack of rain over the last year. Those who are still fortunate to have water in their wells are seeing a decline in quality.

Paso Robles uses 5% of the annual safe yield from the main Basin and Rural Residents use 13%, together 18%. True the population has grown over the Basin, estimated at **300- 400%** over 40 years. In the meantime, irrigated Ag uses over 70+% of the available safe yield from the Basin and while irrigation practices have reduced usage on any one vineyard by 50%, the total vineyard acreage has grown by over **7000%** over the same 40 year period of time. This area of California is categorized as semi-arid, dry, steppe type (semi-desert) climate zone. It is not reasonable to believe that continued planting, requiring more irrigated acres, is sustainable.

The members of the CAB and the attending public were in full agreement that there is no alternative but to begin to slow the pumping immediately. The best way to do this is to curb the increased planting of irrigated crops until the Basin is back in balance. We are still united in our support for all the measures we suggested in our CAB letter of June 20, 2013 and want to further comment on the implementation of those measures.

- 1) Place restrictions on new irrigated crops/lands.
 - a) Require all new irrigated lands of more than 2-5? acres to obtain a discretionary permit prior to planting. Exceptions for food crops (e.g., direct from field to table) could be considered. Wine grape plantings are not food crops and must be part of the discretionary permitting process.
 - b) Implement the permitting process immediately. Agriculturalists are in a planting frenzy, rushing to beat the clock. Allowing more time for projects "in the pipeline" accomplishes nothing beneficial towards balancing the Basin.

Agenda Item Number: 27
Meeting Date: August 6, 2013
Presented By: Sheila Lyons
Rec'd prior to the meeting & posted on: August 2, 2013

- c) No planting on slopes of greater than 15%. Such practices were implemented in Sonoma County¹ & Napa County².
 - d) Require water offsets for new irrigated crops like they do for development. For example: For each acre of irrigated Ag planted that requires 1 AF/acre/yr of water, 4 acres must be set aside un-irrigated. Rationale: If we divided the water up by acreage over the basin there would only be 0.19 AF/acre and most crops, including grapes, need 1 AF/acre or more of water, so to use the limited water fairly those who want to use 1 AF/acre would need to offset their usage somehow.
 - e) No construction of new Ag ponds.
 - f) Require a water impact report³ from two certified hydrologists with PhDs for any project that would pump more than 5000 gallons in any 24 hour period, or more than 10 AF/yr. Final report must show no harmful impact to the water table of neighbors within a 3 mile radius. We have heard that South County has something somewhat similar, requiring an Irrigated Availability Analysis for due consideration riparian rights. In this case it would be to consider the water rights of neighbors.
 - g) Impose a bonding requirement on new vineyards. They must post a bond to insure they will do no harm to their neighbor's wells. Consider a "zone of impact" system. If a new vineyard is planted all the neighboring properties adjacent or within a designated distance of the vineyard ("zone of impact") would be entitled to restitution if the level in their wells drop excessively (50ft?) and most definitely if their well goes dry and they need to drill a new one (in case the hydrology report got it wrong).
 - h) Require all new wineries to install recycling catch basins so all processing water is captured and reused.
- 2) Implement an Urgency Ordinance requiring "Best Management Practices" to be utilized by existing irrigated agriculture.
- a) Require all wells with discharge pipes of greater than 3 inches to install flow meters and to report water usage utilizing already existing systems to capture and store the information (pesticide/herbicide permits or the system for filing run off plans). Impose penalties for not reporting such as revocation of Williamson Act contracts, or denial of tax payer subsidized crop insurance.
 - b) Require the viticulture industry to adopt best management practices that are state of the art rather than archaic. Ask them to consider implementing a system like the one used by farmers such as Driscoll in the Pajara Valley, Santa Cruz County⁴, where all irrigation is managed through a telemetric system. Agriculturists log on-line to reserve times for irrigation and reporting usage. They should consider applying for grants to assist with this form of water management.
 - c) Stop the use of overhead sprinklers for vineyards. Vineyards should be planting frost tolerant varieties and they should not be planting in low lying areas that require frost protection. Again, they should take into account the type of climate in this area and choose their crops with this in mind. This is simply common sense.
 - d) Impose fines on properties that are documented as continuous water wasters with repeated offences such as standing water or leakage from drip systems. Leaks should be repaired within 24 hours of occurrence or the water should be turned off. Fines could be on a tiered basis but they must be significant so as to be effectual.
 - e) The County could adopt a certification system such as SIP (Sustainability in Practice) as a formal program, however, there must be metrics and independent verification to demonstrate "reasonable and beneficial" water usage.
- 3) Other measures we have previously suggested that we feel also need to be considered:
- a) The County should institute water quality analysis on all county monitored wells to document reports of increased Boron and Sulfur levels, and any other components of concern (e.g. nitrates, etc.)
 - b) Create an allocation system for new wells, allowing only a fixed number per year. The allocation system would be similar to the one used in the past to restrict number of new residences in the County. The number of allocations could be dependent on the size of the wells being drilled and

with the goal in mind to limit the total number of additional acre feet expected to be pumped from the Basin annually. Re-drilling of wells that have gone dry would be exempt from getting a new allocation.

- c) It has been noted that when a new well is drilled there is a significant amount of water simply run onto the ground. We believe this may be what is referred to as the "24 hr" pump test. It should be mandatory that this water be captured and put to good use.....pumped into trucks and delivered for irrigation, dust prevention or if possible to folks having well difficulties, perhaps to assist until they get a new well drilled. This water should not be wasted. This should be a condition required for every well drilling permit.
- d) Make potable water source available to assist those residents whose wells have gone dry, or who need it in the interim while they drill a new well. Many people are already trucking water and it is costly. Waive all County permit fees on residential wells that require re-drilling.
- e) No subdividing or lot splits until the Basin stabilizes. Many who currently complain about rural residential water usage are the ones who have pushed for allowing subdividing to occur in the past.
- f) Create incentives for new construction that install gray water recovery systems. Such as no property tax on the cost of the improvements (like solar panels or other renewable energy programs).
- g) Look at existing county ordinances that are incentives for increased pumping by agriculture and disable/retire them until the basin recovers.

We support the idea that all property owners have water rights that come with their property. However, property owners do not have the right to their neighbor's water. The safe yield of the basin is limited and needs to be shared fairly by all. Please support the will of the voters and the majority of the property owners that overlie the Paso Robles Groundwater Basin and adopt measures that will stem the run away increase in pumping. Management of the basin can protect everyone's water rights and keep our local economy safe.

CAB would like to see Urgency Ordinances adopted without delay. It is clear that there will be a "rush to plant/develop" to beat the process once discussions ensue. If, however, there are additional stakeholder meetings prior to finalizing any emergency measures CAB requests that we be included in those discussions. As the only Citizen Advisory Council in the 5th District over the Paso Robles Basin we feel our input is essential to the process and outcome.

The CAB representatives voted unanimously (all 7 of the 10 elected members present), with the empathic support of the attending public, to recommend that the County implement steps immediately, such as implementing appropriate Urgent Ordinances or Urgency Moratoriums.

Sincerely,
Sheila Lyons
CAB Chairperson

Cc: Courtney Howard, Water Resources Engineer, SLO County Public Works Department
Larry Werner, Chairperson PR Groundwater Basin Management Blue Ribbon Committee
Supervisors Debbie Arnold, Frank Mecham, Adam Hill & Bruce Gibson
Planning & Building Department, Kami Griffin, James Caruso, Nick Forester, Mike Wulkan

- 1 & 2. Slope restrictions on planting – 15% - Sonoma County & Napa County –
<http://www.winesandvines.com/template.cfm?section=features&content=91413>
<http://www.sonoma-county.org/prmd/docs/grdord/ord5819.pdf>
3. Water Impact Reports – see Rockland Township Water Supply Protection Act
<http://www.celdf.org/article.php?id=770>
4. Pajara Valley - Santa Cruz County - Telemetric System
<http://seedstock.com/2013/07/09/driscolls-employs-innovative-water-management-strategies-to-counter-shrinking-supply/>