

Estrella-El Pomar-Creston Water District (EPCWD)

Special Meeting Minutes

November 19, 2021

Windfall Farms Conference Room, 4710 Flying Paster Lane, Paso Robles

ATTENDANCE

Directors Present:

Dana Merrill (by videoconference)
Lee Nesbitt (by videoconference)
Jerry Reaugh (by videoconference)
Hilary Graves (by videoconference)
Herb Rowland (by videoconference)

Others present:

Brett Stroud
Randy Diffenbaugh
Guests (by phone and videoconference)

ITEM 1: CALL TO ORDER

The meeting was called to order at 10:02AM by Dana Merrill.

ITEM 2: PUBLIC COMMENT

No public comment was presented.

ITEM 3: CONSIDER COMMENTS TO BE SUBMITTED TO SAN LUIS OBISPO COUNTY IN RESPONSE TO THE PUBLIC REVIEW DRAFT OF PASO BASIN LAND USE PLANTING ORDINANCE

Hilary Graves and Jerry Reaugh presented draft comments to the ordinance and proceeded to lead a discussion of the points of the comments. Dana Merrill commented that the redline version of the ordinance made it extremely difficult to determine what the actual ordinance language is. County staff will be interpreted the language of the ordinance over time. Jerry Reaugh discussed that the District comments should address the main policy thrusts of the ordinance and not get “into the weeds”. Dana Merrill asked where people operating under permissions from the old ordinance stand with the new one, and whether they can or cannot have their situations readdressed under the new ordinance.

The discussion turned to the second comment and the idea that at some point, the County needs to recognize who is growing what and where. Each parcel needs to be identified in this manner in order to create a starting point.

Comments were gathered regarding the expiration date of the ordinance, which by consensus needs to be sooner than the proposed 2045 date, perhaps 5 years and with 5-year extensions.

The increased of the exemption from 5 AF/Y to 25AF/Y was discussed along with the calculated potential of additional stressors to the Basin and possible undesirable results should every eligible parcel take its 25 AF/Y exemption.

Hilary Graves discussed the barriers to entry for new agriculture if offsets aren’t allowed to be utilized, as the new ordinance is written. Could the ordinance allow for some flexibility if, for example, a site could show that there had been no appreciable drop in water levels? This might be something the GSP would address, and possibly overriding the County’s directive.

Hilary Graves noted that the entire dry cropland section is unclear, with Randy Diffenbaugh expressing

agreement. Dana Merrill pointed out that without clarity, it might be possible to irrigate dryland crops to the extent that it could be considered for a permanent basis in the future. Annual site inspections were discussed, with Jerry Reaugh expressing that some kind of enforcement is necessary, but not in the form of annual inspections. The well construction permitting language was discussed which seems contradictory to existing code and not really the place for this issue.

Following comments, Lee Nesbitt suggested additional time for the Board to consider the comment points and the discussion of them prior to approving the comments. It was suggested to call an additional special meeting for Monday, November 22 at 2:00PM.

MOTION TO CONDUCT A SPECIAL MEETING ON MONDAY, NOVEMBER 22 AT 2:00PM made by Hilary Graves, seconded by Jerry Reaugh, roll call vote:

Dana Merrill – yes
Jerry Reaugh – yes
Hilary Graves – yes
Lee Nesbitt – yes
Herb Rowland – yes

Motion passed 5-0.

MOTION TO EDIT COMMENT #5 TO REFLECT A SUNSET DATE FOR THE ORDINANCE OF 5 YEARS FROM ADOPTION made by Jerry Reaugh, seconded by Hilary Graves, roll call vote:

Dana Merrill – yes
Jerry Reaugh – yes
Hilary Graves – yes
Lee Nesbitt – yes
Herb Rowland – yes

Motion passed 5-0.

A further opportunity for Public Comment was offered and none was submitted.

ITEM 4: NEW BUSINESS – REQUESTS FOR ITEMS TO BE PLACED ON NEXT AGENDA

No new business items were submitted

ITEM 5: SCHEDULE NEXT MEETING – DECEMBER 8, 2021

ITEM 6: ADJOURNMENT

MOTION TO ADJOURN made by Jerry Reaugh, seconded by Lee Nesbitt, roll call vote:

- Dana Merrill – yes
- Hilary Graves – yes
- Lee Nesbitt – yes
- Herb Rowland – yes
- Jerry Reaugh – yes

Motion passed 5-0.

Meeting adjourned at 11:08AM.

Respectfully submitted,




Jerry Reaugh, Secretary/Treasurer

Accepted:



Dana Merrill, President



Date