

Estrella-El Pomar-Creston Water District (EPCWD)

Regular Meeting Minutes

Thursday, January 10, 2018

Windfall Farms Conference Room, 4710 Flying Paster Lane, Paso Robles, CA 93446

ATTENDANCE

Directors Present: Hilary Graves
Dana Merrill
Lee Nesbitt
Jerry Reaugh
Al Webster

Others Present: Laurie Gage, District Administrator

Guests: See attached list

ITEM 1: CALL TO ORDER

The meeting was called to order at 3.30PM by Dana Merrill.

ITEM 2: REVIEW AND APPROVE MINUTES OF JANUARY 4, 2018 MEETING

MOTION TO APPROVE MINUTES WITHOUT CHANGES made by Al Webster, seconded by Jerry Reaugh, passed unanimously.

ITEM 3: DISCUSSION AND POSSIBLE ACTION CONCERNING PROPOSED INITIATIVE AND BALLOT MEASURE CURRENTLY IN PROCESS TO BAN EXPORT OF WATER FROM THE PASO ROBLES GROUNDWATER BASIN

Dana Merrill introduced the possible initiative effort regarding water export and banking. He noted that there are levels of protection from water export currently in place which include: the approved language of LAFCO for the formation of the EPCWD is the strongest protection in place as it expressly prohibits water export; the County's process for export permits is very involved. He asked if the Board wishes to take a position on the initiative. Jerry Reaugh noted that the initiative is county-wide, covering all 22 basins.

Al Webster noted that if the initiative bans banking of water, it could close the door on helpful management and sustainability strategies in the future.

Hilary Graves said that the article in the New Times, which may not include the correct initiative language, uses export and banking interchangeably.

Public comment included a general discussion of these ideas.

Hilary Graves further discussed that the EPCWD has always been on record against exporting water, and restated the three levels of protection, including that SGMA prevents export due to its "no negative effect" language.

Hilary would like to see the potential for sharing water resources within the basin remain uninhibited.

Dana Merrill expressed concern that some of the smaller basins in the county might have concerns about the initiative.

Al Webster noted that some of the boundary properties with part lying outside the 118 Boundary could export freely.

Dana Merrill polled some members and others as to who supports the idea of not exporting water. He felt the resulting positive response sends a signal that the EPCWD does not support export of water from the basin.

Jerry Reaugh indicated that there is an opportunity to again state that the EPCWD is adamantly opposed to export.

Lee Nesbitt asked about what is the order of priority, SGMA on top?

Jerry Reaugh responded that SMGA trumps all, though the initiative process is a public right. He then read into the record the following proposed statement to be considered for adoption and publication of a press release:

"STATEMENT BY THE DIRECTORS OF THE ESTRELLA-EL POMAR-CRESTON WATER DISTRICT

The EPCWD is aware of a potential initiative campaign coming forward that would prevent export of groundwater from the Paso Robles Groundwater Basin.

The EPCWD supports restrictions that would prevent the export of water from our Basin.

Export of water from the Basin had been consistently opposed by the EPCWD and its members. Our charter as defined by LAFCO bans the export of water from our Basin. The State SGMA Law mandates a sustainable basin and export of water would be contrary to that requirement. Additionally, the County has a robust ordinance that severely restricts the export of water.

The EPCWD welcomes additional efforts to strengthen restrictions and prevent the exportation of groundwater from the Paso Robles Groundwater Basin."

MOTION TO ADOPT THE STATEMENT made by Jerry Reaugh, seconded by Al Webster, passed unanimously.

Dana Merrill in follow up comments noted that the initiative covers more basins than just the Paso Basin. Al Webster asked how this statement will be disseminated, to which Dana Merrill responded that it will go out as a press release to all local media.

ITEM 4: DISCUSSION AND POSSIBLE ACTION CONCERNING THE DISTRICT PURSUING A LETTER WRITING CAMPAIGN TO THE BOARD OF SUPERVISORS IN ITS UPCOMING MEETING FEBRUARY 6TH ABOUT RELINQUISHING GSA AUTHORITY.

Dana Merrill discussed the steps the EPCWD has performed to comply with the conditions agreed to by the County for the EPCWD to become the GSA for its boundaries, with the final step being the Board of Supervisors agreeing to relinquish control over the defined area, scheduled for the next Board of Supervisors meeting on February 6. Chairman Peschong and Supervisor Arnold have received letters in opposition to the GSA relinquishment, and both have indicated that they do consider letters from the public on such matters, as well as public speakers at the Supervisors meetings.

Al Webster asked whether the Basin Cooperative Committee would publicly support if asked.

Jerry Reaugh asked for direction on endorsing a letter-writing effort through contact with district members and others.

Dana Merrill reported that there have been meetings with all the county supervisors recently specifically regarding relinquishment.

A consensus was reached to support a letter-writing campaign.

ITEM 5: PUBLIC COMMENT

The public is invited to speak on matters not on the agenda. Each speaker is allotted up to 5 minutes to speak. No public speakers came forward.

ITEM 6: DISCUSSION OF FOLLOW-UP ITEMS FOR FUTURE MEETINGS

Dana Merrill briefly covered the items listed on the agenda for follow up in future meetings:

- a. District Management and Business Operations
- b. Adoption of a Conflict of Interest Code
- c. Consider purchasing Directors and Officers insurance
- d. Consider joining "district" organization in Sacramento

ITEM 7: NEW BUSINESS

No new business items were brought forward.

ITEM 8: SET TIME AND PLACE OF NEXT DISTRICT MEETING

The next meeting was set for February 21, 2018 at 3:30 PM, in the Windfall Farms Conference Room, 4710 Flying Paster Lane, Paso Robles. This meeting will be a regular and special meeting, with the Prop 218 hearing to be conducted.

Jerry Reaugh said that the Prop 218 ballots have been mailed, and there is a 45 day period before the hearing can take place. This is a protest vote. Kari Wagner of the Wallace Group will serve as the election official and will

conduct the election and review the results. The proposed operating budget for the district will also be reviewed at that time.

ITEM 9: ANNOUNCEMENTS

There were no announcements made, though a discussion of the upcoming February 6 Board of Supervisors meeting ensued.

Al Webster asked for contact with the Cooperative Committee to show support.

Dana Merrill pointed out that if the relinquishment is not accomplishment, the EPCWD will be the only public agency denied from being part of the MOA and Basin Cooperative Committee.

A further general discussion in response to a public question regarding how members could withdraw from the district followed, with the process of requesting detachment through LAFCO. The power to include in or detach from the district. LAFCO has one year to establish a sphere of influence for the district area.


ITEM 10: ADJOURNMENT

MOTION TO ADJOURN made by Jerry Reaugh, seconded by Al Webster, passed unanimously. Meeting adjourned at 4:26PM.

Respectfully submitted,


Jerry Reaugh, Secretary/Treasurer

Accepted:


Dana Merrill, President

3/14/18
Date