

CRESTON ADVISORY BODY

Zoom Meeting

Wednesday, January 19, 2022 7:00 – 9:30 PM

- 1) Call to Order – Flag Salute – meeting was called to order by Sheila at 7:03pm after a quorum of CAB members were present on the Zoom meeting.

Members present: Roy Barba, Thomas Edel, Don Clark, Geraldine May, Steve Almond, Matt Lyngge and Sheila Lyons. Absent: Kurt Almond

- 2) Minutes of the previous meeting November 17, 2021 – Wayne Waszkiewicz drafted - Motion to approve by Don, 2nd by Steve. Vote was unanimous. the 11/17/21 CAB minutes were approved.
- 3) Limited Public and/or CAB Member Comments for Items NOT on the agenda - None
- 4) Public Safety - Cal Fire, Sheriff, CHP, etc. –
Sheriff's Department - Deputy John McKenney – Deputy McKenney's audio was terrible and difficult to understand. The items picked up were that a mail theft / check theft / identity theft has been turned in to the sheriff's office and is being looked into. Sheila reported the Garden Club's outbuildings had their locks broken and opened over the Thanksgiving holiday. Fortunately, nothing was stolen or anything messed with.
Cal Fire - Fire Captain Ryan – No report for Cal Fire.
CHP - Lieutenant Chandler Stewart - Templeton Station – No report for the CHP.
- 5) Planning Department Update & Project Referrals - Ian Landreth, CAB Liaison, may be present to give a departmental update.
 - a. Report on what he was able to find out about the Cotta Well on O'Donovan. – although late to the meeting, the report from Ian stated that the deep Cotta Well (Section 13) on O'Donovan had been properly sealed and abandoned.
 - b. **New Minor Use Permit, AMEND2021-00010/Chandler APN(s): 035-101-064**
<https://energov.sloplanning.org/EnerGov Prod/SelfService#/plan/14763035-bb25-4170-bf84-f9c6bf3057f1?tab=attachments>
There was a long discussion with Murray Wilson, a representative of CalPortland, dialing in to discuss and add details to this item which was for them to take sand from the main channel of the Huero Huero river on Chandler property (AMEND2021-00010 – Chandler APN 035-101-064). The new minor use permit was required as the old permit issued about 20 years ago, which has already had one extension for 10 years, and which expired in Oct. 2021. The permit was for mining 60,000 cubic yard which only approx. 40,000 cubic yards was mined. CalPortland wants to continue to take out the rest of the sand (approx. 20,000 cubic yards) so a new minor use permit was required. Several questions regarding why they wanted the sand, details about what type of sand was being taken out, what they were using the sand and how they were taking the sand out. Ultimately, the CAB decided that until we heard that the Fish and Game folks had approved this permit, we could not recommend approval of the permit. Thomas asked additional questions about “why the Fish and Game folks could approve the removal of large amounts of sand when he was told he couldn't move over 3 cubic yards of dirt because of the Kit fox on his property?” We are now waiting to get the Fish and Game official approval and hopefully they will attend the next CAB meeting.
 - c. Permits, etc. necessary for a monastery? – Ian reported that to date no official permit application has been received from the monastery. Monastery has had only a preliminary pre-application meeting with Planning & Building Dept on this. Ian forwarded notes from that meeting to Sheila, and she sent them along to all the CAB

members. Ian stated that they need to go through the same process as anyone seeking a permit which goes through the planning commission. During the preliminary meeting an array of activities was described which will take place at the monastery. Ian will send to Sheila us further information once they get the actual application. Of course, they must meet all the requirements from a health, safety, etc. required for a project of this type. As long as they meet all the requirements, they could have as many people at the monastery as they want on the approx. 80 acres of land they bought on N Ryan road. John Evangelista commented that N Ryan Road already has heavy traffic and is poorly maintained so something would have to be done to address this, Ian confirmed all these concerns will need to be addressed before the permit would be approved. There will be more information to follow on this when the county gets the application permit with details.

- d. Cannabis projects update. Status of any other projects that we need to know about. – Jim Wortner brought us up to date on the Cannabis projects active in our area (See summary at the end of these minutes). The six currently to be watched closely and activity included: 1) Engrained on N. Ryan Rd, project which had been approved by the Board of Supervisors is now in litigation (SLO County Superior Court). 2) Bigfoot Valley off Hwy 58, denied at Planning Commission 9 days ago. They have 14 days to appeal to B of S. 3) The Webster Road project 400 feet from the Creston Village border and 1, 200 feet from the Creston K-8 school at 589,000 sq ft is still active. 3) SLO CANN LLC project off Creston Rd, across from B&E Vineyards, is in a holding pattern waiting for the biological report. 5) C-4 SM Partners, 1175 Calf Canyon Rd project appears to be on hold with no current project fees and rumor is they could be withdrawing the application. Three projects have been confirmed withdrawn in our area which is good news (Cal Productions on Rocky Canyon, Clark Gautier off Huer Huero Rd. and McAlister on Ryan Rd). . Murray Powell from TAAG did say the project on El Pomar Rd is going forward and will be the first one with a full EIR developed by the P&B Dept. This will set the pattern for future projects so we should be watching it carefully along with the SLO County propose Programmatic EIR for county wide use . This will streamline the process for cannabis project approvals.

- 6) Fifth District Supervisor Report – Supervisor Debbie Arnold presented a number of items included:
 - a) The SLO County Fire Safe Council has received \$11,000,000 to spend. Currently, they have 13 projects across the County,
 - b) The Shandon – San Juan water district is trying to get right-of-ways easements to pump water from Lake Nacimiento and Salinas River. Both SLO County and Monterey County have written letters to state to oppose this request.
 - c) SLO has received \$54,000,000 in Covid relief funding, covered setting up and breaking down extra hospital beds & homeless issues. She also talked about the 3, 3, and 3, also known as \$3M/\$3M/\$3M for small businesses/childcare/housing.
 - d) The planning commission meetings are back on virtual meetings again,
 - e) There is a redistricting taking place on SLO county which will likely change our county representative, she said Creston will likely be District 1 in 2025. She will serve out her term and remain our supervisor until 2025. Districts will transition with two supervisors serving some areas until final separation in 2025, including City of Atascadero.
 - f) Emergency Declarations for COVID still in place for SLO County.
 - g) Getting ready to vote on limiting the amount of water which will be 25 acre-feet per site per year for Paso Basin sustainability. Vote and more details to come out in the spring and summer. She believe that the SGMA plan will mandate that the current big pumpers over the PR Basin will be forced to cut back their pumping....to 25 AF/yr/parcel.

- 7) New Business –

- a. Letters to residents regarding right of way for water infrastructure?
See attachment. – this was discussed in Debbie Arnold’s comments.

8) Unfinished Business – (20 minutes)

- a. Follow up on having CAB Zoom meetings at the Community Center
Additional purchases? Who will do the purchasing? – it appears that with the once again mandate on “virtual meetings” we won’t need to worry about this one for a while. Mike Aarons did get a computer for CAB to use when we return to in person meetings at the Creston Community Center (CCC). This will allow us to record using Zoom simultaneous with the in-person meeting when we return to the CCC. We will need microphones when we go live with this.
- b. Secretarial responsibilities: General Discussion & update – Motion as needed. – Tom was not able to get any applicants to type our meeting minutes and Sheila was not able to get a High School Civics student, so we will continue rotation around the CAB members to take minutes. No motion required on this.

9) Committee Reports/Next Steps (5-10 min each as needed) –

- a. By-Laws – Sheila L. & Thomas E. – nothing to discuss.
- b. Elections – Sheila, Susan S. & Judy Blankenship (public) – Conditions of Service Form attached for Incumbents in even numbered CAB areas that are up for election in 2022 – Area #4 Geraldine May, Area #6 Don Clark, Area #10 Kurt Almond. Areas #2 & 8 remain vacant at this time. – these folks will have to have their Conditions of Service (see Attachment D) completed by the next CAB meeting.
- c. Public Information – Roy B., Thomas E. & Mike A. w/ Website update – Kurt A. – nothing to add for this meeting.

10) Treasurer’s Report – Roy indicated the treasury currently has \$1962.79. However, we owe the annual \$100 for use of the Community Center and approx. \$476 to reimburse Mike Aaron for the CAB computer.

11) Future agenda items? - Thomas wants a Fish and Game person to address the CAB meeting on getting gravel out of the Huero Huero and rules in general about clearing of creek beds.

12) Adjournment by approximately 9:30 p.m. – Thomas made motion to adjourn, Matt seconded, vote was unanimous.

Summary prepared by Jim Wortner:

**CAB/Creston Cannabis Update
January 19, 2022**

Filed Litigation...

DRC2020-00115 Engrained/Hall at 4150 N. Ryan Road

"Approved" - Denied by Planning Commission 3/2 and overturned by Board of Supervisors for approval 3/2. Neighbors filed CEQA litigation in SLO County Superior Court.

Planning Commission Hearing...

DRC2018-00234/Big Foot Valley LLC at 5175 Calf Canyon Highway

"Tentatively Denied" - Planning Commission 4/1. Pending potential appeal to Board of Supervisors by applicant - 30 day clock ticking. 57% complete. \$3,585.50 fees due.

Pending MND Report and Planning Commission Hearing...

DRC2019-00059/Webster Road Associates LLC at 6565 Webster Road

"Temporary Hold" - Updated applicant biologic report and landowner consent September 2021. 30% complete. Waiting on Mitigated Negative Declaration (MND) environmental report from Planning Department then to Planning Commission Hearing. \$390.50 fees due.

DRC2020-00037/SLOCANN, LLC at 10125 Creston Road

"Accepted for Processing" - Last update was water evaluation report March 2021. 35% complete. Next step is applicant biologic report, then MND report from Planning Department, then to Planning Commission Hearing. \$319.50 fees due.

DRC2020-00013/C Four SM Partners LLC at 1175 Calf Canyon Road

"Accepted for Processing" - Last update was pre-notice to neighbors February 2021. 39% complete. Next step is applicant biologic report, then MND report from Planning Department, then to Planning Commission Hearing. \$0 fees due.

Confirmed "Withdrawn"...

DRC2019-00183/California Production Services at 5790 Rocky Canyon Road
DRC2018-00236/Clark-Gutierrez at Golden Pond Way and Blue Ridge Road
DRC2018-00126/McAllister at 3345 Ryan Road

Source: SLO County Department of Planning and Building CSS Portal



SHANDON-SAN JUAN WATER DISTRICT SHANDON-SAN JUAN GSA

2021 BOARD OF
DIRECTORS

Willy Cunha
President

Steve Sinton
Vice President

Marshall Miller
Director

Kevin Peck
Director

Matt Turrentine
Director

December 22, 2021

CRESTON, CA 93432

RE: Potential Water Line Rights-of-Way

Dear

The Shandon-San Juan Water District has applied for a permit to divert surplus water in Lake Nacimiento and the Salinas River. The District intends to direct this water to the Paso Robles Subbasin for recharge and later use, with the goal of reducing the current shortfall between natural recharge and extractions. This is consistent with solutions identified in the Groundwater Sustainability Plan for the Paso Robles Subbasin, and if successful will be a major step towards SGMA compliance. Our goal has always been to seek out alternative water sources for importation into the Subbasin. With your help, this effort can be a viable option to support agriculture while balancing the Subbasin's groundwater supply.

In order to deliver Salinas and Nacimiento water to the Subbasin, pipelines and related facilities will have to be built from the Salinas River corridor to recharge facilities located in the Subbasin.

Our records indicate that you own property that could potentially fall within the alignment of those facilities. The District would like to know whether you would consider granting an easement or similar interest on your land for those facilities. We are not asking for a commitment, but simply an indication of whether you are willing to discuss this matter with the District. As ranchers and farmers ourselves, we understand that your final decision will depend on numerous factors, including size, scope, and location of the facilities, and we would welcome the opportunity to discuss these matters with you.

We would appreciate your response to the following statements by checking the appropriate box and returning to us in the enclosed envelope by **January 6, 2022**.

- I would be willing to consider allowing a pipeline easement through my property to provide supplemental water to the Paso Robles Groundwater Basin.
- I would not agree to allowing a water pipeline to go through my property.

Thank you for your consideration. If you have questions, please call District Board Member Steve Sinton at (805) 238-9495, or Board Member Matt Turrentine at (805) 312-1828.

Regards,

Steve Sinton
Director, Shandon San-Juan Water District

Matt Turrentine
Director, Shandon San-Juan Water District

ATTACHMENT D

CONDITIONS OF SERVICE FOR ELECTED MEMBERS

I, _____, intend to run for election to the Creston Advisory Body (CAB). By my signature, I state that I am of at least eighteen years of age and a registered voter residing full time in the area I intend to represent and thereby qualify to run in CAB Area # _____, also known as _____. I understand that if I am the only candidate for the CAB seat in my area, I must collect the signatures of five registered voters in my area who support my candidacy, and return this "Conditions of Service" form to the CAB secretary by the deadlines as specified in the preceding by-laws (February meeting for incumbents. March meeting for non-incumbents).

I agree to abide by and comply with any and all CAB rules and regulations concerning election procedures.

I am aware that there is a campaign fund limit of three hundred dollars (\$300) which includes materials and in kind services and I will not exceed that amount during any campaign in which I run for a CAB seat.

I agree, if elected to the CAB as a regular member that I will to the best of my ability comply both in spirit and letter with the by-laws of the CAB.

I agree to consult with my constituents and to bring the knowledge, opinions, and concerns of my constituents to the CAB in order to best represent their interests.

I agree to attend CAB meetings and to be prepared to make informed decisions representing my constituents.

I agree to serve as chairperson or member on any committee or work group to which I have committed, as provided by CAB by-laws, and to attend all meetings of committees as well as other CAB functions which call for my participation.

I agree to conduct myself in an honorable and ethical manner in all CAB matters. I will refrain from representing my opinions as CAB positions. I will not speak on behalf of the CAB unless specifically authorized to do so.

I agree to disclose and disqualify myself from council discussion and/or voting on any issue in which I, or my family members, have a financial, legal or other conflict of interest. I agree to remove myself from the seated position on CAB while discussion and/or action takes place on the item.

I agree that should I violate any of the above agreements that I will immediately resign my position on the CAB or consent to be removed by a vote of the membership.

(Signature) (Date)

(Address – Please include both physical and mailing address and indicate which is which)

(Phone number(s)) (Email)

The signatures of five supportive registered voters from this area of CAB, and their printed name, address and contact information shall be collected on the reverse side of this form.

For elections, verification by the CEC completed as indicated by signature & date below/on back: