

Paso Basin Land Use Management Area Planting Ordinance

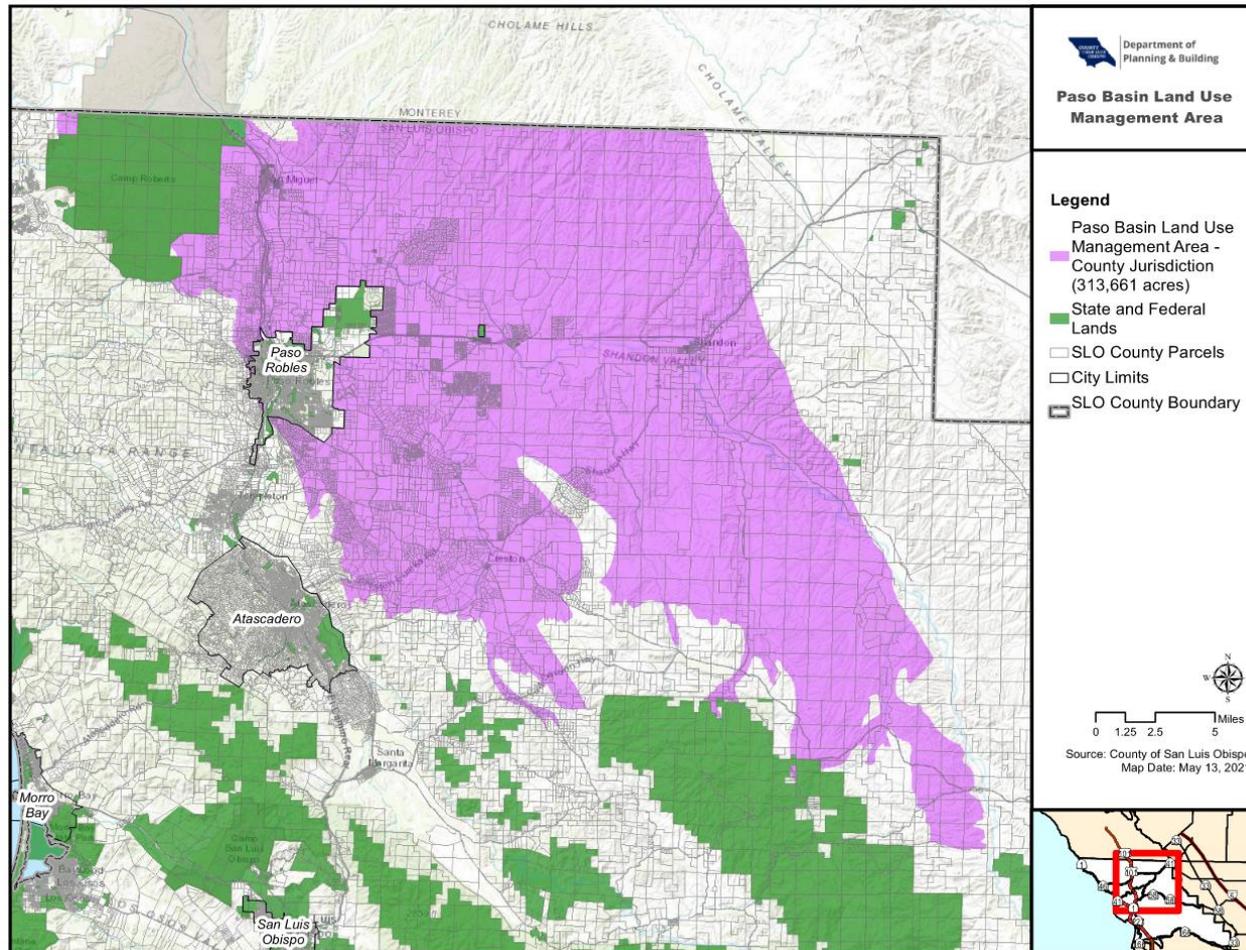
Draft Environmental Impact Report (EIR)

**Agricultural Liaison Advisory Board
June 7, 2022**

Airlin Singewald, Division Manager, County Planning



Paso Basin Land Use Management Area (PBLUMA)



Agenda

- Ag Offset Ordinance Background
- CEQA & EIR Overview
- Project Timeline
- Project Objectives
- Project Description
- Mitigation Measures
- Significant Unavoidable Impacts
- Alternative Scenarios
- Submitting Public Comments



Background – Ag Offset Ordinance

- August 2013 – 2015: Urgency Ordinance
- October 2015: Ag Offset Ordinance
 - Temporary – until GSP adoption (2020)
- Extended to January 1, 2022 (GSP implementation)
- Extended to August 31, 2022 (corresponding with Paso Planting Ordinance)
- July 12, 2022 - Recommendation to extend to January 31, 2023 (corresponding with updated Paso Planting Ordinance timeline)



CEQA and EIRs

- **California Environmental Quality Act (CEQA)**
 - Inform and disclose impacts
 - Avoid, reduce, and mitigate impacts as feasible
- **Environmental Impact Reports**
 - In-depth studies based on substantial evidence
 - Analyze alternatives
 - Does not approve or deny a project
 - Identify significant and unavoidable impacts
 - Mitigation Monitoring and Reporting Program



Project Timeline

Milestone	Tentative Timeline
Board of Supervisors authorization	January 26 & April 6, 2021
EIR Contract approval	Summer 2021
NOP/IS 30-day public review period	August 12 - September 13, 2021
EIR Scoping Meeting	September 1, 2021
Draft ordinance public review period	October 25 – November 24, 2021
<i>Draft EIR 45-day public review period</i>	<i>May 23 – July 6, 2022</i>
Final EIR Distributed	October 2022
Planning Commission	November 2022
Board of Supervisors	December 2022
Effective Date	January 2023



Project Objectives

- Continue to exercise County land use authority to regulate new commercial plantings using PBLUMA groundwater wells with ministerial permits.
- Require “water neutral” new crop plantings.
- Allow an exemption for farms to plant that are not able to under existing agricultural offset ordinance.



Project Objectives

- Conserve groundwater resources for use by production agriculture.
- Support a healthy and competitive agricultural industry.
- Encourage and facilitate smaller production agriculture operations.



Project Description

- Require ministerial “planting permits” until 2045
- Applies to **new or expanded planting of commercial irrigated crops using water from groundwater wells located within the PBLUMA**

Exemption

Plantings using up to 25 acre-feet per year (AFY) per site

Planting Permit

“Water neutral” on-site plantings based on 6-year rolling look back



Project Description

Exemption Time Limit

Approved exemption would allow planting until 2045

Water Neutral Planting Permit Time Limit

The application would indicate:

- When irrigation stopped or will stop, and
- When the planting period for new water neutral crops would start (*must be within 6 years of the stop date**).



Project Description

Water Neutral Planting Permit Time Limit

Applicant would have up to 4.5 years* to finish planting:

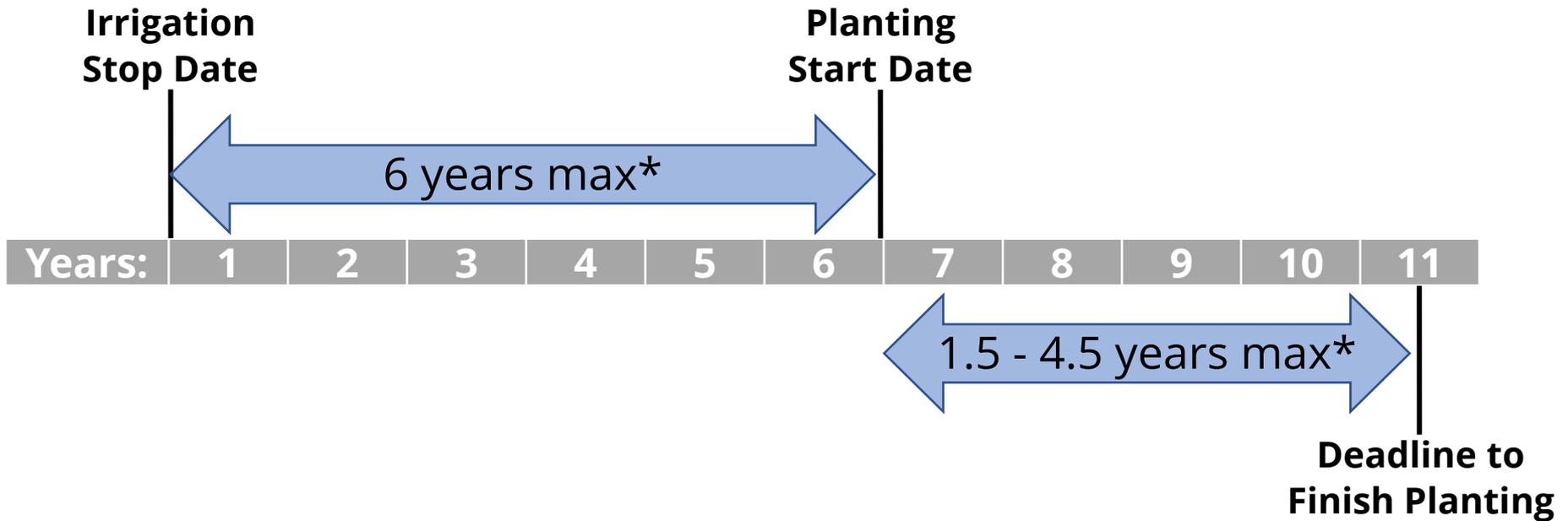
- Initial 18-month timeframe to plant
- Two 12-month time extensions may be granted at the Planning Director level
- A third and final 12-month time extension may be granted by the Planning Commission

**Drought years would not count towards these timeframes*



Project Description

Water Neutral Planting Permit Timeline

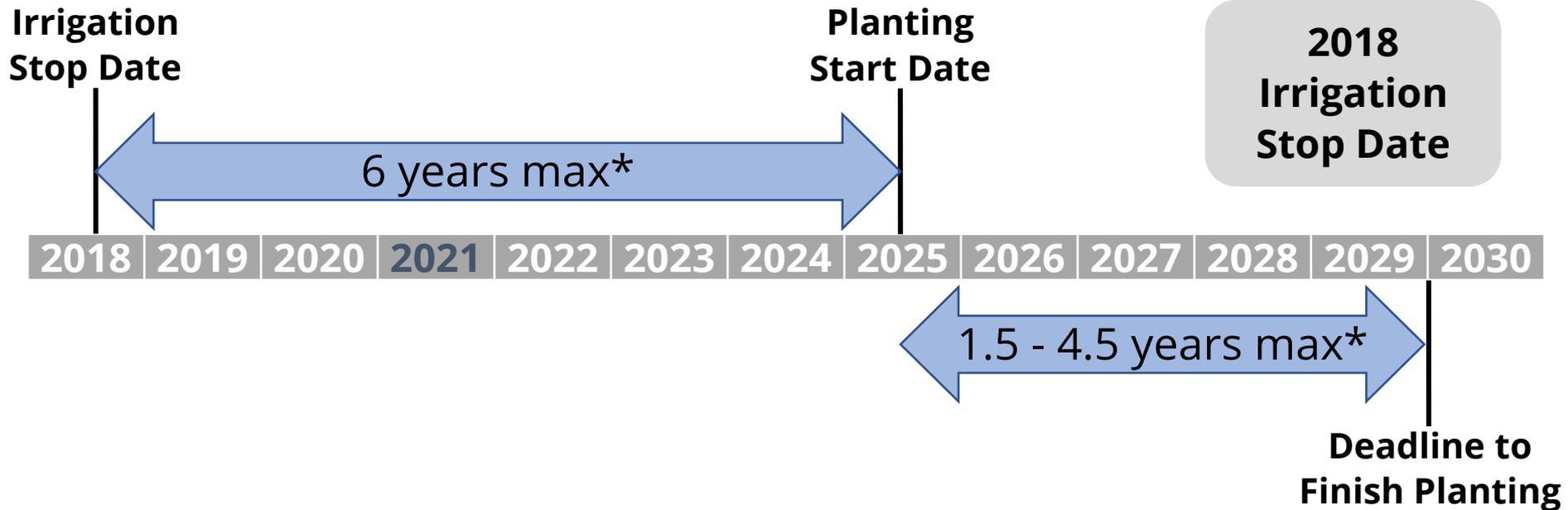


*Drought years (indicated in blue) do not count towards look back period timeframes.



Project Description

Water Neutral Planting Permit Timeline – Example 1

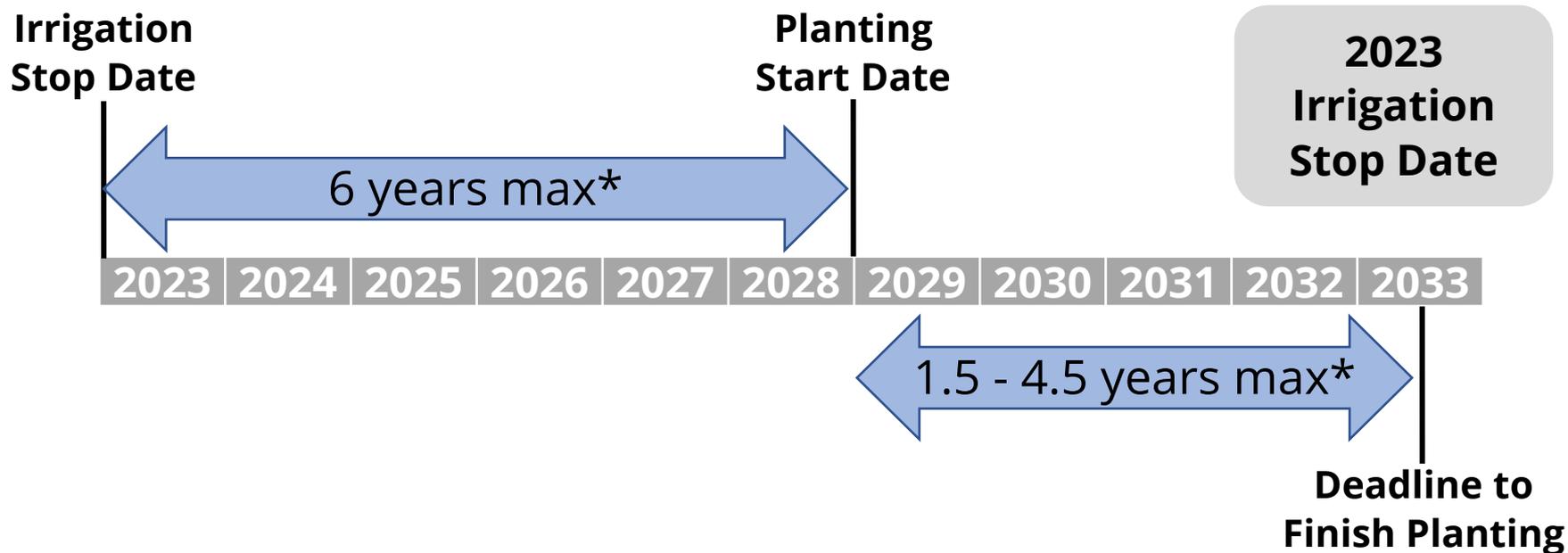


*Drought years (indicated in blue) do not count towards look back period timeframes.



Project Description

Water Neutral Planting Permit Timeline - Example 2



*Drought years (indicated in blue) do not count towards look back period timeframes.



Project Description – Estimated Activities

- 240-acre annual increase in irrigated crop production on previously uncultivated land
- 450-AFY annual increase in groundwater use
- 4 new irrigation wells constructed annually
- 88 new well pumps and 12 new booster pumps in operation annually
- 13 new ag ponds by 2045
- 1.9 million increase in commute miles by 2045
- 3,700 increase in tractor passes by 2045



Mitigation Measures

- **AQ-1 Construction Emissions Reduction** – Feasible use of Tier 4 construction equipment and dust control measures.
- **BIO-1 Riparian and Wetland Habitat Setback** – No planting within 50’.
- **GHG-1 Carbon Sequestration** – 25-AFY exemption projects shall sequester 0.15 MT CO₂e per acre of planting per CDFA Healthy Soils Program guidelines.



Mitigation Measures

- **UTIL-1 Well Metering and Reporting** – Monthly reporting of water usage for planting permits and exemptions.
- **UTIL-2 Hydrology Report** – Verification of no negative impacts to nearby wells required for planting permit approval.



Significant Unavoidable Effects

- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning
- Tribal Cultural Resources
- Utilities and Service Systems (Water)



Alternative Scenarios

- 1 No Project– Agricultural offset requirements expire January 31, 2023 *(more impacts)*
- 2 Continuation of agricultural offset requirements through 2025 *(more impacts)*
- 3 No exemptions within areas of severe groundwater elevation decline *(less impacts)*
- 4 No exemptions *(environmentally superior)*
- 5 Exemptions limited to existing Williamson Act contracts *(less impacts)*



The Draft Environmental Impact Report and ongoing project updates are available at the project website:

<https://www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Community-Engagement/Active-Planning-Projects/Paso-Basin-Land-Use-Planting-Ordinance.aspx>



Public Comment Period for Draft EIR: *May 23 – July 6, 2022*

Written comments and requests for additional information may be submitted via email to pasoplanting@co.slo.ca.us or mailed to:

Department of Planning and Building
ATTN: Planting Ordinance/Kylie Hensley
976 Osos Street, Room 300
San Luis Obispo, CA 93408



Questions?



COUNTY OF SAN LUIS OBISPO

www.slocounty.ca.gov