

**SAN LUIS OBISPO COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
WATER RESOURCES ADVISORY COMMITTEE**

City/County Library Community Room
995 Palm Street
San Luis Obispo

Wednesday, September 2, 2009
1:30 p.m.

1. **Introductions and Determination of a Quorum**
2. **Approval of July Meeting Minutes**
3. **Public Comment**
4. **Ongoing Updates:**
 - a. **Integrated Regional Water Management Program**
 - b. **Paso Robles Groundwater Basin Resource Capacity Study**
 - c. **Master Water Plan – Project Overview to Board of Supervisors
September 22, 2009**
5. **Consideration of Subcommittee Report on Conservation and Open Space Element**
6. **Consideration of Subcommittee Report on San Miguel Ranch Final Environmental Impact Report**
7. **Consideration of Forming a Subcommittee to Review the Draft Environmental Impact Report for the Grading and Stormwater Management Ordinances**
8. **Consideration of Revision to By-Laws - Additional Membership**
9. **Consideration of Reconvening the Los Osos Wastewater Project Subcommittee in Response to the Outcome of the Planning Commission Hearings**
10. **Future Agenda Items**

--- Adjourn by 4:00 pm ---

Next Regular Meeting: October 7, 2009 at 9:00 am
San Luis Obispo City/County Library
995 Palm Street, San Luis Obispo

Visit Water Resources on the Web at: www.SLOCountyWater.org

Purpose of the Committee:

To advise the County Board of Supervisors concerning all policy decisions relating to the water resources of the SLO County Flood Control & Water Conservation District.
To recommend to the Board specific water resource programs.
To recommend methods of financing water resource programs.

Excerpts from WRAC By-Laws dated March, 6, 2007

SAN LUIS OBISPO COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
WATER RESOURCES ADVISORY COMMITTEE

Meeting Minutes

July 1, 2009

An audio recording of the meeting and materials submitted during public comment are available online at www.SLOCountyWater.org.

Approximately 1:30 p.m., Chairperson Winn called the meeting to order.

- 1) Introductions of Members and Attendees - Quorum Established.
- 2) Approval of June Meeting Minutes - The June 3, 2009 WRAC meeting minutes were approved upon a first by Member Hyman, second by Member Allen, and a unanimous vote with three (3) abstentions.
- 3) Public Comment - Jeff Edwards requests that the WRAC review the surface-water discharge analysis for the Los Osos Wastewater Project. John Snyder speaks to the Santa Maria Groundwater Basin litigation, including the Santa Maria TMA meeting, Mr. Scalmanini's comments on the basin report, and new information on other sources of supply. Chairperson Winn, speaking on behalf of Nipomo Community Services District, responds to some of Mr. Snyder's comments. Alternate Member Bianchi requests that the WRAC agendaize a discussion on climate change and that John Lindsey (communications representative and meteorologist for Pacific Gas and Electric Co.) lead the discussion, with members expressing support for such a discussion. Member Hyman indicates that scientists think there are now 3 trillion quagga mussels in Lake Mead's Boulder Basin since they were first discovered there two years ago. Gwynn Taylor, Los Osos resident, requests that a WRAC subcommittee opine on saltwater intrusion in the Los Osos groundwater basin. Member Greening speaks about the Los Osos Wastewater Project, including the timing, schedule, Planning Commission meeting outcome, and future course of action. Secretary Howard informs the WRAC of a Pumping Efficiency Workshop, focused on municipal pumping systems, scheduled for July 22, 2009, and that the Lopez Water Treatment Plant no longer has use for a 12,000 gallon refurbished coagulant storage tank that will be available for purchase through the County Purchasing Department. Chairperson Winn discusses the timing of forming a subcommittee to review the Los Osos groundwater saltwater intrusion problem, and speaks to an article discouraging the use of traditional water softeners and related legislation. Member Hyman requests that individuals include their name on any documents submitted to the WRAC.

- 4) Ongoing Updates:
- a. Conservation and Open Space Element - Mike Wulkan, Department of Planning and Building, provides an update on the public hearing draft of the Conservation and Open Space Element (COSE) and discusses the status of the Planning Commission (PC) hearings. Chairperson Winn and Mr. Wulkan discuss the logistics of providing a revised report to the public prior to a vote by the PC. Member Alakel requests that his name be removed from the subcommittee report. Discussion ensues relating to the costs of requiring tertiary treatment, excluding septic tanks from tertiary treatment requirements, indicators of overdraft in confined aquifers, discouraging LAFCO annexations in tandem with non-approval of general plan amendments or land divisions, defining a “history of farming”, the appropriateness of WRAC comments on land use policy, per capita water use and the 20x2020 plan, logistics of using graywater for non-irrigation purposes, developing best management practices for public education on graywater systems, conversion of community wastewater treatment plants to tertiary treatment, permitting residential wells in LOS II or LOS III groundwater basins, requirements to release or publish groundwater data, subcommittee report typos, timelines and triggers associated with each Level of Severity, tracking waste from self-regenerating water softeners, subdivision of agricultural or rural land for residential subdivisions, defining “imported” water, and consideration of watersheds crossing political boundaries. Member O'Grady moves that these comments and suggestions are incorporated into another revision of the subcommittee report and that the revised report be brought back to the WRAC for further consideration, with a second by Member Winholtz. The motion passes unanimously.
 - b. Integrated Regional Water Management Program - Courtney Howard, Public Works Department Staff, provides a brief Region Acceptance Process update.
- 5) Paso Robles Groundwater Basin Resource Capacity Study - Courtney Howard, Public Works Department Staff, reports that Planning and Public Works Department Staff will be meeting with Atascadero Subbasin water purveyors on July 15, 2009, to discuss the process and scope for cooperatively updating the analysis of the Atascadero Sub-basin in response to Paso Robles Groundwater Basin Resource Capacity Study (RCS) comments. Ms. Howard indicates that it is unlikely the effort will conclude prior to an August WRAC meeting. Discussion ensues relating to the attendees of the July 15 meeting, the subcommittee report, and the urgency and goals of the RCS. General consensus is reached to continue the item until September.

Chairperson Winn takes Item 8, Consideration of an August Meeting, out of sequence.

- 6) Consideration of an August Meeting - No motion is made to meet in August; therefore, the next WRAC meeting will occur in September.
- 7) Agricultural Cluster Subcommittee Report - Chairperson Winn introduces the subcommittee report to the WRAC. Alternate Member Crabb offers written comments on behalf of Member Fitzhugh and the County Farm Bureau. Discussion

ensues regarding land use, existing legal lots of record, base density calculations, the availability and sustainability of groundwater, and the purpose of the WRAC relative to land use decisions. Alternate Member Crabb recommends that the language for the first recommendation be changed to read: "That agricultural clusters should be limited by the availability of sufficient water supply on the project property". A straw vote is taken, with seven (7) voting members in favor of the proposed change and eight (8) opposed.

Member Hyman moves to extend the meeting to 4:00 p.m., with a second by Member Winholtz. The motion passes.

Chairperson Winn speaks to the divided vote and recommends that the WRAC inform the Board that members had split opinions on the language of this recommendation. Alternate Member Eby speaks to the legal implications of the third recommendation. Discussion ensues relating to the intent of the recommendation, forcing post-subdivision requirements on developers, and holding developers accountable to ensure a sustainable and reliable source of water. Chairperson Winn, Member Greening, Alternate Member Crabb, and others discuss the concept of placing a cap on the maximum allowable number of residential units in agricultural clusters. General consensus is reached that there is no clear nexus between the number of residential units and water supply. Therefore, the WRAC did not opine on the issue. Member Mires moves that the language for the second recommendation be changed to read: "The sustainability of the agriculture's water supply must be determined prior to approval of an agricultural cluster", with a second by Member Allen. The motion passes unanimously.

- 8) Land to Sea Advisory Committee – Dr. Monica Hunter, Planning and Conservation League Foundation, describes the Coast and Ocean Regional Roundtable, new marine policy, programs, and legislation, and coastal issues aimed to protect coastal resources. Dr. Hunter asks the WRAC to consider its role in participating in a proposed Land to Sea Advisory Committee. Discussion ensues relative to coastal water protection. Chairperson Winn speaks to the WRAC's mandate and funding. Member Greening speaks to the availability of marine science specialists. Dr. Hunter speaks to funding opportunities, and available program models. Member Greening moves to continue this item to the September WRAC meeting, with a second by Member Hyman. The motion passes unanimously.

- 9) Future Agenda Items - Brief discussion.

Meeting adjourned approximately 4:03 p.m.

WATER RESOURCES ADVISORY COMMITTEE 2009

Organization	Representative	Jan	Feb	Mar	Apr	Apr**	May	Jun	Jul	Aug**	Sep	Oct	Nov	Dec
Cambria CSD	Jim Adams	M												
	Robert Reason	A	X											
	Bob Gresens	Staff		X				X						
Heritage Ranch CSD	John D'Ornellas	M	X		X									
	Debbie Fransen	A												
Los Osos CSD	Maria Kelly	M	X	X	X	X	X		X					
	Marshall Ochylski	A	X	X	X	X	X	X						
	George Milanese	Staff		X										
	Margret Falkner	Staff	X											
Nipomo CSD	Bruce Buel	M	X	X	*	X		X	*					
	Ed Eby	A	X	X	X	X		X	X	X				
	Jim Harrison	Staff			X									
Oceano CSD	Barbara Mann	M			X									
	Phil Davis	A												
	Kevin Walsh	Staff		X	X	X				X				
	Jeff Hodge	M								X				
Templeton CSD	Judith Dieth	A												
	Paul Sorensen	Staff	X		X			X	X	X				
	John Russell	M	X	X	X	X	X	X	X	X				
San Simeon CSD	Charles Grace	A												
	Mike Ellison	M	X	X	X				X					
San Miguel CSD	Dale Hamblin	A												
	Chuck Fellows	M					X	X						
City of Arroyo Grande	Jim Guthrie	A				X								
	Russ Thompson	M						*	*	X				
City of Atascadero	David Athey	A						*	*					
	Robert Mires	M	X	X	X	X	X	X	X					
City of Grover Beach	Debbie Peterson	A							X					
	Betty Winholtz	M	X	X	X	X	X	X	*	X				
City of Morro Bay	Dylan Wade	A	X	X	X									
	Christopher Alakel	M		X					X	X				
City of Paso Robles	Doug Monn	A												
	Keith Larson	Staff								X				
	Ted Ehring	M		X	X	X	X	X	X					
City of Pismo Beach	Ed Waage	A												
	Dwayne Chisam	Staff	X		X									
	Greg Ray	Staff				X		X	X	X				
	Allen Settle	M						X						
City of San Luis Obispo	Andrew Carter	A												
	Gary Henderson	Staff	X	X		X		X	*					
	Ron Munds	Staff								X				
District 1	Steve Sinton	M	X	X	X	X		X	X	X				
	0	A												
District 2	Bill Garfinkel	M	X	X	X	X	X	X	X	*				
	0	A												
District 3	Marilee Hyman	M	X	X	X	X	X	X	X	X				
	0	A												
District 4	Michael Winn	M	X	X	*	X	X	X	X	X				
	0	A												
District 5	Dan O'Grady	M	X	X	X	X	X	X	X	X				
	0	A												
California Men's Colony	John Kellerman	M	X		X	X		X	X					
	Mike Mintey	A	X											
Camp SLO	John Reid	M	X	X	X	*	*	X	X	X				
	Nicole Balliet	A												
Cuesta College	Edralin Maduli	M												
	Terry Reece	A												
	Scott Demello	Staff			X									
Atascadero Mutual	John Neil	M							X	X				
	Jaime Lien	A	X											
	Dan Scalas	Staff				X								
Golden State Water	Mark Zimmer	M		X	X	X	X	X	X	X				
	Patrick Vowell	A	X	X		X	X	X						
Agriculture at Large	Ray Allen	M	X	X	X	*			X	X				
	Mike Broadhurst	A	X	X	X			X	X	X				
County Farm Bureau	Joy Fitzhugh	M		X	X	X	X	X	X	*				
	Jackie Crabb	A	X							X				
Environmental at Large	Sue Luft	M	X	X	X	X	X	X	X	X				
	Eric Greening	M	X	X	X	X	X	X	X	X				
	David Chipping	A	X	X	X	X		*	X	X				
	Sue Harvey	A	X	X	X		X	X	X	X				
Coastal San Luis RCD	Linda Chipping	M	X	X	X	X	X	*	X	X				
	Kathie Matsuyama	A				X								
Upper Salinas RCD	Tom Mora	M												
	Bill Bianchi	A	X	X		X		X	X	X				
Board of Supervisors	Jim Patterson	Dist. 5							X					
	Amy Gilman	Dist. 5						X						
Public Works	Courtney Howard	Staff	X	*	*	*	*	X	X	X				
	Paavo Ogren	Staff			X		X	X						
	Dean Benedix	Staff	X	X	X	X			X					
	Sylas Cranor	Staff	X	*	X	X	X	X	X	X				
	Mark Hutchinson	Staff					X	X						
	John Waddell	Staff					X	X						
	John Diodati	Staff					X							
	Genaro Diaz	Staff					X							
Planning and Building	Jill Ogren	Staff						X						
	James Caruso	Staff	X	X		X		X	X					
	Brian Pedrotti	Staff		X										
Public Health Services	Mike Wulkan	Staff								X				
	Leslie Terry	Staff		X	X	X		X	X	X				
	Megan Lillich	Staff		X	X	X		X	X	X				
	Brad Prior	Staff				X								
	Kalub Emmons	Staff				X								
Agricultural Commissioner	Michael Isensee	Staff	X	X	X	X		X	X	X				

M= Member; A= Alternate; NM=New Member NA= New Alternate 0 = No nomination received as of 06/18/09
 *To be confirmed at a future BOS meeting
 **Special Meeting

* = Notified of Absence/Conflict

WATER RESOURCES ADVISORY COMMITTEE

2009 GUEST LIST

NAME	AFFILIATION (if any)	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Ausilio, Frank				X		X							
Barrett, Della	Public			X			X	X					
Bianchi, Mary	UC Coop. Extension	X											
Bianchi, Shirley					X			X					
Carella, Lou	Carollo Engineers						X						
Cleath, Timothy					X								
Domingos, Tony	PR Wine Country Alliance							X					
Edwards, Jeff	Private Planner		X	X		X		X					
Gutierrez, Jose	Carollo Engineers						X						
Hunter, Monica	PCLF							X					
Jacob, Stacie	PR Wine Country Alliance						X						
Jenning, Dorothy	Citizen						X						
Johnson, Marti	PCLF							X					
Lohr, Steve	J. Lohr Vineyards & Wines						X						
O'Connor, Kris	Central Coast Vineyard Team						X	X					
Rafferty, Morgan	ECOSLO			X									
Reaugh, Jerry	PR Wine Country Alliance							X					
Schauler, Lawson	Lso Osos			X		X							
Senet, Steve	Los Osos			X									
Snyder, John		X	X				X	X					
Swees, Kathy	Public							X					
Tanaka, Steven	Wallace Group			X		X	X	X					
Taylor, George			X	X	X	X	X	X					
Taylor, Gwynn		X	X	X	X	X	X	X					
Weimer, Keith						X							
Williams, Dawn	League of Women Voters			X									

TO: Water Resources Advisory Committee

FROM: Courtney Howard, SLO County Water Resources Engineer

DATE: September 2, 2009

SUBJECT: Agenda Item # 4.b: Paso Robles Groundwater Basin Resource Capacity Study

The City of Paso Robles, the City of Atascadero, Templeton Community Services District and the Atascadero Mutual Water Company (collectively "Agencies") along with representatives from the WRAC Subcommittee formed to review the Paso Robles Groundwater Basin (Basin) Resource Capacity Study (RCS), met with County Public Works and Planning and Building Department staff on July 15, 2009, to discuss new Basin information available and the scope of work associated with updating the water balance analysis. Consensus was reached amongst the Agencies and County staff to request a proposal from Fugro West, Inc. to update the water balance analysis based on the scope of work discussed at the meeting, and to jointly fund the effort as all are interested in the monitoring and maintenance of the Basin as a valuable water resource. County Public Works staff will be taking the lead on this effort, and is currently scheduled to go to the Board September 22, 2009 to request approval of the consulting services agreement and reimbursement agreement with the Agencies. An update will be provided by Planning and Building Department Staff to the Planning Commission on September 10, 2009.

TO: Water Resources Advisory Committee

FROM: Syllas Cranor, SLO County Water Resources Engineer

DATE: September 2, 2009

SUBJECT: Agenda Item #5: Consideration of Subcommittee Report on Conservation and Open Space Element

Recommendation

1. Review the remainder of the draft Conservation and Open Space Element subcommittee report; and
2. Distribute the remainder of the subcommittee's report, should the WRAC approve it, to the Planning Commissioners, prior to their September 10, 2009 meeting.

Discussion

On December 3, 2008, the Water Resources Advisory Committee (WRAC) formed an ad hoc subcommittee to review the Water Resources chapter of the Conservation and Open Space Element (COSE) and develop comments for WRAC consideration. Subcommittee members include Michael Winn (District 4), Ray Allen (Agriculture At-Large), Betty Winholtz (Morro Bay), and Sue Harvey (Environmental At-Large Alternate).

On July 1, 2009, the WRAC reviewed the draft COSE comments developed by the subcommittee. WRAC members' comments and suggestions from the July meeting were incorporated into another revision of the comments that was brought back to the WRAC at a special meeting held August 26, 2009.

At its well-attended special meeting in August, the WRAC was only able to analyze part of the revised COSE comments, and the partial version with the noted changes was unanimously approved and distributed to the Planning Commission. The Planning Commission received the attached letter and approved comments.

It is the intention of the subcommittee that the WRAC considers the remainder of the COSE comments at the September 2, 2009 meeting and, should the WRAC approve the subcommittee report, bring those approved comments to the Planning Commission prior to their September 10, 2009 meeting.

Attachments: Letter from the WRAC to the Planning Commission (8/27/09)
Remainder of the Subcommittee's Draft COSE Comments



Michael Winn Chairperson	Sue Luft Vice Chairperson	Courtney Howard Secretary
Room 207, County Government Center San Luis Obispo CA 93401		PH (805) 781-1016 FAX (805) 788-2182

Members

- Steve Sinton
District 1
- Bill Garfinkel
District 2
- Marilee Hyman
District 3
- Michael Winn
District 4
- Dan O'Grady
District 5
- Chuck Fellows
Arroyo Grande
- Russ Thompson
Atascadero
- Robert Mires
Grover Beach
- Betty Winholtz
Morro Bay
- Christopher Alakel
Paso Robles
- Ted Ehring
Pismo Beach
- Allen Settle
San Luis Obispo
- Jim Adams
Cambria CSD
- John D'Ornellas
Heritage Ranch CSD
- Maria Kelly
Los Osos CSD
- Bruce Buel
Nipomo CSD
- Barbara Mann
Oceano CSD
- John Russell
San Simeon CSD
- Mike Ellison
San Miguel CSD
- Jeff Hodge
Templeton CSD
- Linda Chipping
Coastal San Luis RCD
- Tom Mora
Upper Salinas RCD
- Ray Allen
Agriculture At-Large
- Joy Fitzhugh
County Farm Bureau
- Sue Luft
Environmental At-Large
- Eric Greening
Environmental At-Large
- John Neil
Atascadero MWC
- John Kellerman
California Men's Colony
- John Reid
Camp SLO
- Edralin Maduli
Cuesta College
- Mark Zimmer
Golden State Water

August 27, 2009

Honorable Sarah Christie
 Chairperson, County Planning Commission
 Department of Planning and Building
 976 Osos Street, Room 300
 San Luis Obispo, CA 93408

Subject: Water Resources Advisory Committee Partial Comments on the
 Water Chapter of the Conservation and Open Space Element

Dear Chairperson Christie:

On December 3, 2008, the Water Resources Advisory Committee (WRAC) formed an ad hoc subcommittee to review the Water Resources chapter of the Conservation and Open Space Element (COSE) and develop comments for WRAC consideration. Subcommittee members include Michael Winn (District 4), Ray Allen (Agriculture At-Large), Betty Winholtz (Morro Bay), and Sue Harvey (Environmental At-Large Alternate).

On July 1, 2009, the WRAC reviewed the draft COSE comments developed by the subcommittee. WRAC members' comments and suggestions from the July meeting were incorporated into another revision of the comments that was brought back to the WRAC at a special meeting held August 26, 2009.

At its well-attended special meeting in August, the WRAC was only able to analyze part of the revised COSE comments, and the partial version with the noted changes was unanimously approved. This portion of the approved COSE comments is attached for your consideration.

The WRAC will consider the remainder of the COSE comments at their regular meeting on September 2, 2009. It is the WRAC's intention to bring those approved comments to your Commission prior to your September 10, 2009 meeting.

Respectfully,

MICHAEL WINN
 Chairperson, Water Resources Advisory Committee

Purpose of the Committee:

To advise the County Board of Supervisors concerning all policy decisions relating to the water resources of the SLO County Flood Control & Water Conservation District. To recommend to the Board specific water resource programs. To recommend methods of financing water resource programs.

Excerpts from WRAC By-Laws dated 3/6/07

cc: SLO County Planning Commissioners w/attachments
SLO County Board of Supervisors w/attachments
James Caruso, SLO County Planning w/attachments

Attachment: Subcommittee Report on the Water Element of the COSE

WRAC Subcommittee on the Water Element of the COSE

August 26, 2009

Members: Michael Winn, Ray Allen, Betty Winholtz, Sue Harvey

The following comments considered by the WRAC July 1 were unanimously adopted - as amended - by the WRAC membership on August 26:

Deleted: approved

Generally we agreed that the new format and principles articulated are good, but the policies need more detail, especially re implementation.

The subcommittee has come to believe that some of our earlier comments (e.g., need for stream gauge data, environmental water metrics, separate reports per each watershed) would be better placed in the Master Water Plan instead of the COSE. Others not repeated here are due to their being more like projects instead of planning policies.

General Comments from Members on July 1, 2009:

Clearly define “imported water”, “supplemental water”, and “surface water”.

Develop an implementation plan in order to clearly understand how strategies would be implemented.

Be cognizant of policies/implementation strategies which would result in “government crippling government”, i.e. unfunded mandates (this was mentioned regarding Implementation Strategy WR 3.1.6).

p. 10.1

Introduction

2nd ¶, 2nd sentence: Most areas of the county are experiencing groundwater problems. Most have declining water supply and water quality due in part to a lack of available surface water supplies, periods of inadequate rainfall, insufficient and unreliable recharge, and previous development in many places permitted without adequate sustainable water supply.

Deleted: inconsistent

p. 10.3

[The quotation by Zekster is only partially adequate. What someone should have said is more like:

The safe yield of groundwater is exceeded when long-term groundwater extraction exceeds aquifer recharge, producing

declining trends in aquifer storage. Overdraft may be evidenced by declines in surface-water levels and stream flow, reduction or elimination of vegetation, land subsidence, decline in groundwater quality, and/or seawater intrusion.

Water Quality [Add a third bullet]

-
-
- Self-regenerating water softeners using salts of various types pose a serious threat to the quality of the county's groundwater supplied.

p. 10.5

Table WR-1
GOALS FOR WATER RESOURCES

Goal WR 2 The County will collaborative manage groundwater resources to ensure sustainable supplies for all beneficial uses, including riparian demands.

Deleted: in each watershed

...

Goal WR 4 The County will achieve a significant decline in per-capita potable water use by 2020, correlated with the Levels of Severity outlined in the County Resource Management System.

Deleted: P

Chapter 10 **WATER RESOURCES**

[There is a need for contextual history beyond administration and regulation, either here and/or in the Water Resources Appendices. Issues critical to water policy include the county being a long-term semi-arid region, frequency of droughts, cyclical nature of rainfall (with averages), and interrelationship between the long-term trends in rainfall and those in population (both growth rate and total population).]

[A map of the county is needed here, showing the various watersheds, with an overlay showing areas currently experiencing seawater intrusion and/or having a Level of Severity III for water supply.]

p. 10.5

Implementation Strategy WR 1.1.1 Implement an Expanded Water Master Plan

- c. Establish water demand and water efficiency monitoring programs in coordination with the County Planning Department's Resource Management System and the County Public Works' Master Water Plan to monitor municipal, industrial, agricultural, recreational, and environmental demand on an ongoing basis;

p. 10.6

Policy WR 1.3 New Water Supply

Development of new water supplies should focus first on efficient use of our existing resources. Use of reclaimed water, interagency cooperative projects, and groundwater recharge projects should be considered prior to using imported sources of water or seawater desalination.

◇ **[Retain] Policy WR 1.3**

Monitor and explore new technologies that lower the cost of desalination.

- ◇ Implementation Strategy 1.3.1 Work in concert with the DWR and other regulatory agencies to stay current with approved methods of facilitating desalination projects for the county's coastal communities. (See WR 1.15)

Policy WR 1.6 Water-dependent species

[Insert hyphen]

Implementation Strategy WR 1.6.1 Evaluate ecosystem water needs.

[spelling error]

Policy WR 1.7 Agricultural operations

- ◇ Implementation Strategy 1.7.1 Agricultural cluster subdivisions should be limited to legal lots with sufficient water supply on the project property.
- ◇ Implementation Strategy 1.7.2 Support no annexations and allow no residential subdivisions or (if the ordinance is retained) ag cluster subdivisions on land zoned AG or zoned RL or RR with a history of farming, unless they are supplied by supplemental water. (I.e., do not permit residential subdivisions outside of URLs or VRLs that draw on groundwater.)

Deleted: Discontinue Ag Cluster subdivisions as a planning tool.

Deleted: development

Policy WR 1.9 Limit and regulate new water systems

Policy WR 1.11 Reduce RMS alert levels

[Add:

- ◇ Implementation Strategy WR 1.11.2 Planning Area Standards
Adopt planning area standards for all areas with an RMS Level of Severity for Water I, II, or III. [Use or adapt the standards developed by County Planning for the Nipomo Mesa Water Conservation Area.]

p. 10.10

Policy WR 1.12 Impacts of new development

Accurately assess and mitigate the impacts of new development on water supply. (GM1) At a minimum, comply with the provisions of Senate Bills 610 and 211 and Assembly Bills 32 and 49.

Policy WR 1.13 Density increases in rural areas

Do not approve General Plan amendments or land divisions, or support LAFCO annexations that increase the density or intensity of non-agricultural uses in rural areas that have a recommended or certified Level of Severity II or III for water supply until a Level of Severity I or better is reached.

Deleted: , unless there is an overriding public need

[Delete the last clause, or this becomes unenforceable and relatively meaningless.]

p. 10.11

Goal Number 2: The County will collaboratively manage groundwater resources to ensure sustainable supplies for all beneficial uses, including riparian demands.

Deleted: work with other agencies and stakeholders to

p. 10.12

Implementation Strategy WR 2.2.3

Secure right of access to all new key wells together with retaining voluntary access to existing wells having useful histories to ensure that the County's investment in these records is protected. The County should obtain permission from each new well owner to obtain groundwater data for use by the County. (GM2)

Policy WR 2.3 Well permits

[New:

◇ Implementation Strategy 2.3.2: Permit no new residential wells serving more than one household where groundwater is LOS II or III, unless it is to replace an existing well that will be legally abandoned.

p. 10.13

GOAL 3: EXCELLENT WATER QUALITY WILL BE MAINTAINED FOR THE HEALTH OF PEOPLE AND NATURAL COMMUNITIES.

[New: Implementation Strategy WR 3.1.5 Gradual elimination of self-regenerating water softeners that discharge salts and implementation of a tracking program for exchange tank system salts disposal.

Recognize the real impacts of self-regenerating water softeners on the County's ability to effectively treat and use reclaimed water. Amend ordinance to stop permitting new installations and to gradually eliminate existing equipment everywhere in the county, with the exception of the canister exchange type.

Formatted: Indent: Left: 0.5", First line: 0"

[New: Implementation Strategy WR 3.1.6 Tertiary Treatment of Waste Water

The County shall encourage community waste water systems to convert to tertiary treatment.

Policy WR 3.2 Protect watersheds

Protect watersheds, groundwater and aquifer recharge areas, and natural drainage systems from potential adverse impacts of development projects. (GM1)

- This policy should identify the watersheds, groundwater, aquifer recharge areas, and natural drainage systems, possibly with maps.
- Add language to end of policy "... adverse impacts of development **and public infrastructure** projects."

p. 10.18

Policy WR 3.5 Support Resource Conservation Districts

Continue support of and partnerships with Resource Conservation Districts to encourage education and technical assistance regarding erosion and sediment control.

***** Remainder of the Subcommittee's Draft COSE Comments *****

p. 10.19

[New:

◇ Implementation Strategy 4.1.5: Encourage water purveyors to reduce water use.

p. 10.20

Policy WR 4.2 Water pricing structures

Support water-pricing structures to encourage conservation by all water users (WRM8) and will seek to expand the use of conservation rate structures in the entire county, particularly in areas with Levels of Severity II and III for water supply.

[Add: Implementation Strategy WR 4.2.2 Agencies to lead by example School districts and other governmental agencies shall monitor their water use on a monthly basis and report annually to the County Department of Public Health.

Implementation Strategy WR 4.3.3

Reduce indoor and outdoor use of water in County-owned, -operated, or -financed facilities through efficient technologies, design and management practices, and other conservation efforts, for example, County library branches, parks, sports parks paid in part by County moneys, and County golf courses.

Policy WR 4.4 Reuse water

- Add Implementation Strategy:
Encourage and, where possible, mandate tertiary treatment of all wastewater, excluding wastewater handled by private septic systems.

- Add Implementation Strategy:
Begin and sustain a long-term effort to educate the public about the science, the health safety, and the necessity of recycling treated waste water for human consumption. Use of such water for playgrounds and parks, landscape vegetation, and food crops may be intermediate applications; but we must embrace the long-term necessity of using it for drinking water.

p. 10.21

Policy WR 4.6 Graywater [N.B. This section has very serious public health implications that must be thoroughly analyzed before the County changes its policies.

[New:

- ◇ Implementation Strategy 4.6.2: Develop Best Management Practices (BMPs) for the public education process.

[Comments:

Graywater use is problematic. Though some graywater enthusiasts champion the cause uncritically, there are serious health concerns that cannot be ignored if this use is to be adopted by the County.

- Some uses of “graywater” are justified, and no water should be wasted if it can be avoided.
- However, the County must require the most stringent public health policies regarding the use of graywater.
 - Will the County help fund the legal defense of contractors and developers who are sued by persons who suffer from health impacts from graywater contact?
 - Is County Counsel prepared to defend the Planning Department and the County in general in similar litigation?
 - Bluntly: People will pee while taking a shower. Other sources of “graywater” can be similarly compromised by diapers etc. Where would

- a “graywater system” deposit such water without exposing gardeners, indoor/outdoor pets, and playing children to disease?
- Implementation should include a long-term education effort to build support for the limited uses that are consistent with the State and Federal Health Codes.]

p. 10.22

Policy WR 5.1 Watershed approach

The County will consider entire watersheds and groundwater basins, including those that extend across county lines, in its approach to managing water resources, including ecological values and economic factors in water resources development. (WRM1 revised)

Implementation Strategy WR 5.1.1

Support development and implementation of watershed management plans for all key watersheds in the county, including those that cross county lines, in collaboration with resource conservation districts, water purveyors, cities, and landowners. Watershed management plans should incorporate the information contained in the County’s Source Water Assessments (SWAs) and Watershed Sanitary Surveys (WSSs), and should also include:

p. 10.23

Policy WR 5.6 Cumulative impacts to watersheds

Identify mitigation strategies or programs at the watershed, groundwater basin level, or a portion thereof that address cumulative impacts within watersheds, groundwater basins or in portions of watersheds or groundwater basins in coordination with cities and watershed managers, and, where applicable, adjoining counties.

p. 10.23

Policy WR 5.7

- Errata: Replace “affects” with “effects” in subsections 2) and 4); renumber second 5) at the top of the next page to 6).

p. 10.25

Table WR 2

- “Planning Area” need to be replaced by “Watershed”.
- Adelaida: The watersheds need to be correctly delineated. Some “Site Names” belong in other watersheds. Adelaida is in two watersheds.
- Huasna-Lopez incorrectly includes Twitchell Dam and the Cuyama River.
- Erratum: “Las Pilitas” is the correct spelling.
- North Coast designation does not respect separate watersheds. Each creek named is a separate watershed.
- South County Coastal and South County Inland are in the same groundwater basin and same watershed, but Nipomo Creek and its tributaries are only in the Inland portion.

p. 10.28

Add new Implementation Strategy 6.5.3 Recording retention and detention basins

Require that each retention or detention basin on new construction be mapped and recorded on their title, with the County to monitor their maintenance no less frequently than every 3 years.

Appendix 10

Appendix 10.1 Setting

Comments:

- This section contains good administrative and regulatory information but lacks essential information about historic rainfall and drought patterns. The information given is useful, but the physical context is also needed.

- This section would benefit from a graph of 30 years of rainfall and population figures for each watershed.

p. 10.12-14

Appendix 10 WPA Table A10-2

- This table should include “Riparian Demand”, which is an essential inclusion, as in the County’s Water Planning Area (WPA) reports. Also, a map that delineated the boundaries of Water Planning Areas would be important. The Water Planning Areas usually coincide with an underlying aquifer. Also, the table should add population numbers so per capita usage can be compared and information on the number of acres the agriculture use represents.

Riparian Demands may not be completed for this update, but the WRAC suggests a three-step plan for bringing the Master Water Plan into compliance by the next update:

- 1) Report as much data from all stream gauges countywide that have records.
- 2) Make a list of all significant areas that do not have stream gauges or data collected and that should.
- 3) Formulate and commit to a 5-year schedule for placing stream gauges in streams that should have them. [Critical stream data can take years to accumulate and data become really useful after 5-10 years, so we must begin as soon as possible.]

When the COSE is updated next (in 5 years?), more complete data should then be available.

Appendix 10.11

- Level of Severity projections in years need to be extended in response to real timetables that current projects require. Suggested changes:

- Level of Severity I: When projected demand over the next 9 [change to 15] years equals or exceeds the estimated dependable supply.
- Level of Severity II: When projected water demand over the next 7 [change to 10] years equals or exceeds the estimated dependable supply.
- Level of Severity III: When projected water demand equals or exceeds the estimated dependable supply.

TO: Water Resources Advisory Committee
FROM: Sue Luft, Subcommittee Chair
DATE: September 2, 2009
SUBJECT: Agenda Item #6: Consideration of Subcommittee Report on San Miguel Ranch Final Environmental Impact Report

DRAFT COMMENTS

Members of the WRAC Subcommittee on San Miguel Ranch project:

Dan O'Grady, District 5 rep
Steve Sinton, District 1 rep
Ray Allen, Agriculture-at-Large
Mike Ellison, San Miguel CSD
Sue Luft, Environmental-at-Large, Subcommittee Chair

Subcommittee Progress:

The subcommittee reviewed the Draft EIR for the San Miguel Ranch project, prepared comments and submitted the comments for WRAC review. The WRAC approved the comments and transmitted them in a letter dated February 4, 2009, to the SLO County Board of Supervisors, the Planning Commission, and the Planning Department.

Responses to the comments in the WRAC letter were provided in the Final EIR for the San Miguel Ranch project. The subcommittee met on August 20, 2009, to review the responses and the FEIR. Subcommittee members Dan O'Grady, Ray Allen, and Sue Luft attended the meeting. Mike Winn, WRAC Chair, sat in as an observer.

Although the majority of the responses to the WRAC comments were inadequate, the subcommittee chose to focus on the primary issues. These issues are addressed in the attached draft letter. The subcommittee requests that the WRAC consider and approve the attached letter for transmittal to the SLO County Board of Supervisors, the Planning Commission, and the Planning Department.

DRAFT

September 2, 2009

Honorable Bruce Gibson
Chairman, Board of Supervisors
County of San Luis Obispo
976 Osos Street
San Luis Obispo, CA 93408-2040

Subject: Water Resources Advisory Committee Comments on Water
Sections of Final Environmental Impact Report for San Miguel
Ranch Project

Dear Chairman Gibson:

The San Luis Obispo County Water Resources Advisory Committee (WRAC) formed an ad hoc subcommittee to review and comment on the Draft Environmental Impact Report (DEIR) for the San Miguel Ranch project. At its February 4, 2009 meeting, the WRAC voted to submit a letter with detailed comments.

After issuance of the Final EIR (FEIR) for the San Miguel Ranch project, the subcommittee again met and prepared comments. At its September 2, 2009 meeting, the WRAC voted to submit this letter containing our comments.

The San Miguel Ranch FEIR indicates that the project will result in a decrease in aquifer storage of between 5,393 and 5,554 acre-ft based on the groundwater simulations; however, the potential impacts to groundwater are listed as less than significant. The subcommittee continues to disagree with this conclusion and various statements in the FEIR. Rather than re-iterate all of the points from our previous letter, we are restating our primary concerns. Further discussion is attached.

- Potential impacts to groundwater are in fact significant.
- The proposed project will adversely affect agriculture and is inconsistent with Ag Policy 11.
- The proposed project is inconsistent with the Conservation Element.
- Mitigation measures for water supply impacts must be required, most importantly the acquisition of imported water supplies.
- The EIR must provide a project-level analysis for the wastewater treatment plant expansion.

The WRAC hopes its comments will prove helpful to all parties involved in the environmental review process for this project.

Respectfully,

Michael Winn
Chairman, Water Resources Advisory Committee

cc: SLO County Board of Supervisors
SLO County Planning Commissioners
Steve McMasters, SLO County Planning Department
Dean Benedix, SLO County Public Works Department

Attachment: Detailed Comments on FEIR from WRAC ad hoc subcommittee

San Miguel Ranch Project Final EIR Detailed Discussion of Primary Concerns

Potential impacts to water supply are in fact significant.

Water for the project is proposed to be withdrawn from the Paso Robles Groundwater Basin. As stated on page 4.14-8 of the FEIR, the Paso Robles Groundwater Basin is at a Level of Severity (LOS) I and a Resource Capacity Study (RCS) is in progress. The RCS has been drafted and is currently being revised to address some questions regarding the Atascadero Subbasin. No concerns have been raised by the WRAC regarding the conclusion that the main Paso Robles Groundwater Basin is currently at LOS I.

The “Evaluation of Paso Robles Groundwater Basin Pumping, Water Year 2006”, dated May 2009, prepared by Todd Engineers, states that “assuming no water management actions (including delivery of Nacimiento Project Water), this rate [of groundwater pumping] would result in overdraft by 2017.” A LOS II is defined as when the projected water demand over the next seven years equals or exceeds the estimated dependable supply. Therefore, the Paso Robles Groundwater Basin may well be at LOS II in 2010.

Regardless of the LOS designation of the Paso Robles Groundwater Basin, the fact is that the basin is in decline. Any additional groundwater extractions from a groundwater basin that is in decline should be considered to be potentially significant. Any net increase in non-agricultural use of water should be offset.

According to the FEIR (page 4.14-9 of the FEIR), potential project impacts related to water supply and wastewater are considered significant if the proposed project would exceed specified thresholds. Threshold 4.14.5 (page 4.14-10) is stated as “substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level . . .” This threshold has in fact been exceeded.

Page 4.14-18 of the FEIR contains a statement that “there are no federal, State, or local thresholds that allow a quantitative evaluation of the project’s potential drawdown impacts . . .” This statement is incorrect. A Level of Severity I was acknowledged by the SLO County Board of Supervisors and was the basis for initiating the Resource Capacity Study in January, 2007. The draft RCS concludes that an LOS I should be assigned to the Paso Robles Groundwater Basin. An LOS I is the appropriate local threshold to use in determining whether the impact on water supply is significant.

Response L-2-1 (Page 105 of the Comments and Responses) states that “the simulated drawdown caused by implementation of the project is not considered significant because (1) the projected drawdown is not more than historic groundwater fluctuations that have occurred as a result of drought conditions and seasonal fluctuations, and (2) the decrease in groundwater storage is partially offset by naturally induced recharge from the Salinas River.” This conclusion is inappropriate.

The projected drawdown may be additive to the historic groundwater fluctuations. Therefore, during drought conditions, the groundwater level will be even lower than historic levels. This fact indicates that the local groundwater table level will be lowered and the impact is significant.

Naturally induced recharge from the Salinas River may reduce the groundwater decline; however, recharge from the Salinas River will result in lower stream flows. Adequate stream flows are necessary for fish and environmental needs.

The significance threshold is exceeded and the impact of the proposed project on water supply is significant.

The proposed project will adversely affect agriculture and is inconsistent with Ag Policy 11.

Response L-2-1 and the conclusion regarding Threshold 4-4.4 (pages 4.4-38 through 4.4-39 of the FEIR) are incorrect. The proposed project will adversely affect agriculture and is inconsistent with Ag Policy 11.

Ag Policy 11 reads as follows:

- Maintain water resources for production agriculture, both in quality and quantity, so as to prevent the loss of agriculture due to competition for water with urban and suburban development.
- Do not approve proposed general plan amendments or rezonings that result in increased residential density or urban expansion if the subsequent development would adversely affect: (1) water supplies and quality, or (2) groundwater recharge capability needed for agricultural use.

As stated above, the proposed project will result in a significant impact on water supply. The project will result in competition for water between urban/suburban development and agriculture and will adversely affect water supplies needed for agricultural use. Therefore, the project is clearly inconsistent with Ag Policy 11.

The proposed project is inconsistent with the Conservation Element.

GM9 of the Conservation Element states:

- Priority should be given in meeting the needs of agricultural operations in water resources management. Agricultural water supplies should be protected from usurpation by incompatible development through land use controls.

Further, Policy WR 1.6 of Draft COSE – Agricultural operations states:

- Groundwater management strategies will give priority to agricultural operations. Protect agricultural water supplies from competition by incompatible development through land use controls.

Since the project will adversely affect water supplies needed for agricultural use, the proposed project is inconsistent with the Conservation Element.

Mitigation measures for water supply impacts must be required.

The Water Resources Evaluation contains three recommendations which should be adopted as mitigation measures for the proposed project. These measures include:

- Establishment of a comprehensive groundwater monitoring program in and around San Miguel Ranch. The monitoring program would include both groundwater level and groundwater quality sampling in the Paso Robles Formation and in shallow near-surface wells.
- Implementation of water conservation and water use efficiency methods to residential, landscape, and crop water uses.
- Importation of surface water supplies.

Importation of surface water supplies is the most crucial mitigation measure. The Paso Robles Groundwater Basin is at LOS I, which is defined as when the projected water demand over the next nine years equals or exceeds the estimated dependable supply. The San Miguel Ranch project should add facilities to reduce the impacts to the dependable supply. The project must provide imported water to result in no net increase in non-agricultural water use.

The EIR must provide a project-level analysis for the wastewater treatment plant expansion.

Responses L-2-12, 13 and 15 are inadequate because they offer no CEQA-compliant rationale for not performing a *project-level* analysis of the project-required Wastewater Treatment Plant Expansion, identifying impacts, and

proposing appropriate mitigations. A portion of the Wastewater Treatment Plant Expansion is necessitated by phases of this project and is partially financed by this project. Therefore, the Wastewater Treatment Plant Expansion must be analyzed just like other parts of this project.

CEQA requires that the EIR analyze and identify impacts and mitigations of the entire project and does not allow piecemealing parts of a project. The responses erroneously dismiss and seek to avoid CEQA requirements by providing an inadequate *program-level* analysis of the Wastewater Treatment Plant Expansion portion of the project instead of the *project-level* analysis required by CEQA that identifies impacts and appropriate mitigations.

The responses further seek to avoid CEQA requirements by stating the San Miguel CSD and not the County has the authority to make decisions regarding expansion of the Wastewater Treatment Plant - as if CSD-related portions of the project approved by the County were not required to comply with CEQA. The responses propose to defer consideration as to whether or not a *project-level* EIR will ever be required for the Wastewater Treatment Expansion – a determination that is proposed to be made solely by the CSD sometime in the future. The responses amount to piecemealing and may even result in no future environmental review at all.

It is the WRAC's opinion that CEQA requires a *project-level analysis* now followed by further environmental review as warranted by further development of the Wastewater Treatment Plant Expansion portion of the project in the future.



PUBLIC NOTICE

**NOTICE OF AVAILABILITY OF
DRAFT ENVIRONMENTAL IMPACT REPORT**

WHO: County of San Luis Obispo Department of Planning and Building

WHAT: A Draft Environmental Impact Report (DEIR) for the Grading and Stormwater Management Ordinances is complete and available for public review and comment. The objectives of the ordinance revisions are to comply with State and Federal requirements associated with stormwater discharges, to reduce water quality impacts from construction site runoff, and to improve overall water quality. The DEIR addresses the environmental impacts that may be associated with the proposed modifications to portions of the Land Use Ordinance, Coastal Zone Land Use Ordinance, Coastal Plan Policies, and North Coast Area Plan by doing the following:

- Incorporating the General Construction Permit requirements into the Land Use Ordinance and Coastal Zone Land Use Ordinance.
- Strengthening enforcement practices.
- Incorporating Municipal Separate Storm Sewer System (MS4) requirements into the Land Use Ordinance and Coastal Zone Land Use Ordinance.
- Clarify the threshold for when grading permits are required.
- Modify the procedures for agricultural exemptions and the alternative review program.
- Prohibit grading on slopes of 30 percent or more without a variance approval (subject to adoption in the Conservation and Open Space Element).
- Reorganize Chapter 22.52 of the Land Use Ordinance for ease of use.
- Replace Coastal Zone Land Use Ordinance Sections 23.05.020 through 23.05.050 with language that is consistent with Chapter 22.52.
- Implement a portion of Program 14 (Chapter 7) of the North Coast Area Plan by requiring development in the Lodge Hill Area of Cambria to adhere to MS4 requirements.
- Add new definitions to the Land Use Ordinance and Coastal Zone Land Use Ordinance.
- Update section number references in all affected documents.

County File Number: LRP2008-00007

WHERE: Copies of the DEIR and all documents referenced in the DEIR, are available for review from the County Environmental Coordinator, 976 Osos St., Rm 200, San Luis Obispo. Copies of the DEIR are also available for review at the following locations: the Cal Poly Library, SLO City / County Library, Cambria Library, South County Library, and the Paso Robles Library. The DEIR is on the Planning Department's web site at: www.sloplanning.org under "Environmental Information and Natural Resources" and then to "Environmental Notices, Proposed Negative Declarations, EIRs and other Documents."

HOW TO COMMENT OR GET MORE INFORMATION:

Anyone interested in commenting on the DEIR should submit a written statement to Murry Wilson or Michael Conger of the San Luis Obispo County Department of Planning and Building at 976 Osos St., Rm 300, San Luis Obispo, CA 93408-2040 by **5:00 p.m., October 9, 2009**. If you need more information about this project, please contact Murry Wilson or Michael Conger at (805) 788-2352 or 788-5136.

ENVIRONMENTAL IMPACTS:

The Draft EIR addresses the proposed ordinances potential impacts on traffic, air quality, noise, water resources, drainage, public services, aesthetics, geology, and biological, cultural and agricultural resources. The Draft EIR also considers several project alternatives.

PUBLIC HEARING:

A tentative public hearing before the San Luis Obispo Planning Commission has been tentatively scheduled for **October 22, 2009**, in the Board of Supervisors Chambers, County Government Center, San Luis Obispo. If you plan to attend, please call two weeks before this date to verify.

If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing

DATED: August 18, 2009
RAMONA HEDGES, SECRETARY
COUNTY PLANNING COMMISSION
August 24, 2009

6839280

TO: Water Resources Advisory Committee

FROM: Courtney Howard, SLO County Water Resources Engineer

DATE: September 2, 2009

**SUBJECT: Agenda Item #8: Consideration of Revision to By-Laws -
Additional Membership**

Recommendation

Consider revising the WRAC by-laws to allow additional membership on the committee that would expand representation of Agricultural and Environmental interests, including, but not limited to, vineyard, winery and coastal resources.

Discussion

Several ongoing efforts warrant discussion of expanded Agricultural and Environmental representation on the WRAC. As the County's primary advisory committee on Countywide water resource issues, including Integrated Regional Water Management, the ability of WRAC recommendations to reflect balanced representation of all groups with vested interests is critical to our region's success in water resources planning and grants procurement. Detailed review of water issues by WRAC subcommittees, such as for Environmental Impact Reports and Resource Capacity Studies, would benefit from having members that represent distinct overlying users of groundwater resources. Other gaps in membership, such as for coastal resources, have been identified for consideration and may provide additional representation, including the proposed Land to Sea Advisory Committee.