

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

Meeting Minutes

April 4, 2007

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Approximately 1:35 pm; Chairman Winn called the meeting to Order

- 1) Introductions of Members and Attendees – Quorum Established
  
- 2) Approval of March 2007 Meeting Minutes – Item #3, Public Comment, is amended to insert “Nipomo CSD will also be providing their legal opinion on the Santa Maria Groundwater Litigation Phase V Decision at the May WRAC meeting.” as the 2<sup>nd</sup> sentence. All references to the “Santa Margarita EIR” are amended to read “Santa Margarita DEIR”, as it is a draft document. Item #10, Future Agenda Items, is amended to read “May – Presentations by John Snyder and John Seitz.” The guest list is amended to include the presence of David Blakely and Karl Wittstrom at the meeting. Upon motion by Member Winholtz, second by Member Mulholland, and vocal vote, minutes of the March 7, 2007, meeting of the Water Resource Advisory Committee (WRAC) were approved as amended, with one abstention.
  
- 3) Public Comment – Member Buel provides the draft version of the State Water Resources Control Board guidelines (AB 885) on onsite wastewater treatment systems and discussion ensues regarding the future hearing to discuss the draft and the possibility of a presentation on the guidelines at a future WRAC meeting after technical and legal reviews by WRAC member agencies. Chairman Winn discusses the importance of reviewing the CA Supreme Court ruling of February 1, 2007, entitled *Vineyard Area Citizens for Responsible Growth Inc. v. City of Rancho Cordoba* (Vineyard case) as it is related to certifying water supplies and AB 221/SB 610, and the potential for a presentation on the case at a future WRAC meeting after allowing time for technical and legal reviews. Member Greening inquires about the meeting schedule for the Central Coast Water Authority Membership Sub-committee of the WRAC and confirms that no meeting is scheduled for Thursday, April 5, 2007. Member Mulholland discusses the Local Government Commission Conference, the timeliness of implementing the programs under the bonds that were passed in the last election and the location of information on the Legislative Analyst website for the State. Member Winholtz provides answers to questions posed at the last meeting including the cost of drought buffer (\$50-100K), reliability (68% average, 41% during drought years), cost of desalinization (\$800/AF after complete payment of debt service), and the source of nitrates in the groundwater (study to be completed by Fall '07). Jamie Lien, Atascadero Mutual Water Company, announces that WaterFest 2007 is scheduled for May 5, 2007, in Irish Hills Plaza on Los Osos Valley Road in San Luis Obispo (Home Depot parking lot), invites participants and donations, summarizes event, and requests to provide a presentation on Partners in Water Conservation at the May WRAC meeting. Member Bianchi recommends reading an article on cloud seeding in the current Southwestern Water journal published by the University of Arizona, located at [www.swhydro.arizona.edu](http://www.swhydro.arizona.edu). Member Senet iterates

the importance of addressing the impacts on water resources of antiquated subdivisions and references a related court case in Yolo County.

- 4) Member Reports – a. Member Buel gives a brief overview of the Nipomo CSD and water resources related issues, including the size of the NCSD, annexations, quantity of supplemental water needed for build-out, meter use and billing information, storage, growth rates, and the supplemental water alternatives study due in October 2007. Discussion ensues regarding groundwater analysis and annexation policies.  
b. Courtney Howard, SLO County Public Works, informs the WRAC that the Avila Valley Advisory Council would like a representative from WRAC to attend their meeting to provide information about the WRAC. After a brief discussion, Chairman Winn and possibly the District 3 Member will attend the June 11, 2007, meeting.
- 5) Ongoing Updates
  - a. Groundwater Banking Subcommittee: Courtney Howard, SLO County Public Works, informs the WRAC that the Subcommittee met on March 1, 2007, and heard a presentation from the Paso Basin Feasibility Study Consultant on the initial project alternatives and screening criteria. The Subcommittee also briefly discussed nomination of a new chairperson. The next meeting is scheduled for May 3, 2007 from 5:00 to 6:30 pm at the Templeton Community Services District. The Consultant will be back to present the alternatives for detailed analysis.
  - b. Rainfall and Reservoir Update: Brief discussion.
  - c. SLO County Ocean Disposal Alternative/Central Valley Selenium Project Update: No report; WRAC requests assurance that Staff is monitoring the issue.
  - d. Integrated Regional Water Management (IRWM) Program: Courtney Howard, SLO County Public Works, summarizes the State Water Board action taken at their hearing on March 20, 2007, to award additional Proposition 50 grant funding and to proceed with an expedited second round of funding. Staff is currently developing a work plan for updating the IRWM plan and completing an application for second round funding by the August 1, 2007, deadline.
  - e. State Water: Courtney Howard, SLO County Public Works, informs the WRAC that a recent tentative ruling, requiring shutdown of the Banks State Water pumping plant in the Delta if the Department of Water Resources (DWR) does not obtain an incidental take permit within 60 days, has prompted Staff to work with the District State Water Sub-contractors to assess the impacts of implementation of the ruling. The impacts are being provided to DWR for their response to the ruling. Staff will be continuing to monitor the situation and work with District Sub-contractors. Discussion ensues on the ability of a groundwater banking program to mitigate impacts.
  - f. Membership: Courtney Howard, SLO County Public Works, informs the WRAC that an Environmental at-Large membership position is vacant, as Bill Bianchi has been nominated for appointment for alternate membership for the Upper Salinas-Las Tablas Resource Conservation District. Applications for the Environmental at-Large position are requested by April 25, 2007, in order

for WRAC to make a recommendation to the Board of Supervisors at their May meeting.

- 6) Resource Capacity Study for Water Supply in the Nipomo Mesa Area: James Caruso, SLO County Planning, summarizes past Board of Supervisors' actions regarding water supply in the Nipomo Mesa Area; discusses current circumstances regarding the results of the Santa Maria Groundwater Basin (Basin) litigation, the status of a supplemental water project for Nipomo CSD, and the Staff-recommended level of response of certifying a Level of Severity III for the Nipomo Mesa Area Water Supply and limiting growth and discouraging urban sprawl by only allowing low-water using development; confirms that the Planning Commission hearing is scheduled for May 24<sup>th</sup>, 2007. Discussion ensues on whether the Basin is in overdraft and by what definition, supplemental water solutions including reclamation, whether the Board of Supervisors adequately implemented the actions adopted with the 2004 Resource Capacity Study, coordination between the County and Nipomo CSD, why a moratorium is not being recommended, current Nipomo CSD growth restrictions, development supplemental water fees and the basis of that fee, and the water needs of other water agencies in the Nipomo area. **Member Mulholland moves to recommend the Board certify a Level of Severity III for Water Supply in the Nipomo Mesa Area, coordinate with the Nipomo CSD on water conservation and related water resources management efforts, and proceed with the timely implementation of the actions adopted in 2004, which included:**

- **Improve well monitoring and water quality assessment and monitoring programs.**
- **Only approve permits for developments that comply with recommended indoor and outdoor water conservation measures.**
- **Encourage water purveyors in the Nipomo Mesa Area to strengthen their water conservation programs, increase their use of reclaimed water and continue their efforts to secure supplemental water.**
- **Require requests for General Plan Amendments and land divisions to demonstrate either that no increase in water use would result from the proposed development, or that supplemental water will be provided to offset any projected increase**

The motion is seconded by Member Buel and passes by a vote of 14-0-2 after a brief discussion.

- 7) Santa Margarita Ranch DEIR: Jeff Werst, SLO County Public Works, provides feedback on comments submitted by WRAC members on the Draft EIR for the proposed Santa Margarita Ranch Agricultural Cluster Project (Project) from the perspective of County Service Area 23 (CSA 23 – Santa Margarita). Doug Filipponi, one of the Project owners, discusses the projected water use in the DEIR, additional information to be provided to the County and intended to assist with refining the projected water use, coordination efforts with CSA 23, and imported water applicability. James Caruso, SLO County Planning, explains the EIR public comment and finalization process. **Member Mulholland moves to forward the comments provided by WRAC members on the DEIR to James Caruso under the cover letter as drafted by Member O'Grady.** Member O'Grady seconds the motion and it passes by a vote of 12-0-0.

- 8) 2007 County Water Resources and Flood Control Work Efforts: Courtney Howard, SLO County Public Works, summarizes work efforts in the Utilities Division of Public Works as a precursor to presenting proposed goals for the WRAC in 2007 and the proposed 2007-08 SLO County Flood Control and Water Conservation Flood Control General Budget at the May WRAC meeting. Discussion ensues regarding the impact of the Los Osos Wastewater Project on regular staff duties, the delay in providing the requested pros and cons analysis of SLO County membership on the Central Coast Water Authority (CCWA) Board, County staff presence and WRAC representation at CCWA Board meetings, and including providing new monitoring locations in Nipomo in the budget.
- 9) Future Agenda Items: Brief discussion.

Meeting adjourned approx. 3:30 pm