

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

Meeting Minutes

September 2, 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 July Meeting Minutes - The July 1, 2009 WRAC meeting minutes were approved upon a first by Member Ehring, second by Member Allen, and a unanimous vote with four (4) abstentions.
- 3) Public Comment - Member Greening speaks to the timing of the October WRAC meeting. John Snyder, Nipomo resident, speaks to the Santa Maria Groundwater Basin litigation, including the status of the appeal process, the filing of a writ of supersedeas, a notice to purveyors that ownership of Twitchell yield is under contention, his opinion that the stipulated settlement is voluntary, and the water monitoring requirements for non-stipulating parties. Member Bianchi questions if Monterey County will reduce or eliminate the downstream releases from Nacimiento Reservoir to preserve San Luis Obispo County's water rights. Discussion ensues regarding minimum dead pools, current downstream releases, and historic release schedules. Chairperson Winn speaks to an article in the September 2009 issue of *Stormwater Magazine* that outlines research related to the washing of vehicles on city streets, informs the WRAC of a Sustainable Ag Expo held in the City of San Luis Obispo on November 16-17, 2009, and highlights the water section of the California in 2025 report published by the Public Policy Institute of California.
- 4) Ongoing Updates:
 - a. Integrated Regional Water Management Program - Courtney Howard, Public Works Department Staff, indicates that the region was accepted for the Integrated Regional Water Management (IRWM) process and that the State will resume issuing Proposition 84 bonds and release new IRWM guidelines as next steps. Discussion ensues relating to "conditionally" approved regions and the WRAC's influence on the region acceptance process.
 - b. Paso Robles Groundwater Basin Resource Capacity Study - Courtney Howard, Public Works Department Staff, provides an update on the Paso Robles Groundwater Basin Resource Capacity Study (RCS). Ms. Howard indicates that a group of agencies and the County agreed to work together to

update the water balance information for the RCS. Discussion ensues regarding the agenda and schedule for the Board of Supervisor and Planning Commissioner meetings. Lisa Bodrogi, Paso Robles Wine County Alliance (PRWCA), informs the WRAC that the PRWCA contracted with the University of California Cooperative Extension program to perform a 3-year study in an effort to determine actual water use for vineyards in the Paso Robles Groundwater Basin Estrella sub-area. Discussion ensues relating to the need for accurate pumping data and issues related to the confidentiality of groundwater data.

- c. Master Water Plan – Project Overview to Board of Supervisors September 22, 2009 - Courtney Howard, Public Works Department Staff, speaks to the schedule and agenda of the October WRAC meeting. Ms. Howard provides the WRAC with a summary of the presentation for the Board of Supervisors' hearing, which will include recommendations for staff direction on particular water resource management efforts. Discussion ensues relating to the recommendations for staff direction on the Nipomo CSD/Santa Maria Intertie Project.

- d. Consideration of Subcommittee Report on Conservation and Open Space Element - Chairperson Winn reviews the August 26, 2009 Special WRAC Meeting, updates the WRAC on the status of the subcommittee report review process, and speaks to the ability to enforce language in the marginalia of the Conservation and Open Space Element (COSE). Member Sinton speaks to the parenthetical nature of “libraries parks, sports parks, and golf courses” relative to county-owned facilities. Member Fitzhugh speaks to the jurisdiction of the County over school districts and other governmental agencies. Discussion ensues relating to the County Resource Management System and the voluntary nature of reporting water use data. Gary Henderson, San Luis Obispo City Staff, speaks to the effort to implement direct potable water reuse. Discussion ensues relating to the general need for water reuse, indirect water reuse, alternate reuse opportunities including agricultural water reuse, desalination, the need for a water reuse education program, and reducing exterior potable water use. Member Hyman questions who should be required to analyze the public health implications of graywater. Discussion ensues relating to the public health implications of graywater reuse, building permit implications, the Uniform Plumbing Code, the utilization of graywater systems in rural areas, and public education on graywater. Member Bianchi recommends taking a “watershed by watershed approach”, rather than a “watershed approach” to emphasize different watersheds. Discussion ensues related to the interaction of groundwater basins and overlying watersheds. Member Greening speaks to long-term monitoring of retention and detention basins. Discussion ensues relating to basin maintenance, long-term mitigation monitoring, logistics of forming a zone of benefit to fund basin monitoring, and the potential for required reporting. Member Greening questions if riparian demands include fish and wildlife needs. Discussion ensues relating to the interconnectivity between the water and biological sections of the COSE and the Master Water Plan. Member Bianchi speaks to the need to evaluate the distribution of regional rain gauges. Discussion ensues related to

determination of environmental water demands and analyzing the current water resources data collection network. Member Winn speaks to the Resource Management System Annual Summary Report Level of Severity recommendations. Discussion ensues relating to the proposed Level of Severity designation time changes, the definition of a “dependable supply”, and historic precipitation trends. Member O’Grady speaks to need to prepare for the long-term likelihood of using treated wastewater for human consumption. Member Garfinkel moves to approve the revised subcommittee report and distribute it to the Planning Commissioners, with a second by Member Greening. The motion passes unanimously (22-0-0).

- 5) Consideration of Subcommittee Report on San Miguel Ranch Final Environmental Impact Report - Sue Luft, Subcommittee Chair, speaks to the subcommittee report, the contents of the draft letter, the upcoming Planning Commission study session, and the September 10, 2009 Planning Commission hearing. Member Greening points out that references to COSE policies in the subcommittee report should indicate that they are from the draft update to the COSE, and speaks to mitigation of mitigation projects. Member Bianchi speaks to the quality of existing groundwater supplies. Discussion ensues related to the level of severity recommendations from the current and past Resource Management System Annual Summary Reports. Discussion ensues regarding the impact of the Project on Salinas River streamflows. Member Winn speaks to the need for proponents of the proposed project to mitigate adverse impacts caused by the project. Member Sinton moves to approve the revised subcommittee report and distribute it to the Board of Supervisors and Planning Commissioners, with a second by Member O’Grady. The motion passes unanimously.
- 6) Consideration of Forming a Subcommittee to Review the Draft Environmental Impact Report for the Grading and Stormwater Management Ordinances - Michael Conger, Department of Planning and Building, indicates that the State requires passage of Ordinances by March 2010, informs the WRAC of a Planning Commission workshop on September 24, 2009, and speaks to the future Planning Commission hearing planned for October 22, 2009. Chairperson Winn speaks to the appropriateness of forming a subcommittee in advance of a formal staff presentation. Mr. Conger indicates that the proposed ordinance changes are substantial and technical, will likely require National Pollutant Discharge Elimination System (NPDES) program implementation, will include County-initiated amendments, and that the public hearing draft is available online. Discussion ensues relating to the Environmental Impact Report (EIR), the project description, scheduling, circulation of the EIR, and the State mandate. Chairperson Winn speaks to the timing of forming a subcommittee. Discussion ensues relating to the length and technical nature of the proposed ordinance and related documents. An ad hoc subcommittee to review the Grading and Stormwater Management Ordinances is formed upon a motion by Member Sinton, a second by Member Hyman and a unanimous vote in favor. Ad hoc subcommittee members include Chairperson Winn, Member Kelly, Member Garfinkel, and Member Fitzhugh.
- 7) Consideration of Revision to By-Laws - Additional Membership - Chairperson Winn asks members of the WRAC if they want to consider allowing additional membership on the committee that would expand representation of agricultural and environmental

interests countywide. Chairperson Winn recommends that the WRAC consider adding one member and alternate member to represent vineyards/grapes and one member and alternate member to represent marine issues. Discussion ensues regarding the justification to expand agricultural representation on the committee. Lisa Bodrogi on behalf of the Paso Robles Wine County Alliance (PRWCA) is requesting that two seats be added to the membership – one for wineries and one for vineyards. Ms. Bodrogi indicates that it is appropriate to add these seats to the committee because these groups want to be a part of the WRAC process, they are substantial land and water users, they are an economic driver, and different commodity groups need different WRAC representation. Member Greening speaks to the precedent of establishing a seat for a particular commodity. Member Fitzhugh speaks to the vineyard representatives on the Williamson Act Policy Review Committee and the Agricultural Liaison Board, indicates that vineyards are “major players” in water issues whereas Member Allen and herself are “generalists”, and suggests the inclusion of a vineyard-focused member. Member Luft suggests adding an “Irrigated Agriculture” and a “Marine” seat but not a “Winery” seat. Member Greening speaks to the distinction between permanent and non-permanent irrigated crops. Member David Chipping suggests adding an “Irrigated Agriculture” seat. Member Greening suggests adding a “North County” and “South County” irrigated agriculture seat. Member Eby speaks to the relatively low water use by wineries. Kevin Walsh, Oceano Community Services District (CSD) Staff, suggests increasing agricultural membership to four (4) members. Discussion ensues regarding current agriculture and environmental memberships, vineyard water requirements, the charge of a Resource Conservation District to represent the environment, environmental justice, and disadvantaged communities. Mr. Walsh recommends that the WRAC review the entire membership and to increase committee membership in multiple areas. Member Fitzhugh suggests adding an “Inland” and “North Coast/South County” seat. Member Allen speaks to the physical makeup of the committee, noting the representation of cities, CSDs, water providers and agricultural interests. Chairperson Winn speaks to the role of the Ag Liaison Board, the Economic Advisory Council, and the WRAC. Member Allen reminds individuals that WRAC meetings are public forums, and that the committee encourages presentations and requests for action from non-members experiencing water resources problems. Member Sinton moves to add a “Northern Irrigated Agricultural” Member and Alternate, and a “Southern Irrigated Agricultural” Member and Alternate, with a second by Member Fitzhugh. Chairperson Winn indicates that any new positions would not degrade or reduce the purview of any current memberships. The motion fails with just two (2) votes in favor of the motion. Chairperson Winn speaks to the method of selection for current agricultural and environmental positions, Farm Bureau nominations, and the current WRAC bylaws. Mr. Walsh recommends that the WRAC add two (2) membership positions to Agriculture at Large, and one (1) membership position to Environmental at Large. Member David Chipping moves to add two (2) Agricultural at Large Members and Alternate Members and to add one (1) Environmental at Large Member and Alternate Member position, with a second by Member Reid. Chairperson Winn indicates that any changes to the committee will not change the committee quorum, presently fixed at 10 members. The motion fails with just two (3) votes in favor of the motion. Member Luft moves to add one Agriculture at Large Member and Alternate Member, and to add one Environmental at Large Member and Alternate Member, with a second by Member

Garfinkel. Member Winn comments that the spirit of the motion is that the additional Environmental at Large membership shall focus on coastal issues and that the additional Agricultural at Large membership shall focus on vineyards and grapes, and states that the recommended positions ultimately need approval from the Board of Supervisors. The motion passes with eight (8) votes in favor and six (6) opposed.

- 8) Consideration of Reconvening the Los Osos Wastewater Project Subcommittee in Response to the Outcome of the Planning Commission Hearings - Member Fitzhugh, speaking on behalf of the subcommittee, indicates that the recommendations of the subcommittee are still appropriate and that it is not necessary for the subcommittee to reconvene. Chairperson Winn questions if the WRAC wants a subcommittee to review any new issues, including "Task 1" and "Task 2". Jeff Edwards, member of the public, speaks to the use and/or disposal of the treated effluent, seawater mitigation, and expresses the need to form another subcommittee to evaluate the use and/or disposal the treated effluent. Chairperson Winn speaks to the WRAC's purview in reviewing the project, and the linkage between the water treatment plant and groundwater recharge. Julie Tacker speaks to the public nature of "Task 1" and "Task 2", speaks to role of participants in the Interlocutory Stipulated Judgment in creating those documents, and requests that the WRAC form a subcommittee to review "Task 1". Chairperson Winn recommends that he approach each Supervisor independently to determine if they individually want the WRAC to opine on the project or any other documents related to the project, which suggestion was adopted by general consensus. Chairperson Winn indicates that he will bring this issue back to the WRAC if three (3) or more Supervisors independently request that the WRAC opine on these issues. Discussion ensues regarding the potential for a special WRAC meeting prior to September 29, 2009.

- 9) Future Agenda Items - Brief discussion.

Meeting adjourned approximately 3:59 p.m.

I, Courtney Howard, Secretary to the San Luis Obispo County Flood Control and Water Conservation District Water Resources Advisory Committee do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Wednesday, September 2, 2009, by the Water Resources Advisory Committee.

The Water Resources Advisory Committee approved these minutes on October 7, 2009.

/s/ Courtney Howard

COURTNEY HOWARD
Secretary