



# NOTICE OF PREPARATION – DRAFT ENVIRONMENTAL IMPACT REPORT

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING  
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600  
*Promoting the Wise Use of Land • Helping to Build Great Communities*

**DATE: August 14, 2014**

**TO: Interested Parties and Agencies**      **FROM: Department of Planning and Building**  
**976 Osos Street, Room 200**  
**San Luis Obispo, CA 93408-2040**

**PROJECT TITLE: San Luis Obispo County Wide Water Program**

**PROJECT APPLICANT: County of San Luis Obispo**

**RESPONSES DUE BY: September 15, 2014**

The County of San Luis Obispo is the lead agency for the County's County Wide Water Program (Program) and will prepare a supplement (SEIR) to the certified environmental impact report, for the County's 2010 Conservation and Open Space Element, for the program described in the attached project description. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the SEIR prepared by our agency when considering your permit or other approval for the project. If you are not a government agency, the following is for your informational purposes only. Your comments are welcomed, but not required.

Please provide us the following information at your earliest convenience, but not later than the 30-day comment period, which began with your agency's receipt of the Notice of Preparation (NOP).

1. **NAME OF CONTACT PERSON.** Please include address, e-mail, and telephone number.
2. **PERMIT(S) or APPROVAL(S) AUTHORITY.** Please provide a summary description of these and send a copy of the relevant sections of legislation, regulatory guidance, etc.
3. **ENVIRONMENTAL INFORMATION.** What environmental information must be addressed in the EIR to enable your agency to use this documentation as a basis for your permit issuance or approval?
4. **PERMIT STIPULATIONS/CONDITIONS.** Please provide a list and description of standard stipulations (conditions) that your agency will apply to features of this project. Are there other conditions that have a high likelihood of application to a permit or approval for this project? If so, please list and describe.
5. **ALTERNATIVES.** What alternatives does your agency recommend be evaluated in the EIR?

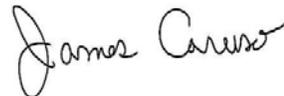
6. REASONABLY FORESEEABLE PROJECTS, PROGRAMS, or PLANS. Please name any future projects, programs, or plans that you think may have an overlapping influence with the project as proposed.
7. RELEVANT INFORMATION. Please provide references for any available, appropriate documentation you believe may be useful to the County in preparing the SEIR. Reference to and/or inclusion of such documents in an electronic format would be appreciated.
8. FURTHER COMMENTS. Please provide any further comments or information that will help the County scope the document and determine the appropriate level of environmental assessment.

The project description, location, and the potential environmental effects are contained in the attached materials.

Due to the time limits mandated by state law, your response must be sent at the earliest possible date, **but not later than 30 days after receipt of this notice.**

Please send your response to James Caruso at the address shown above. As requested above, we will need the name for a contact person in your agency. If you have any questions regarding the NOP or the proposed project, please contact James Caruso at [jcaruso@co.slo.ca.us](mailto:jcaruso@co.slo.ca.us) or (805) 781-5702.

**In addition, an EIR scoping meeting will be held on August 27, 2014, from 6:00 p.m. to 8:00 p.m at the Library Community Room (995 Palm Street) in San Luis Obispo, California. Sessions will be open to all interested parties and provide an opportunity for input relating to the scope and content of the EIR.**



James Caruso  
County of San Luis Obispo  
Department of Planning and Building

*Reference: California Administrative Code, Title 14, Section 15082*

#### **Attachments**

- A – Project Description and Potential Environmental Impacts
- B – County Map, Key Groundwater Basins

## **Attachment A – Project Description and Potential Environmental Impacts**

### **BACKGROUND**

#### **Water in San Luis Obispo County**

The County of San Luis Obispo is in the midst of an “exceptional drought” that has lowered water levels in our surface lakes and reservoirs, and in our groundwater basins. The Board of Supervisors has declared three groundwater basins, Nipomo Mesa (part of Santa Maria Groundwater Basin), the Los Osos Groundwater Basin, and the Paso Robles Groundwater Basin, at Level of Severity (LOS) III, which indicates that groundwater demand has met or exceeded the dependable supply.

#### **Existing Water Programs**

New development in Los Osos is required to offset water usage at a 2:1 ratio through plumbing retrofits. The Paso Robles Groundwater Basin Urgency Ordinance, passed on August 27th 2013, requires new development and new irrigated agriculture to offset new water use at a 1:1 ratio. The County developed a plumbing retrofit program to generate offset credits for new residential development, and a program to facilitate water offsets for new irrigated agriculture is underway. The urgency ordinance will expire in August of 2015.

#### **Authorized Amendments**

The County Wide Water Program includes amendments to the General Plan and County ordinances that will affect water use in both new and existing development, and agricultural operations. Adoption of the Water Neutral New Development program will require all new development, including new irrigated agriculture, in areas with LOS III to offset new water usage so that its water demand is less than or equal to the pre-development land use. Water-neutral new development is proposed in areas of the unincorporated county with a Level of Severity III for water supply (including, but not necessarily limited to, the Paso Robles Groundwater Basin, the Los Osos Groundwater Basin, and the Nipomo Mesa portion of the Santa Maria Groundwater Basin). In addition, there is a proposed Water Waste Prevention Ordinance that will apply to irrigated agriculture, and all unincorporated county areas where a water provider does not already perform this function.

Your input is requested to help guide development of the Program and frame the scope of the supplement EIR.

# PROJECT DESCRIPTION

## Water Neutral New Development

### Ordinance and Policy Document Revisions

The Program consists of revisions to the Inland Land Use Ordinance (LUO), Title 22 of the County Code, the Coastal Zone Land Use Ordinance (CZLUO), Title 23 of the County Code and the Coastal Zone Land Use Element. The Program also proposes revisions to the Agriculture Element, and the Conservation and Open Space Element (COSE). These will include Ag Goal 1d, Ag policies 10 and 11 and several water policies of the COSE.

### Current Requirements

Two areas of the County currently have Water Neutral New Development requirements: the community of Los Osos, and the area overlying Paso Robles Groundwater Basin. In Los Osos, a Retrofit-to-Build requirement in Title 19 requires that builders must retrofit plumbing fixtures in existing homes in order to save twice the amount of water their new development will use. Builders submit verification to the County that the retrofits have been completed.

The Paso Robles Groundwater Basin Urgency Ordinance, passed on August 27th 2013, required new development and new irrigated agriculture overlying the basin to offset new water use at a 1:1 ratio. Applicants comply with this requirement by purchasing offset credits from a County-run program, which retrofits plumbing fixtures in existing homes. Both Los Osos and the Paso Robles Groundwater Basin have standard water offset amounts based on the type of development proposed, current Cal Green standards, and the average household size for the area.

Additionally, the urgency ordinance requires new irrigated agriculture in the Paso Robles Groundwater Basin to offset water use. Currently, the County can approve offset requests when new planting is replacing existing planting on the same site. For example, if a farmer is growing a high water using crop such as alfalfa they can choose to replace the alfalfa with a lower water using crop such as vineyards. The County is working with the Upper Salinas Las Tablas Resource Conservation District to develop an Agricultural Offset Program, which will facilitate the exchanging water offset credits between different parcels and different land owners. The program must consider many factors, including the proximity of the two parcels and the impact of new water use on neighboring wells. The urgency ordinance will expire on August 27, 2015.

### *Proposed requirements*

The proposed amendments would require that new development and new irrigated agriculture offset new water use at a minimum 1:1 ratio.

## *Specific Offset Methods*

Achieving Water Neutral New Development will require multiple programs designed to achieve verifiable and measurable water savings. Some options include:

### Plumbing retrofits

Retrofitting plumbing fixtures in existing buildings results in measurable water savings. Specifically, replacing older, higher water using toilets and showerheads with more efficient fixtures will save specific amounts of water each day. For example, replacing a 3.5 gallon per flush (gpf) toilet with a 1.28gpf toilet will save 2.22 gallons with every flush. Replacing toilets and showerheads is the most reliable way to achieve water savings. Additional measures, such as water pressure adjustments and installing hot water recirculation systems also save water, but savings from these measures are more difficult to quantify.

### Reducing Outdoor Water Use

In some areas of the County, such as in the Paso Robles Groundwater Basin, outdoor water use accounts for the majority of residential water use. Removing turf or other water intensive landscaping can save water. Many cities in California incentivize removal of water intensive landscaping by offering a dollar amount per square foot of lawn removed. New development applicants could potentially achieve the water savings they need by paying into a program that would fund incentives and/or provide assistance for existing development to convert to water efficient landscaping. This type of program would need to assign standard water usage rates for landscaping, or rely on licensed landscape architects to calculate water savings. The program would also place restrictions on the type and amount of landscaping that can be used as a replacement.

### More Efficient Irrigation

Improving irrigation efficiency can save water by preventing water loss to overwatering, leaks, or evaporation. An irrigation efficiency program for offsets could allow new development applicants to pay for efficiency improvements for existing irrigated agriculture. This type of program would need to be carefully developed to ensure that efficiency improvements are applied and verified.

### Transferring Water Credits between Landowners

The County is working with the Upper Salinas – Las Tablas Resource Conservation District to develop an Agricultural Water Offset program in the Paso Robles Groundwater Basin. The program will allow a potential grower on currently vacant land to purchase water credits from a grower willing to reduce or eliminate existing crops or switch to a less water intensive crop on their land. This program will likely

be expanded to apply to other areas in LOS III. All agricultural water credit transactions would be closely evaluated to ensure the water credit is in close enough proximity to the new water use.

## **Water Waste Prevention Ordinance**

### **Overview**

A water waste prevention ordinance would prohibit certain uses of water deemed to meet the definition of water wasting. In urban areas this may include hosing down hardscapes, using a hose without a shut-off nozzle, allowing landscape irrigation systems to water beyond property lines or onto sidewalks, or failure to repair leaks. In Agricultural areas the definition of water waste might include inefficient irrigation practices, leaking pipes, and other activities defined as water wasting. The County is working with members of the agricultural community to determine what can reasonably be considered an inefficient use of water.

### **County Ordinances and Policy Documents**

Titles 22 and 23 and/or Title 5 of the County Code will be revised to include this proposed water waste ordinance. Portions of the County General Plan including the Agriculture Element and the Conservation and Open Space Element will be revised to reflect the policy basis for agriculture, rural and urban area water waste.

### **Proposed Requirements**

The proposed ordinance would prohibit certain activities defined as water wasting. These activities, in urban and rural areas, could include such things as:

- Application of water to outdoor landscapes in a manner that causes runoff such that water flows off the site, into non-irrigated areas, public and private walkways, roadways, parking lots, structures or other hardscaped areas.
- Use of a hose to wash an automobile or other vehicle except where the hose is fitted with an automatic shut off nozzle or device attached to it that causes it to cease dispensing water when not in use.
- Application of water to hard surfaces, including but not limited to, driveways, sidewalks, unpaved walkways and any other hardscaped area.
- Use of potable water in a fountain or other decorative water feature.
- Application of water to outdoor landscape more than 3 times per week.

The proposed ordinance would prohibit certain activities defined as water wasting in agricultural areas. These activities could include such things as:

- Application of water to irrigated crops in a manner that causes spray or runoff such that water flows off the site.

- Application of water to hard surfaces, including but not limited to, driveways, sidewalks, unpaved walkways, areas that are not planted and any other hardscaped area.

Under a Water Waste Prevention Ordinance, property owners violating the terms of the ordinance could be subject to fines. The ordinance would include a provision for a system to report violations and to gain compliance when property owners are found to be in violation. This may include a warning system followed by fines for ongoing offenses.

## POTENTIAL ENVIRONMENTAL EFFECTS

Listed below are the environmental resource areas that will be evaluated in the SEIR:

- **Aesthetics.** Scenic areas, open spaces, rural landscapes, vistas, country roads, and other factors interact to produce a net visual benefit for individuals or communities within the county. This section will assess the degree to which water neutral new development and water waste prevention ordinances and the related programs may result in changes to viewsheds.
- **Agricultural Resources.** Agriculture is an important part of San Luis Obispo County's economy, and the preservation of agricultural land is a major priority for the County. A recent study found that agriculture contributes \$1.87 billion annually to the county's economy (Agricultural Impact Associates 2013). The county's diverse agriculture production includes over 100 different crops, with fruits and vegetables the largest sector. Requiring new irrigated agriculture to offset water usage could positively and/or negatively affect the County's efforts to support agricultural preservation and a prosperous agricultural economy. The prohibition of certain activities determined to be water wasting could change cropping patterns, irrigation practices and agricultural management.
- **Air Quality and Greenhouse Gas Emissions.** This section will assess potential effects from construction and operational emissions, including fugitive particulate matter from potentially limiting the application of groundwater as a form of dust control, reduced irrigation, and/or fallowing of agricultural lands. This section will also identify potential sources of greenhouse gas emissions as well as the greenhouse gas reduction benefits of these projects under the Program.
- **Biological Resources.** The unincorporated county area supports a wide range of important and sensitive species and habitat types. Over 50 species listed under the federal or state Endangered Species Acts are known to occur or have the potential to occur in the county. Examples include the Morro shoulderband snail, vernal pool fairy shrimp, San Joaquin kit fox, Nelson's antelope squirrel, giant kangaroo rat, blunt-nosed leopard lizard, California tiger salamander, California condor, and several plants. Changes to undeveloped agricultural and residential land or changes to existing agricultural lands, and the incidental increase in non-native weeds or

invasive plants located in areas supporting sensitive biological resources could result in impacts to biological resources.

- **Cultural Resources.** Cultural resources can reflect the history, diversity, and culture of the region and people who created them. They are unique in that they are often the only remaining evidence of the activity that occurred historically.
- **Geology and Soils.** This section will focus on the potential for the County-wide water program to result in soils- and geologic-related impacts and possible loss of access to mineral resources. Issues could include liquefaction potential, landslide risk potential, erosion, soil suitability, and earthquake damage potential.
- **Hazards and Hazardous Materials.** This section will address the Program's potential to result in the use or transport of hazardous materials or result in other hazardous conditions such as exposure to risk of wildfire or increased exposure to Valley Fever. The Program does not contemplate the use of any sites contained on the State's "Cortese" list, or other lists of hazardous waste sites maintained by the California Environmental Protection Agency as enumerated under Section 65962.5 of the Government Code.
- **Land Use.** This section will examine how the Program's resulting changes to County planning documents may indirectly affect land use in the county and potentially result in adverse land use conflicts. The program could change the nature or amount of development in areas with water scarcity.
- **Noise.** This section will assess potential noise effects from implementation of the County Wide Water Program.
- **Population and Housing.** This section will address the potential for the Program to result in substantial changes to population or housing dynamics in the county. Requiring water neutral new development could limit new housing development in certain areas of the County.
- **Public Services and Utilities.** This section will assess effects on demand for public services and utilities from implementation of the Program, including water, sewer, solid waste, roads, and fire and police services.
- **Recreation.** This section will assess effects on demand for parks and recreation opportunities, as well as the potential for the Program to indirectly affect access and enjoyment of trails and other recreation areas.
- **Transportation and Circulation.** This section will address the potential effects of traffic associated with the County-wide Water Program, including whether the Program may indirectly result in impacts to emergency access or air traffic patterns and safety issues.
- **Water and Hydrology.** This section will address issues of water availability, surface water runoff, drainage patterns, groundwater impacts, and flooding risk.

## MITIGATION MEASURES

Mitigation measures will be identified in the SEIR to reduce any potentially significant impacts to less than significant levels where possible.

## PROJECT ALTERNATIVES

As necessary, a reasonable range of project alternatives, including the CEQA-mandated “No Project” Alternative, will be developed and evaluated in the SEIR. The County welcomes input regarding the development of feasible project alternatives that meet the basic objectives of the project, while potentially reducing its environmental impacts.

# Attachment B – County Map, Key Groundwater Basins

