ZONE 3 ADVISORY COMMITTEE
San Luis Obispo County Flood Control and Water Conservation District

AGENDA
Thursday, January 17, 2019 6:30 P.M.
City of Grover Beach Council Chambers
154 S. Eighth Street, Grover Beach, California 93455

I. CALL TO ORDER AND ROLL CALL

II. PUBLIC COMMENT
   This is an opportunity for members of the public to address the Committee on items that are
   not on the Agenda

III. APPROVAL OF MEETING MINUTES
   A. November 15, 2018 Regular Meeting - Attachment
   B. November 29, 2018 Special Meeting - Attachment

IV. OPERATIONS REPORT
   A. Water Plant Operations, Reservoir Storage, Downstream Releases - Verbal Update
   B. Projected Reservoir Levels - Attachment
   C. November & December Monthly Operations Report - Attachment

V. INFORMATION ITEMS
   A. Climate Update - Attachment
   B. Low Reservoir Response Plan – Criteria for Enactment - Staff Report Attachment
   C. Distribute Proposed FY 19/20 Budget - Distributed at Meeting

VI. CAPITAL PROJECTS UPDATE
   A. Lopez Spillway Assessment Update - Verbal Update
   B. Bi-Monthly Update - Attachment

VII. ACTION ITEMS (No Subsequent Board of Supervisors Action Required)

VIII. ACTION ITEMS (Board of Supervisors Action is Subsequently Required)
   A. Cloudseeding - Update on Schedule - Verbal Update
   B. Flood Control District Easement Request – Goodman - Staff Report Attachment

IX. FUTURE AGENDA ITEMS
   A. Contract Changes
   B. Cloud Seeding
   C. Low Reservoir Response Plan (LRRP)

X. COMMITTEE MEMBER COMMENTS

Next Regular Meeting is Tentatively Scheduled for
March 21, 2019 at 6:30 PM at City of Arroyo Grande Council Chambers
Agendas accessible online at SLOCountyWater.org
SAN LUIS OBISPO COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
ZONE 3 ADVISORY COMMITTEE
DRAFT MEETING MINUTES
THURSDAY NOVEMBER 15, 2018

I. Call to Order and Roll Call -- The Zone 3 Advisory Committee Meeting was called to order at 6:30 PM at the Arroyo Grande City Council Chambers by Committee Chair and Member at Large Representative, Jim Garing.

County Public Works Utilities Division Program Manager and Secretary to the Advisory Committee, Andrea Montes, called roll. Members in attendance were:

- Brad Hagemann, Avila Beach Community Services District
- Kristen Barneich, City of Arroyo Grande
- Marcia Guthrie, City of Pismo Beach
- Mariam Shah, City of Grover Beach
- Jim Garing, Member at Large
- Shirley Gibson, Oceano Community Services District

II. Public Comment -- No public comment given. Ms. Montes indicated Agenda Item VI. D. was moved to Item XI. Action Items (Board of Supervisors Action is Subsequently Required)

III. Approval of Meeting Minutes of September 20, 2018 -- Member Barneich motioned approval; Member Shah second. All approved; quorum was met, and motion passed.

IV. Approval of 2019 Meeting Schedule -- Member Barneich motioned approval; Member Hagemann second. All approved and motion passed.

V. Operations Report
   A. Water Plant Operations, Reservoir Storage, Downstream Releases -- Ms. Montes indicated: Lopez Lake elevation was 480.57 feet; storage was 19,965 acre-feet (AF), which is 40% capacity; rainfall to date, since July 1, 2018, was .67 inches; plant production was 5.113 million gallons per day (MGD); downstream release was 4.125 MGD; and State Water was 0 MGD.

   No public comment was given.

   B. Projected Reservoir Levels -- Jill Ogren, Engineer with the Public Works Utilities Division, indicated the Lopez reservoir dipped below the 20,000 acre-foot mark, which is one trigger of entering the Low Reservoir Response Plan (LRRP).

   No public comment was given.

   C. September & October Monthly Operations Report -- Ms. Ogren indicated the total water deliveries, including State Water, for the month of September was 500 acre-feet (AF). The total water deliveries for the month of October was 467 AF.
Stored State Water for September was 1,300 AF and in November was 1,340 AF. Ms. Ogren indicated Stored State Water levels would decrease somewhat due to the two-week State Water Project shutdown to perform maintenance in November.

No public comment was given.

VI. Information Items

A. Climate Update -- Ms. Montes indicated that according to the United States Drought Monitor, the County continues to experience abnormally dry, moderate drought and severe drought conditions as it has since March of 2018. According to National Oceanic and Atmospheric Administration, there was a 60% to 70% chance of above average temperatures when compared to the month of November in prior years. There was no rainfall forecasted for September. No public comment was given.

B. Lopez Spillway Assessment Update -- Ms. Ogren gave an update of the Department of Water Resources (DWRs') Division Safety of Dams' (DSODs') required assessment of the Lopez Spillway, in response to the Oroville Dam failure.

Ms. Ogren stated GEI Consultants completed the desktop assessment of the spillway and a report will be developed and received in December or January. It is anticipated recommendations will be made to proceed with a physical assessment of the spillway, which will be an unknown, unbudgeted cost.

C. 1st Quarter Budget Status -- County Public Works Finance Division and Flood Control Zone 3 Accountant, Kristi Smith, distributed the 1st Quarter Fiscal Year 2018/19 (FY 18/19) budget report for Flood Control Zone 3 for the period of July 1 through September 30, 2018. Ms. Smith indicated expenses through September 30, (the end of the 1st Quarter) totaled 16% of the annual FY budget.

Ms. Smith reviewed graphs and indicated at the end of the FY:

- Routine Operations and Maintenance (O&M) costs totaled 21% of the OM budget, resulting in a balance of approximately $3.1 million available for the remainder of the FY;
- Non-Routine O&M costs totaled 5% of the budget, resulting in a balance of $724,000 available for the remainder of the FY; and
- Capital Outlay costs totaled 0% of the budget, resulting in a balance of $752,000 available for the remainder of the FY.

Ms. Smith indicated FY 2017/18 billing adjustments were mailed along with the second installment of the FY 2018/19 billings due January 1, 2019.

No public comment was given.

D. Low Reservoir Response Plan Update -- Ms. Ogren indicated the Lopez Reservoir level was at 19,000 AF. As discussed earlier, a level of 20,000 AF or lower is one trigger to enter the LRRP. Another trigger is an “Emergency Declaration” by the County Board of Supervisors. According to Ms. Ogren the Zone 3 Technical Advisory Committee (TAC) comprised of technical operations staff from Zone 3 Agencies, recommended discussions of the LRRP and a local “Emergency Declaration” continue in January 2019 when staff has a better idea of what the rainfall amounts will be, with the intent of possibly reentering the LRRP at the beginning of the water year in April 2019.
No public comment was given.

VII. **Capital Projects Update**

A. **Bi-Monthly Update** -- Ms. Ogren presented a brief update of the Capital Projects listed below.

- **Spillway Assessment** -- The desktop [report] assessment of the Lopez Dam Spillway will be developed and received in December 2018 or January 2019. It is anticipated recommendations will be made to proceed with a physical assessment of the spillway, which will be an unknown, unbudgeted cost.

- **Structural Assessment of Terminal Reservoir Dam** -- Preliminary findings suggested additional geotechnical investigation needs to be completed to understand the soil below the terminal reservoir. A quote was received in the amount of $90,000 to perform this work, budgeted for FY 2019/20.

- **Domestic and Fire Flow Tanks Repair at Lopez Water Treatment Plant** -- An assessment was completed on the condition of the tanks. The Domestic Tank is in fair condition. The Fire Flow Tank is in poor condition. Staff is working with a fire flow engineer to determine the quantity of water (fire flow) needed. Once determined, staff will discuss next steps.

- **Lopez Water Treatment Plant Leach Field Repair/Replacement** -- A site for a new leach field is being explored.

- **Existing Bypass Pipeline Condition Assessment** -- Staff is investigating possibility of using an existing backup pipeline to deliver State Water directly to the Lopez Water Treatment Plant.

No public comment was given.

VIII. **Action Items (No Subsequent Board of Supervisors Action Required)**

No Action Items discussed.

IX. **Action Items (Board of Supervisors Action is Subsequently Required)**

**Cloud Seeding Update** -- County Public Works Water Resources Division Engineer, Ray Dienzo, presented an overview of the proposed Cloud Seeding Program. According to Mr. Dienzo, cloud seeding is a result of a “seeding agent” made of silver iodide combined with the formation of water droplets, which then causes rainfall. The “seeding agent” can be distributed from a ground-based seeding agent flare, or flares attached to an aircraft wing.

Mr. Dienzo indicated a feasibility study was conducted in 2016 and was completed in March 2017. The study was presented to the TAC. Figures included in the study suggested a 9% to 17% increase in rainfall as a result of cloud seeding. TAC members agreed with these numbers as they matched with the 15% increase in rainfall resulting from a trial Cloud Seeding Program initiated in the South County during the 1990s. Mr. Dienzo indicated, through the proposed Cloud Seeding Program, creeks and tributaries would receive an increase in water and groundwater levels would increase.

The TAC recommended moving forward with identifying any environmental impacts under the California Environmental Quality Act (CEQA), the first stage in approval of a Cloud Seeding Program. Because of minimal impacts to the environment, a Mitigated Negative Declaration (MND) was completed and was scheduled to go before
the County Board of Supervisors (BOS) in June 2017. Due to the BOS’ questions and concerns regarding cloud seeding, the item was pulled from the BOS’ agenda. Mr. Dienzo reiterated the need for demonstrated support from Zone 3 Agencies in order to move the item forward to the BOS.

Mr. Dienzo reviewed the methods used in cloud seeding including: 1) ground only sites; 2) aircraft only; and 3) a combination of ground sites and aircraft. He also reviewed the various costs and rainfall production associated with the methods of cloud seeding. According to Mr. Dienzo, when this information was presented to the TAC, the TAC unanimously endorsed the aircraft only option for a (5) five-month period during the winter. He recommended the Advisory Committee approve this option which would eliminate the immediate need to install ground sites and could present potential cost sharing between the San Luis Obispo County Flood Control Zone and Santa Barbara County whose Cloud Seeding Program has been in place since 1981.

Discussion occurred regarding potential environmental impacts, water and soil testing, cloud seeding data and whether the Cloud Seeding Program could begin this winter. Although some members expressed interest in moving forward with the Program, others expressed interest in obtaining more information from the MND and Santa Barbara County before approving a recommendation. The Committee chose to schedule a “Special Meeting” to continue the discussion. Member Barneich motioned to schedule a “Special Meeting” within (2) two to (3) three weeks to discuss only the Cloud Seeding Program; all members approved. County Staff and Advisory Committee Members discussed holding the “Special Meeting” on November 29, 2018. Ms. Montes indicated she will reserve a venue and will inform Members of date and location.

X. Future Agenda Items
   A. Contract Changes
   B. Cloud Seeding
   C. Revisions to the Low Reservoir Response Plan (LRRP)

XI. Committee Member Comments -- No comments made.

Meeting Adjourned at 7:41 PM

Respectfully Submitted,

Andrea M Montes
County of San Luis Obispo Public Works Department
I. Call to Order and Roll Call -- The Zone 3 Advisory Committee “Special Meeting” was called to order at 6:30 PM at the Arroyo Grande Council Chambers by Committee Chair and Member at Large Representative, Jim Garing, who stated the purpose of the “Special Meeting” was to discuss a potential Cloud Seeding Program.

County Public Works Utilities Division Program Manager and Secretary to the Advisory Committee, Andrea Montes, called roll. Members in attendance were:

- Kristen Barneich, City of Arroyo Grande
- Marcia Guthrie, City of Pismo Beach
- Jim Garing, Member at Large
- Shirley Gibson, Oceano Community Services District
- Brad Hagemann, Avila Beach Community Services District
- Jeff Lee, City of Grover Beach
- Brian Talley, Agriculture Representative

II. Public Comment -- No public comment given.

III. Action Items (Board of Supervisors Action is Subsequently Required)

A. Motion to pursue a Cloud Seeding Program for the Winter of 2018/19 contingent on Board of Supervisors’ approval and certification of a Mitigated Negative Declaration of the Cloud Seeding Program -- County Public Works Water Resources Division Engineer, Ray Dienzo, presented a proposed Cloud Seeding Program—a continuing item from the November 15, 2018 Flood Control Zone 3 Advisory Committee Meeting. Mr. Dienzo indicated the purpose of the “Special Meeting” was to further discuss details and concerns raised from the November 15 meeting.

Matthew Scrudato, Program Manager with the County of Santa Barbara Cloud Seeding Program was present to answer any questions the Committee had related to Santa Barbara’s Cloud Seeding Program that has been in place since 1981.

Mr. Dienzo indicated that although the Mitigated Negative Declaration (MND) for the proposed Cloud Seeding Program included both the Salinas Watershed and the Lopez Watershed, the focus of the proposed Cloud Seeding Program is to target the Lopez Lake Watershed.

According to Mr. Dienzo, cloud seeding is a result of a “seeding agent” made of silver iodide combined with the formation of water droplets from clouds at about 10,000 feet causing rainfall. The “seeding agent” can be distributed from a ground-based seeding agent flare, or flares attached to an aircraft wing.

Mr. Dienzo indicated a trial Cloud Seeding Program was initiated in the 1990s for about (3) three years in the South County which resulted in about a 15% increase in rainfall.
The County of San Luis Obispo’s 2012 Master Water Plan includes cloud seeding as a potential supply option to be pursued by the County. Because the trial Cloud Seeding Program produced an increase in rainfall, in 2016 the Zone 3 Advisory Committee directed County Staff to pursue a Cloud Seeding Feasibility Study that was completed in March 2017. The study was presented to the Zone 3 Technical Advisory Committee (TAC), who recommended to move forward with the MND and bring the topic before the County Board of Supervisors (BOS), scheduled to be presented in June 2017. Due to BOS’ questions and concerns about cloud seeding, the item was pulled from the BOS’ agenda. Mr. Dienzo reiterated the need for demonstrated support from Zone 3 Agencies in order to move the item forward to the BOS.

Mr. Dienzo presented the Committee with various costs associated with the proposed Cloud Seeding Program in relation to the number of acre-feet (AF) of water that is projected to flow into the Lopez Reservoir as a result of the Program. Costs ranged from $37 per acre-foot for a 9% increase in rainfall, which equates to 2,946 AF; to $20 per acre-foot for a 17% increase in rainfall, equating to 5,500 AF. These figures were included in the feasibility study.

Mr. Dienzo indicated, through the proposed Cloud Seeding Program, creeks and tributaries would receive an increase in water, and groundwater levels would increase. Start up costs would begin at $155,000 for (4) ground-based seeding agent flares. However, Mr. Dienzo recommended cloud seeding via aircraft with costs at $268,000 for a (5) five-month aircraft only program to eliminate the need to install ground-based units and save time.

Mr. Dienzo indicated the recommended action by the Committee was to: 1) support approval by the County Board of Supervisors (BOS) of the Mitigated Negative Declaration (MND); and 2) pending BOS approval of the MND, pursue an aircraft Cloud Seeding Program. Mr. Dienzo indicated if the Committee approved the recommended action, the proposed Cloud Seeding Program would be taken to the BOS on January 15, 2019 as a Public Hearing.

Discussion focused on the program logistics, such as who would decide when the Cloud Seeding Program’s annual season ends and how the Program’s success would be measured. Mr. Dienzo stated the “suspension criteria” would be developed when the Program officially begins and would include who/how to bring the Program to a seasonal end. Mr. Scrudato indicated the Santa Barbara County Cloud Seeding Program was measured by analyzing data gathered over (20) twenty years. It was discussed that based on the feasibility study, cloud seeding would bring an estimated 9% to 17% increase in rainfall annually.

Member Gibson indicated she would support the aircraft only program. Member Barneich indicated after reading the materials provided by County Staff, she also supports the aircraft only program. Mr. Dienzo suggested, if the Committee found the Cloud Seeding Program favorable, eventually moving forward with ground-based units, due to the lower cost vs. aircraft. There is a possibility that the County of Santa Barbara and the San Luis Obispo County Flood Control and Water Conservation District could share the costs associated with Cloud Seeding.

Member Talley inquired who the “System Administrator” of the Program would be. Mr. Dienzo indicated the Flood Control District would contract with a Meteorologist to
recognize weather patterns and County Staff would administer the Program and would have final say based on recommendations by the Meteorologist.

Further discussion occurred regarding the effects of silver iodide. Mr. Scrudato indicated silver iodide is not water soluble and does not break down in soil. The Committee discussed sampling soil at the beginning of the program and over time.

There was no public comment.

Member Lee motioned to pursue cloud seeding for winter 18/19, considering aircraft only for a (5) five-month period contingent upon Board approval and contingent on the Mitigated Negative Declaration. Member Hagemann second. Roll call vote took place; all approved and the motion passed. Staff was directed to pursue baseline testing cost and scope through discussions with the TAC prior to bringing the item back to discuss with the Advisory Committee.

IV. Committee Member Comments -- Member Hagemann closed with thanking Staff and Mr. Scrudato for the cloud seeding information.

Meeting Adjourned at 7:21 PM

Respectfully Submitted,

Andrea M Montes
County of San Luis Obispo Public Works Department
Note:
1. Storage projection is based on predicted rainfall from longrangeweather.com, historic inflow based on predicted rainfall, 18-19 downstream release requests, and municipal usage.
2. Municipal Usage is based on 2010-2017 average monthly deliveries.
San Luis Obispo County Flood Control and Water District
Zone 3 - Lopez Project - Monthly Operations Report
November, 2018

Lopez Water Deliveries

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<tr>
<th>Contractor</th>
<th>This Month</th>
<th>April to Present</th>
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<td>Oceano CSD</td>
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<td>Grover Beach</td>
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<td>CSA 12</td>
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<tr>
<td>San Miguelito</td>
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State Water Deliveries

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<th>January to Present</th>
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<th>This Month</th>
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<tr>
<td>Lopez Dam Operations</td>
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<tr>
<td>Lake Elevation (full at 522.37 feet)</td>
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<td>Storage (full at 49200 acre feet)</td>
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<td>% Full</td>
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<td>Rainfall</td>
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<td>3.73</td>
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<td>Downstream Release (4200 acre feet/year)</td>
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<td>Spillage (acre feet)</td>
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Note: Deliveries are in acre feet. One acre foot = 325,850 gallons or 43,560 cubic feet. Safe yield is 8,730 acre feet.

"Year to Date" is January to present for State water, April to present for Lopez deliveries, and July to present for rainfall.

Comments:
1) Oceano supplied State Water to Canyon Crest via Arroyo Grande's Edna turn out. A total of 1,980 AF delivered to Canyon Crest was added to Oceano's State Water usage this month and 1,980 AF was subtracted from Arroyo Grande's usage this month.
San Luis Obispo County Flood Control and Water District
Zone 3 - Lopez Project - Monthly Operations Report
December, 2018

### Lopez Water Deliveries

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<tr>
<th>Contractor</th>
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<th>% of Annual Request</th>
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<td>Arroyo Grande</td>
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<td>Grover Beach</td>
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<td>0.00</td>
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<tr>
<td>CSA 12</td>
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<tr>
<td>San Miguelito</td>
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<td>100.00</td>
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<td><strong>Total</strong></td>
<td><strong>4530</strong></td>
<td><strong>5646.00</strong></td>
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### State Water Deliveries

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### Note
- Deliveries are in acre feet. One acre foot = 325,850 gallons or 43,560 cubic feet. Safe yield is 8,730 acre feet.

### Lopez Dam Operations

- **Lake Elevation (full at 522.37 feet):** 479.5
- **Storage (full at 49200 acre feet):** 19457
- **Rainfall:** 1.29
- **Downstream Release (4200 acre feet/year):** 320.08
- **Spillage (acre feet):** 0

### April to Present Lopez Entitlement+Surplus Water Usage

- **Acre Feet:**
  - January 18 - 2018: 50
  - February 18 - 2018: 0
  - March 18 - 2018: 0
  - April 18 - 2018: 0
  - May 18 - 2018: 26.38
  - June 18 - 2018: 0
  - July 18 - 2018: 0
  - August 18 - 2018: 0
  - September 18 - 2018: 0
  - October 18 - 2018: 0
  - November 18 - 2018: 0
  - December 18 - 2018: 0

### January to Present State Water Usage

- **Acre Feet:**
  - January 18 - 2018: 0
  - February 18 - 2018: 0
  - March 18 - 2018: 0
  - April 18 - 2018: 0
  - May 18 - 2018: 0
  - June 18 - 2018: 0
  - July 18 - 2018: 0
  - August 18 - 2018: 0
  - September 18 - 2018: 0
  - October 18 - 2018: 0
  - November 18 - 2018: 0
  - December 18 - 2018: 0

### Year to Date

- **State Water Deliveries:** 3843.44
- **Lopez Water Deliveries:** 327.76
- **Total Water Deliveries:** 4171.20

**Comments:**
1. Oceano supplied State Water to Canyon Crest via Arroyo Grande's Edna turnout. A total of 1.46 AF delivered to Canyon Crest was added to Oceano's State Water usage this month and 1.46 AF was subtracted from Arroyo Grande's usage this month.

**Data entered by:** D. Bravo

**Report printed by:** Admin

**Page 1 of 1**
NOAA TEMPERATURE FORECAST

November

January

November Meeting

January Meeting
NOAA PRECIPITATION FORECAST

November

January

November Meeting

January Meeting
January 17, 2019

TO: Flood Control Zone 3 Advisory Committee

FROM: Technical Advisory Committee

SUBJECT: Enactment of Low Reservoir Response Plan - 2019

Discussion
The goal of the Low Reservoir Response Plan (LRRP) is to reduce downstream releases and municipal diversions from Lopez Reservoir, when the lake falls below 20,000-acre feet of storage, to preserve water within the reservoir under drought conditions. The LRRP can be enacted when two conditions are met: 1) Reservoir is at or below 20,000 AF and 2) The Board of Supervisors declares a local drought emergency.

Due to the lake not fully recovering from the previous 4-year drought and lake capacity hovering around 20,000 AF the Technical Advisory Committee (TAC) has been developing criteria that could be used to determine when we might want to enter the LRRP in 2019. Since the potential increase to storage due to rainfall for this rain season is unknown TAC is recommending the following criteria:

If storage level of the reservoir is below 20,000 AF on June 1, 2019, request the Board of Supervisors declare a local drought emergency for Zone 3 retroactive to April 1, 2019.

If the Board of Supervisors grants the declaration of a local drought emergency the LRRP would go into effect retroactive to April 2019 the beginning of the Lopez water year. As stated in the LRRP, at the 20,000 AF level only downstream releases are reduced by 10%. At the 15,000 AF level municipal deliveries are then reduced by 10%.

It is anticipated that should the above criteria be met staff would bring a Board item for approval in early July.

Recommendation
Endorse the above plan developed by the TAC which sets criteria for entering the LRRP in 2019.
TO: Zone 3 Technical Advisory Committee
FROM: David Spiegel, PE
DATE: January 9, 2019
SUBJECT: Zone 3 Projects Update

Project Updates:

- **Equipment Audit & Replacement – Ongoing (No Change)**
  - Work proposed to continue in 2018/19

- **Spillway Assessment**
  - GEI’s Draft Report is under review

- **Lopez Dam and Terminal Dam Hazard Classification**
  - DSOD had minor edits to the maps, tentatively approved
  - Emergency Action Plans are in preparation for submittal in March

- **Structural Assessment of Terminal Reservoir Dam – (No Change)**
  - Received one quote for geological investigation
  - Budgeted for 19/20

- **Fault Zone Assessment – Dam Left Abutment**
  - TAC requested a risk assessment

- **Equipment Storage – (No Change)**
  - On hold pending Terminal Reservoir Dam geotechnical investigation

- **Lopez WTP Safety Upgrades – (No Change)**
  - Implementation of safety railings and catwalks in DAF building in progress

- **Domestic and Fire Tank**
  - Collings and Associates has visited the site and is preparing a report on required fire flow requirements

- **Rebuild Membrane Feed Pumps (1 per year) (No Change)**
  - Second pump is being scheduled for removal and rebuilding in the Fall after high demands subside

- **Lopez Leach Field Replacement**
  - Geosolutions has prepared a summary report of their geologic investigation and septic system design. Report is under review
• **Existing Bypass Pipeline Condition Assessment**
  - An inspection has been completed, please see condition report by staff.

**Upcoming Projects** (Requested FY 2018/19):

- Cathodic Protection Survey
- Ammonia Analyzer (2nd)
- Water Treatment Alternatives Study – Taste and Odor
- Improved Boat Access

**Completed Projects**

- Sludge Bed Cleanout Repair – 4 total
- Turnout SCADA Project
- Ammonia Analyzer
- Sludge Repair on 4A
- Pressure Transducers
- Turnout Flow Meters
- Static Mixer
TO: Zone 3 Advisory Committee  
FROM: Jill Ogren, Senior Utilities Engineer  
DATE: January 17, 2019  
SUBJECT: Goodman Easement Request

Summary:
Staff is requesting input from the Advisory Committee related to a request from Scot Goodman (applicant) to be granted an easement through Zone 3 property to access a landlocked parcel he recently purchased from Carlos Castaneda. Castaneda had also requested an easement for the same parcel back in June of 2016, that request was presented to your Advisory Committee in September 2016 and the committee took no formal action on the item. Subsequently Castaneda decided not to pursue the access. The current applicant is proposing a different alignment for the access route, which would require an easement from Zone 3 and no other parcels. See attached maps and road alignment plans.

Requested Action:

*Please provide feedback and comments for consideration by the Applicant, related to the concept easement. The applicant is seeking the Advisory Committee’s recommendation to seek Board of Supervisor’s approval for a Consent of Land Owner Agreement. If this is approved, it would allow the applicant to move forward with the Land Use process but does not give approval for the easement which would be conditional on meeting all conditions of the planning process and further review by Zone 3.*

The easement request was presented to the Zone 3 Technical Advisory Committee on December 12, 2018. TAC is advising that the applicant be given pre-authorization for an easement which is the same as a “Consent of Land Owner Agreement” so they can proceed with the land use process but subject to further review by Zone 3 Advisory Committee and TAC of the CEQA document and conditions for development to evaluate consistency with the sanitary survey and Lopez operations. See attached flow chart.

Background:

Mr. Goodman approached the County in early 2018 for an easement. During a pre-application meeting in July with Public Works and the Planning and Building Department, he was informed that any consideration for granting of an easement within Zone 3 would require

- formal request/application,
- reimbursement agreement and deposit
- support of Zone 3 and Board of Supervisors acceptance (Consent of Land Owner),
- possible discretionary/CEQA review (and approval),
- agreement for payment to the County for the value (TBD) of the easement,
- resolution by the Board, and
- payment of processing fees

The reimbursement agreement was executed in November 2018 along with payment of a $2000 deposit. At this time they are seeking the support of Zone 3.

Since the meeting, Mr. Goodman has hired a licensed Engineer to develop plans for a 1.6-mile access road of which ~ 0.8 miles is on Zone 3 Flood Control District Property. They have provided a map, and proposed alignment, and the information from their pre-application meeting.

**Proposed Easement:**
See attached alignment plans

**Proposed Easement Use:**
The applicant has stated that the purpose of the easement is for access and the intended use of the property is for a detached single-family residence. The proposed easement exhibit indicates a 16% max slope access; consistent with CalFire standards for residential driveways.

**Property Information:**
The undeveloped property totals approximately 335 acres and is made up of two APN’s. It is zoned RL (Rural Lands). The property is within the Lopez Lake Sensitive Resource Area (SRA); lying entirely within the Lopez watershed, with portions being within the Lopez view shed. The property is almost entirely covered in brush or woodland. County GIS indicates that the average slope of the property exceeds 30% slope. There is no evidence of any historic uses of the site, such as farming, grazing or agriculture.

**Historic Access:**
The parcel in question is ‘land locked’; it has no legal access. Research by County staff has determined that prior and current owners were and are fully aware of the parcel’s ‘land locked’ nature. The property is bound along its most northerly line by Zone 3 property, and along all other sides by private property.

There is no evidence that the parcel has ever had a legal established right of access through Zone 3, or former ownership. Additionally, staff is unaware of access rights or agreements in favor of the property through adjoining private properties.
Next Steps:

Easement Agreement

If the Advisory Committee recommends taking a Land Owner Agreement to the Board of Supervisors

The Board of Supervisors, on behalf of Zone 3, would take action to approve (or deny) an agreement between Zone 3 and Mr. Goodman. If approved, Zone 3 would conditionally agree to grant the easement. Such action would allow the applicant to proceed with the discretionary review process through Planning and Building. Staff would seek Advisory Committee input throughout the agreement and discretionary review processes.

Discretionary Review

As part of the final agreement, granting and recordation of the easement would be conditional; requiring at a minimum, compensation for the easement and the receipt of discretionary approvals from all interested agencies. Approving agencies may include County Planning & Building, Cal Fish & Wildlife, Army Corp, etc. The full extent of the easement and its’ ultimate use is unknown, making it difficult to determine the level of discretionary review required.
Vicinity Map
<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Scot Goodman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Info:</td>
<td>(805) 929-6186</td>
</tr>
<tr>
<td>Agent:</td>
<td>Bill Rebik</td>
</tr>
<tr>
<td>Contact Info:</td>
<td>(805) 489-1321</td>
</tr>
<tr>
<td>Staff:</td>
<td>Cindy Chambers, Brandi Cummings, Holly Phipps</td>
</tr>
</tbody>
</table>

**PRE2018-00101**  
Pre-Application  
048-061-010  
GOODMAN SCOT J & DEBRA GOODMAN  
Design and build a driveway to access proposed building site

<table>
<thead>
<tr>
<th>Date / Time:</th>
<th>7/31/18 10:00 am</th>
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<tbody>
<tr>
<td>APN(s):</td>
<td>048-061-010 &amp; 048-111-001</td>
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- Env Hlth: Kealoha Ghiglia |
- Other: |

<table>
<thead>
<tr>
<th>In-House Meeting</th>
<th>Yes</th>
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</thead>
<tbody>
<tr>
<td>On-Site Meeting</td>
<td></td>
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</table>

**Applicant's Project Description / Type / Location:** Design and build a driveway to access proposed building site/MUP/Lopez Drive

**Fee Amount:** $1,007.00  
**Date Fee Paid:** |

**Attendees:**

**Notes / Other Information Required:**

---

*PLEASE RE-SCHEDULE & GET CALFIRE TO CONFIRM AMTG IN AUGUST*

*Signed by Cindy*
Planning_Building_Pre_ApplicationMeetingRequestID: 236

Form inserted: 7/16/2018 9:31:11 AM

Form updated: 7/16/2018 9:31:11 AM

Applicant Name: Scot Goodman

Applicant Phone: (805) 929-6186

Applicant Email: scot_goodman@sbcglobal.net

Applicant Address*: 320 Janice Way, Nipomo CA 93444

Agent Name: Bill Rebik

Agent Phone: (805) 489-1321

Agent Email: brebik@garingtaylor.com

APN: 048-061-010, 048-111-001

Land Use Category: Agricultural

Project Area: 203 acres

Project Address: off Lopez Drive

Cross Streets: Lopez Drive

Project Description: design and build a driveway to access proposed building site

Concerns: Road design

Existing Agriculture: No

Explain: N/A

Previous Meeting*: Yes

Explain: Fire did not attend the previous pre-app, need them there this time. Have proposed preliminary road design and would like to discuss along with entire project details.
Is this a request for an On-Site meeting?: No

Cannabis activities?: No

Requested Staff: fire, environmental, public works, county health

Other Agencies: Cal Fire | Environmental Health | Public Works

Agent Phone:
OVERVIEW

PARCEL STATUS  Active

TAX CODE  000

PRIMARY OWNER  GOODMAN SCOT J & DEBRA
                320 JANICE WAY NIPOMO, CA 93444

SECONDARY OWNERS  GOODMAN DEBRA
                   GOODMAN SCOT J

PARCEL ADDRESS(ES)  

LEGAL DESCRIPTION  T31S R14E PTN SEC 33 & 34

PLANNING AREA(S)  South County Planning Area

LAND USE  Rural Lands

COMBINING DESIGNATIONS  Sensitive Resource Area

PLANNING AREA STANDARDS  22.14.100, 22.98.030

PARCEL FLAGS  RL - Rural Lands, SRA - Sensitive Resource Area

NOTES  THIS APN AND 048-111-001 ARE TOGETHER ONE LEGAL PARCEL PER DEED 545 OR 14-15.
       JSM 1/30/14

PARCEL DOCUMENTS

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<tr>
<th>Recorded Date</th>
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<th>Document Number</th>
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<tr>
<td>11/25/2003</td>
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RECORDED LOTS

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<td>L3 - 3 Parcels/Lots Consolidated into one Site</td>
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<tr>
<td>R-T31S-R14E-34P-Y</td>
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## PARCEL HISTORY

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<td>PRE2018-00101</td>
<td>Pre-Application</td>
<td>Submitted</td>
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<td>GOODMAN</td>
<td>Design and build a driveway to access proposed building site</td>
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<tr>
<td>03/02/2018</td>
<td>PRE2018-00023</td>
<td>Pre-Application</td>
<td>Submitted</td>
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<tr>
<td></td>
<td>Discussion of process and permitting requirements for obtaining access from Lopez Lake Drive across County-owned property, to access a land-locked 330-acre parcel with 2 APNs (048-061-010 and 048-111-001)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
OVERVIEW

PARCEL STATUS: Active

TAX CODE: 000

PRIMARY OWNER: CASTANEDA CARLOS
PO BOX 357 GROVER BEACH, CA 93483-0357

SECONDARY OWNERS: GOODMAN DEBRA
GOODMAN SCOT J

PARCEL ADDRESS(ES): 

PARCEL FLAGS: AG - Agriculture, RL - Rural Lands, SRA - Sensitive Resource Area

NOTES: THIS APN AND 048-061-010 ARE TOGETHER ONE LEGAL PARCEL PER DEED 545 OR 14-15.
JSM 1/30/14

PARCEL DOCUMENTS

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<td>2001-R-058433</td>
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<td>Lot (T)</td>
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<td>11/25/2003</td>
<td>Lot (O)</td>
<td>2003-R-135723</td>
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RECORDED LOTS

Lot Number: R-T32S-R14E-3P-Y
Lot Flags: L3 - 3 Parcels/Lots Consolidated into one Site
Applicant: Scot Goodman  
Contact Info: 805-704-6218  
Agent: Lee A. Michaelis  
Contact Info: 425-830-1046  
Staff: Terry Wahler  

Date / Time: 03/06/18 2:00 pm  
APN(s): 048-061-010  

Items:  
- PW: Joshua Roberts  
- In-House Meeting

Applicant’s Project Description / Type / Location: Construction of a SFR on zoned Rural lands with access to the property ofer County owned property/MUP  

Notes / Other Information Required:  
- HILLS / LOW LTA - GEOTEC SOILS RPT. IN ACCORD WITH CA. GEOLOGIC SURVEY SP-117A  
- Hi - Fire 10-15 mm/yr > 15min  
- BLUEVINE STREAMS - ARCH RPT REQUIRED  
- BIG RIPS, OAKS, COASTAL SCREB  
- GRADING > 30% SLOPES REQUIRES VARIANCE  
- OAK IMPACTS, MITIGATION @ 2:1 & 4:1  
- VISUAL IMPACTS -  
- CD - SENSITIVE RESOURCE AREA (SRA-1 LOPEZ LAKE)  
- ROAD WOULD CROSS A STREAM  
- ARCH RPT 1 - CREEK BUFFER  

PRE2018-00023  
Pre-Application  
048-061-010 / SCOT GOODMAN  

Attendees:
2. Concerns -

Ownership Agreement

Variance for 30% + -

BOS Zone 3 Advisory Committee -

Board authorizes PW to sign Consent of LO.

Approval to apply thru MUP -

Approve proceeds W/ Land Use Permit/Variance -

No Legal Agreement until LO permits are A/P -

Heavily at RSC Zone 3 - Concern re impact on watershed -

Recommend getting good LO/用地控制

16% Cal Fire Access - Likely 16'

1. Enter agreements w/ Public Works - Flood Control

2. Action - BOS Acts - Authorizes PW to provide drainage

3. Refine Project Description - Easement constraints, use of the land - Development Proposal
COUNTY OF SAN LUIS OBISPO -DEPARTMENT OF PLANNING AND BUILDING
PRE-APPLICATION NOTES (ENVIRONMENTAL)

Project: Minor Use Permit
Date of Meeting: 7/31/18
Attending Staff: Cindy Chambers (cchambers@co.slo.ca.us),
Brandi Cummings (bcummings@co.slo.ca.us), Holly Phipps (hphipps@co.slo.ca.us)
Applicant Name: Scot Goodman
APN: 048-061-010 & 048-111-001
Agent Name: Bill Rebik
Location: Lopez Drive

Project Description: Request to design and build a driveway.
Request by Scot Goodman for a Minor Use Permit to allow for the design and build of a driveway to access the proposed building site. The proposed project site is located in the agricultural and rural lands land use category within the Huasna-Lopez sub area of the South County planning area.

AESTHETIC/CULTURAL RESOURCES

| Within designated SRA or Hwy Corridors? Yes SRA | Other? |
| Any known historic/prehistoric resources? Within 1/4 mile: 4 reports with "no findings" & 3 reports with "findings" | Paleo concerns? Unknown |
| Within 300-foot stream buffer? Yes | Other? |

AGRICULTURAL RESOURCES

| Within Ag Preserve? Yes | Husana AG Preserve Area |
| Within Williamson contract? No | Other? |
| Soils- State Farm class? Not Prime Farmland | Other? |
| Historic Crops? No | Other? |

List soils here (Descriptions: Inland, Coastal, Carrizo)
Lopez very shaly clay loam (30 - 75% slope). This steeply to very steeply sloping, shallow gravelly fine loamy soil is considered very poorly drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

AIR QUALITY
Serpentine/ultramafic formation/soils? No
Win 300 feet of APCD permitted facility? No

BIOLOGICAL RESOURCES

| CNNDDB species: See list below | Kit Fox Area? No |
| Potential Habitats: Co. Hardwood coverage? <10% Low | Pismo clarkia? No |
| 10 to 33% USGS GAP - Coastal Oak Woodland | Co. Veg map: Trees Coast Live Oak Shrub- NA |
| Red-Legged Frog? Yes | Vernal Pool: Region? No Habitat? No |
| | Fairy shrimp hab.? No |
Steelhead? Yes
Prev. Bio Reports w/in 1 mi: Yes
Within a one mile radius, 9 bio reports completed- 8 of these ID'd sensitive species

Vegetation:
Santa Margarita manzanita (Arctostaphylos pilosula) List 1B
PM Note: As a List 1B “rare” non-listed plant, your analysis will need to discuss the potential presence absence of the species and/or the habitat it is found. If a botanical report has been prepared, the biologist should have completed this analysis and you should summarize their analysis and/or recommendations in the IS.

The potential for the Santa Margarita manzanita (Arctostaphylos pilosula) has been identified about 0.48 miles to the South, and 0.96 miles to the Northeast. This evergreen shrub is found on shale soils in closed-cone coniferous forest, chaparral, and eismontane woodland areas between the 170 and 1,100-meter elevations (555 to 3,600 feet). The typical blooming period is December-March. Santa Margarita manzanita is considered rare by CNPS (List 1B, RED 3-2-3).

Wildlife:
Arroyo chub (Gila orcutti)
Select one of the first two sentences: The potential for the arroyo chub (Gila orcutti) has been identified about 0.24 miles to the Northwest. The arroyo chub (Gila orcutti) is considered a species of special concern. This species requires cool to warm water (50 – 73 degrees) and streams that fluctuate between large winter flows and low summer flows. They are most commonly found in slow flowing or backwater areas with sand or mud substrate. The Arroyo Chub feed on algae, water fern, insects and mollusks. Spawning takes place from February to August (peak in June and July) in pools and edge habitats. Arroyo Chub has been extirpated from much of their native range but introduced to streams along the coast and north into San Luis Obispo County.

California red-legged frog (Rana draytonii) FT
The potential for the California red-legged frog (Rana draytonii) has been identified about 0.75 miles to the West. The California red-legged frog is considered federally threatened. This species typically inhabits shorelines with extensive vegetation. The frog requires 11 to 20 weeks of permanent water for larval development.

Coast Range newt (Taricha torosa)
The potential for the Coast Range newt (taricha torosa) has been identified about 0.24 miles to the Northwest, and 0.67 miles to the West. The Coast Range newt has a light to dark brown dorsum with a yellowish orange belly. Skin is dry with small bumps and warts; large eyes with lower yellow eyelids. Adults are between 12.5-20 cm in total length. The newt ranges between Mendocino Co. south through the Coast range to the western slope of the Peninsular ranges in San Diego Co. Adults are found in mesic forests in mountainous areas of Northern California. In Southern California they are found in drier habitats, such as woodlands or grasslands. In the Sierras they are found in conifer habitats. Breeding season occurs between late December and early May, lasting 6-12 weeks and occurring primarily in ponds and lakes.

South/central California coast steelhead trout (Oncorhynchus mykiss irideus) FT, CSC
Steelhead Distribution Map
The potential for the south central California coast steelhead trout (Oncorhynchus mykiss irideus) has been identified about 0.24 miles to the Northwest, and 0.65 miles to the Southwest. The south central California coast steelhead trout is considered federally threatened and a California species of Special Concern. This species require cool, deep pools for holding through the summer, prior to spawning in the winter. Generally they are found in shallow areas, with cobble or boulder bottoms at the tails of pools. This species is threatened by water quality degradation (e.g., siltation, urban and agricultural pollutants), loss of riparian vegetation, and low instream flows resulting from water diversion, ground water pumping and periodic drought.

Known Sensitive Species: Rare & Endangered Species List
For projects in Los Osos: Los Osos Rare & Endangered Species List

DRAINAGE, EROSION AND SEDIMENTATION
Erodability: Low
Drainage: poorly drained

GEOLOGICAL HAZARDS/SITE ALTERATION/MINERALS

<table>
<thead>
<tr>
<th>Liquefaction Potential</th>
<th>considered low</th>
<th>Landslide Risk</th>
<th>considered high</th>
<th>Other:</th>
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</thead>
<tbody>
<tr>
<td>Active faults nearby (within 1/4 mile)?</td>
<td>No</td>
<td>Within GSA?</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

GROWTH INDUCING/CUMULATIVE EFFECTS

HOUSING AND ENERGY

NOISE
Within noisy areas (per Noise Element)? No

PUBLIC SERVICES
FIRE - Fire Severity? Very High Response Time Area? 5-15 minutes
RECREATION –Within ¼ mile of potential/existing county trail? No
RAILROADS - Within ¼ mile of RR Crossing? No
TRAFFIC
Within County "Road Fee" area? No

WASTEWATER (See soil info above)
Proximity to creek or water body? (name & distance) EnView/Water/NHD Streams & NHD water body
Lopez Lake is 1,562 feet to the Northeast

WATER RESOURCES

<table>
<thead>
<tr>
<th>Within GW basin? No (name: )</th>
<th>Win 300 feet of Dry cleaners or gas station? No</th>
<th>Win 500 feet of underground tank incident? No</th>
</tr>
</thead>
</table>

Water Calc Spreadsheet
OTHER/ADDITIONAL NOTES: