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**MEMORANDUM**

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**TO:** Honorable Sarah Christie, County Planning Commission Chairperson

**CC:** SLO County Planning Commissioners  
SLO County Board of Supervisors  
James Caruso, County Department of Planning and Building  
Michael Winn, Water Resources Advisory Committee Chairperson

**FROM:** Courtney Howard, WRAC Secretary and Public Works Staff

**SUBJECT:** Water Resources Advisory Committee Comments on the Water Chapter of the Conservation and Open Space Element and its associated appendices

**DATE:** September 3, 2009

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The Water Resources Advisory Committee (WRAC) formed an ad hoc subcommittee to review the Water Chapter of the Conservation and Open Space Element (COSE) and its associated appendices.

As discussed in a letter to the Planning Commission dated August 27, 2009 from Michael Winn, WRAC Chairperson, the WRAC did consider the remainder of the subcommittee's COSE comments at their regular meeting on September 2, 2009.

Attached to this email are the complete comments on the Water Chapter of the COSE (and its associated appendices) from the WRAC for your consideration.

## **WRAC Subcommittee on the Water Chapter of the COSE (and its associated Appendices)**

September 2, 2009

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

The WRAC comments re the Water Chapter of the COSE July 1, 2009, were unanimously adopted; and the first 6 pages of those comments were unanimously amended in a special meeting of the WRAC on August 26.

The following is the complete draft of the WRAC's comments, as concluded in its regular meeting of September 2, 2009.

(Sections without comment were not considered in need of revision or emendation.)

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

The WRAC looks forward to seeing more specific data included in the next iteration of the SLO County Master Water Plan, particularly the need for stream gauge data, environmental water metrics, and separate reports per each watershed.

Terms such as "imported water", "supplemental water", "surface water", "with a history of farming", "tertiary treatment", and "dependable water supply" need clear definitions.

Develop plans in order to clearly understand how strategies would be implemented.

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

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## **Introduction**

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

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[The quotation by Zekster in the margin is inadequate. What should have been said is more like:

*The safe yield of groundwater is exceeded when long-term groundwater extraction exceeds aquifer recharge, producing declining trends in aquifer storage. Overdraft may be evidenced by declines in surface-water levels and stream flow, reduction or elimination of vegetation, land subsidence, decline in groundwater quality, and/or seawater intrusion.*

## **Water Quality** [Add a third bullet]

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

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**Table WR-1**

**GOALS FOR WATER RESOURCES**

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

...

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

Chapter 10 **WATER RESOURCES**

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

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

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*Implementation Strategy WR 1.1.1 Implement an Expanded Water Master Plan*

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

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**Policy WR 1.3 New Water Supply**

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

◇ **[Retain] Policy WR 1.3**

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

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

**Policy WR 1.6 Water-dependent species**

[Insert hyphen in "water-dependent"]

***Implementation Strategy WR 1.6.1 Evaluate ecosystem water needs.***

[spelling error: not "ecosytem"]

## **Policy WR 1.7 Agricultural operations**

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

## **Policy WR 1.9 Limit and regulate new water systems**

## **Policy WR 1.11 Reduce RMS alert levels**

### **[Add:**

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

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## **Policy WR 1.12 Impacts of new development**

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

## **Policy WR 1.13 Density increases in rural areas**

Do not approve General Plan amendments or land divisions, or support LAFCO annexations that increase the density or intensity of non-agricultural uses in rural

areas that have a recommended or certified Level of Severity II or III for water supply until a Level of Severity I or better is reached ~~unless there is an overriding public need.~~

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

p. 10.11

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

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***Implementation Strategy WR 2.2.3***

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

## **Policy WR 2.3 Well permits**

[New:

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

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

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

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

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

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

## **Policy WR 3.2 Protect watersheds**

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

- This policy should identify the watersheds, groundwater, aquifer recharge areas, and natural drainage systems, possibly with maps.

- Add language to end of policy "... adverse impacts of development **and public infrastructure** projects."

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### **Policy WR 3.5 Support Resource Conservation Districts**

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

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[New:

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

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### **Policy WR 4.2 Water pricing structures**

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

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

### ***Implementation Strategy WR 4.3.3***

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

### **Policy WR 4.4 Reuse water**

- Add Implementation Strategy:  
Encourage and, where possible, mandate tertiary treatment of all wastewater, excluding wastewater handled by private septic systems.
- Add Implementation Strategy:  
Begin and sustain a long-term effort to educate the public about the science, the health safety, and the necessity of recycling treated waste water for human consumption. Use of such water for playgrounds and parks, landscape vegetation, and food crops may be intermediate applications; but we must prepare for the long-term likelihood of using it for drinking water.

p. 10.21

**Policy WR 4.6 Graywater [Note: This section has important public health implications that must be thoroughly analyzed by the Public Health Department before the County changes its policies.]**

[New:

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

p. 10.22

### **Policy WR 5.1 Watershed-by-watershed approach**

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

#### ***Implementation Strategy WR 5.1.1***

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

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### **Policy WR 5.6 Cumulative impacts to watersheds**

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

### **Policy WR 5.7**

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

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**Table WR 2**

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

p. 10.28

Add new Implementation Strategy 6.5.3 Recording retention and detention basins

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

## **APPENDICES**

**[Note that the page numbers here do not refer to pages in the Water Chapter but in the Water Appendices.]**

### **Appendix 10**

#### **Appendix 10.1 Setting**

Comments:

- This section contains good administrative and regulatory information but lacks essential information about historic rainfall and drought patterns. The information given is useful, but the physical context is also needed.
- This section would benefit from a graph of 30 years of rainfall and population figures for each major watershed.

pp. 10.12-14

#### **Appendix 10 WPA Table A10-2**

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

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

- 1) Report as much data from all stream gauges countywide as have records.

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

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

#### Appendix 10.11

- Level of Severity projections in years need to be extended in response to real timetables that current projects require. Suggested changes:
  - o Level of Severity I: When projected demand over the next 9 15 years equals or exceeds the estimated dependable supply.
  - o Level of Severity II: When projected water demand over the next 7 10 years equals or exceeds the estimated dependable supply.
  - o Level of Severity III: When projected water demand equals or exceeds the estimated dependable supply.

Last comments:

- 1) There should be cross-references in the Water Chapter to relevant places in the Biological Resources Chapter of the COSE.
- 2) There should be cross-references in the Water Chapter to relevant places in the SLO County Water Master Plan.
- 3) A legally defensible definition for "dependable water supply" can be found in the CA Urban Water Management Plan Act.