

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JULY 3, 2009

**AGENDA ITEM
F
JULY 8, 2009**

MANAGER'S REPORT

ITEM

Standing report to your Honorable Board --*Period covered by this report June 18, 2009 through July 1, 2009.*

DISTRICT BUSINESS

Administrative

Maria Vista Estates has set a total of ten water meters.

Roberto Cruz has filled the open the open Inspector/Preventive Maintenance Supervisor position. Tina Grietens is scheduled to introduce Mr. Cruz to the Board on July 22, 2009.

Golden State Water Company, Rural Water Company and the Woodlands have agreed to pay for the at risk cost of forming an assessment district to pay for the capital portion of the Waterline Intertie Project. Staff is awaiting a follow up meeting with the County's Debt Issuance Council regarding the formation of a JPA to facilitate formation of the proposed assessment district.

The NMMA TG is planning a Public Meeting to present and explain the 2008 NMMA Annual Report. The TG has tentatively selected the evening of Wednesday July 29th as the date.

President Harrison, Director Winn and District Engineer Peter Sevcik attended a CEQA Seminar on Friday 6/26/09. A copy of the proceedings is available for review at the office.

Attached is a set of comments on the County's Draft Conservation and Open Space Element from the WRAC Subcommittee on the Water Element of the COSE.

Safety Program - No new accidents and/or injuries.

RECOMMENDATION

Staff seeks direction and input from your Honorable Board.

ATTACHMENTS

- Comments on the Water Element of the Draft County COSE

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WRAC Subcommittee on the Water Element of the COSE

June 25, 2009

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

Comments follow:

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

The subcommittee has come to believe that some of our earlier comments (e.g., need for stream gauge data, environmental water metrics, separate reports per each watershed) would be better placed in the Master Water Plan instead of the COSE. Others not repeated here are due to their being more like projects instead of planning policies.

p. 10.1

Introduction

2nd ¶, 2nd sentence: Most areas of the county are experiencing groundwater problems. Many have declining water supply and water quality due in part to a lack of available surface water supplies, inconsistent recharge, and previous development permitted without adequate sustainable water supply.

Deleted: Some

Deleted: such as seawater intrusion and

Deleted: and

p. 10.3

[The quotation by Zekster is only partially adequate. What he or someone else should have 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 is usually 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]

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

p. 10.5

Table WR-1
GOALS FOR WATER RESOURCES

Goal WR 2	The County will manage groundwater resources <u>in each watershed</u> to ensure sustainable supplies for all beneficial uses.
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...

Goal WR 4 Per capita potable use in the county will decline by 20 percent by 2020, per the goals in AB49.

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.]

p. 10.5

Implementation Strategy WR 1.1.1 Implement an Expanded Water Master Plan

Deleted: Prepare a

c. Establish a water demand monitoring program 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;

Deleted: Evaluate

p. 10.6

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.

◇ 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)

◇ **[Retain] Implementation Strategy WR 1.2.1**

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

Policy WR 1.7 Water-dependent species

[spelling error]

□ **Implementation Strategy WR 1.6.1 Evaluate ecosystem water needs.**
[spelling error]

Policy WR 1.7 Agricultural operations

◇ Implementation Strategy 1.7.1 Discontinue Ag Cluster subdivisions as a planning tool.

◇ Implementation Strategy 1.7.2 Allow no annexations, 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 development outside of URLs or VRLs that draw on groundwater.)

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Policy WR 1.9 Limit and regulate new water systems

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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.]

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p. 10.10

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 1.12 Density increases in rural areas

Do not approve General Plan amendments or land divisions 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.

Deleted: , 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 work with other agencies and stakeholders to manage groundwater resources to ensure sustainable supplies for all beneficial uses.

p. 10.12

□ **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 unlimited permission from each new well owner for releasing or publishing groundwater data. (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 for an existing well currently used as the residence's only water supply, to be legally abandoned.

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p. 10.13

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 using salts

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.

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

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The County shall encourage community waste water systems to convert to tertiary treatment, with no permits for new or upgraded community facilities that are not tertiary treated or moving towards it as the end goal.

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."

p. 10.18

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 in agricultural practices.

p. 10.20

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.

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

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Implementation Strategy WR 4.3.3

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

Deleted: exterior and interior

Policy WR 4.4 Reuse water

- Add Implementation Strategy:
Encourage and, where possible, mandate tertiary treatment of all wastewater.
- 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 embrace the long-term necessity of using it for drinking water.

p. 10.21

Policy WR 4.6 Graywater [N.B. This section has very serious public health implications that must be thoroughly analyzed before the County changes its policies.

[Comments:

Graywater use is problematic. Though some graywater enthusiasts champion the cause uncritically, there are serious health concerns that cannot be ignored if this use is to be adopted by the County.

- Some uses of "graywater" are justified, and no water should be wasted if it can be avoided.
- However, the County must require the most stringent public health policies regarding the use of graywater.
 - Will the County help fund the legal defense of contractors and developers who are sued by persons who suffer from health impacts from graywater contact?
 - Is County Counsel prepared to defend the Planning Department and the County in general in similar litigation?
 - Bluntly: People will pee while taking a shower. Other sources of "graywater" can be similarly compromised by diapers etc. Where would a "graywater system" deposit such water without exposing gardeners, indoor/outdoor pets, and playing children to disease?
- Implementation should include a long-term education effort to build support for the limited uses that are consistent with the State and Federal Health Codes.]

p. 10.22

Policy WR 5.1 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)

Deleted: in order to

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:

p. 10.23

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.

p. 10.23

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).

10.25

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 County to monitor their maintenance no less frequently than every 3 years.

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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 watershed.

pp. 10.12-14

Appendix 10 WPA Table A10-2

- This table should include "Riparian 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 agricultural use represents.

Riparian 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 that 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 9 [change to 15] years equals or exceeds the estimated dependable supply.
 - o Level of Severity II: When projected water demand over the next 7 [change to 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 [and can be supplemented in less than 10 years].

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FROM: BRUCE BUEL *BB*
DATE: JULY 3, 2009

**AGENDA ITEM
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JULY 8, 2009**

COMMITTEE REPORTS

ITEM

Review Committee Matters.

BACKGROUND

The Water Conservation Committee met at 1:30pm on Wednesday June 17, 2009. Attached are Minutes from this meeting.

The Infrastructure Committee met at 2:00pm on Monday June 22, 2009. Attached are Minutes from this meeting.

Staff conducted a briefing on the proposed Parks Zone of Benefit Protest Proceeding at 6:30pm on Thursday June 25, 2009. Thirteen people participated with support for the project.

The Infrastructure Committee is scheduled to meet at 2pm on Monday July 20, 2009.

The Budget, Audit and Personnel Committee is scheduled to meet at 1pm on Thursday July 23, 2009.

The Parks Committee is scheduled to meet at 1:30pm on Friday August 7, 2009.

RECOMMENDATION

It is recommended that your Honorable Board discuss the meetings as appropriate.

ATTACHMENT –

- 6/17/09 WATER CONSERVATION COMMITTEE MEETING MINUTES
- 6/22/09 INFRASTRUCTURE COMMITTEE MEETING MINUTES

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NIPOMO COMMUNITY SERVICES DISTRICT

MONDAY, JUNE 22, 2009

2:00 P. M.

SPECIAL MEETING MINUTES SUPPLEMENTAL WATER PROJECT DESIGN & CONSTRUCTION COMMITTEE

COMMITTEE MEMBERS

**ED EBY, CHAIR
MICHAEL WINN, MEMBER**

PRINCIPAL STAFF

**BRUCE BUEL, GENERAL MANAGER
LISA BOGNUDA, ASSIST. GENERAL MANAGER
DONNA JOHNSON, BOARD SECRETARY
JON SEITZ, GENERAL COUNSEL
PETER SEVCIK, DISTRICT ENGINEER**

MEETING LOCATION

**District Board Room
148 S. Wilson Street
Nipomo, California**

1. CALL TO ORDER, ROLL CALL AND FLAG SALUTE

Chairperson Eby called the meeting to order at 2:00 p.m. and led the flag salute. Committee members Winn and Eby were both present. Also present were General Manager Bruce Buel, District Engineer Peter Sevcik, District Superintendent Tina Grietens, AECOM/Boyle representative Mike Nunley and Fugro West representative Paul Sorenson. One member of the public was also present.

2. REVIEW STATUS OF WATERLINE INTERTIE PROJECT

General Manager Bruce Buel summarized progress in advancing the Waterline Intertie Project and Mike Nunley reviewed the project status. Committee discussion followed on the status of negotiations with the City of Santa Maria, review of the proposed JPA by SLO County and development of the Project Narrative. Ed Eby requested that a single milestone be added to the AECOM schedule to show the anticipated bond sale date. Mike Winn requested feedback on discussions with SLO County regarding the proposal to transfer select parcels to Santa Barbara County and asked AECOM to comment on industry trends in construction cost. There was no public comment.

3. DISCUSS TIMELINE FOR ASSESSMENT PROCEEDINGS

Bruce Buel summarized the rough timeline published in the meeting packet. Significant Committee discussion followed on the order of the events and the possibility for delays. Mike Winn requested that staff develop contingency plans to deal with the potential future increases in density related to County Land Use Planning proposals. Ed Eby requested that staff provide an update on this timeline at subsequent Committee Meetings. There was no public comment.

NIPOMO COMMUNITY SERVICES DISTRICT
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SUPPLEMENTAL WATER PROJECT
DESIGN & CONSTRUCTION COMMITTEE
- 2 -

4. DISCUSS PERMIT STRATEGY TECHNICAL MEMORANDUM

Bruce Buel summarized the draft Technical Memorandum published in the meeting packet and introduced Mike Nunley from AECOM. Significant Committee discussion followed on the levee crossing and the possibility for conflicts. There was no public comment.

5. REVIEW STATUS OF SOUTHLAND WWTF UPGRADE PROJECT

Bruce Buel provided an oral update on the project and Michael Nunley answered questions from the Committee. There was no public comment.

6. DISCUSS KAMINAKA GEO-PHYSICAL RESEARCH

Bruce Buel introduced Paul Sorensen from Fugro West. Mr. Sorensen summarized the study results. Committee discussion followed on the 20 acres chosen for analysis; the relationship of this 20 acres to the balance of the property; the meaning of the water quality results and the ownership of the property. There was no public comment.

7. SET NEXT COMMITTEE MEETING

The Committee agreed to have another meeting on Monday, July 20, 2009, at 2:00 p.m. There was no public comment.

8. ADJOURN

The meeting was adjourned at 3:30 p.m.



NIPOMO COMMUNITY SERVICES DISTRICT

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MINUTES OF THE 6/17/09 SPECIAL MEETING OF THE WATER CONSERVATION COMMITTEE

1. CALL TO ORDER, ROLL CALL AND FLAG SALUTE

Chairman Winn called the Special Meeting to order at 1:30pm in the NCSD Board Chambers. Both Chairman Winn and Director Vierheilg were in attendance along with District Legal Counsel Jon Seitz and staff members Bruce Buel and Celeste Whitlow. One member of the public was present.

2. DISCUSS EMERGENCY WATER SHORTAGE REGULATIONS

Bruce Buel and Celeste Whitlow presented staff's research regarding the 20x2020 program and its potential impact on NCSD. Significant Committee discussion followed on the various versions of the 20x2020 program. Chairman Winn requested that staff provide the Committee with a map depicting the boundaries of the water use regions. The Committee agreed, by consensus that more definition is needed from the state and that NCSD needs to monitor development of the final program.

Bruce Buel related the results of his discussions with the Woodlands regarding their support for voluntary restrictions and the CPUC regarding their processes for calling mandatory restrictions. Substantial Committee discussion followed on the potential voluntary programs available to the NMMA.

Bruce Buel and Jon Seitz reviewed Rule 14.1 and discussed the steps already taken by GSWC to implement. The Committee discussed the various sections of Rule 14.1 with the following conclusions:

- Section A1 needs better definition
- Section A3 needs better definition
- Section A6 should focus on timing of watering during the day rather than an odd/even system per address
- Section A8/9 is dependant on the availability of a non-potable source.
- The items in the kit provided by Section GI6 need to be tailored to the NMMA.

3. ADJOURNMENT

Chairman Winn adjourned the meeting at 3:10pm.