

*Planning
J. Ogden*

BOARD OF SUPERVISORS

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tuesday, November 2, 2010

PRESENT: Supervisors Bruce S. Gibson, Adam Hill, K.H. 'Katcho' Achadjian, James R. Patterson and Chairperson Frank Mecham

ABSENT: None

In the matter of **RESOLUTION NO. 2010-315 and 2010-316:**

This is the time set for consideration of resolutions certifying the Final Environmental Impact Report and adopting the Arroyo Grande Channel Waterway Management Program; and a request to designate the Director of Public Works as the authorized representative to file applications for California Department of Water Resources Stormwater Flood Management grants; 4th District.

Chairperson Mecham: opens the floor to public comment.

Mr. Eric Greening, speaks.

Thereafter, on motion of Supervisor K.H. 'Katcho' Achadjian, seconded by Supervisor Adam Hill, and on the following roll call vote:

AYES: Supervisors: K.H. 'Katcho' Achadjian, Adam Hill, Bruce S. Gibson, James R. Patterson, Chairperson Frank Mecham

NOES: None

ABSENT:None

RESOLUTION NO. 2010-315, resolution certifying the Arroyo Grande Creek Channel Management Program Final Environmental Impact Report, Adopting Findings, the Mitigation Monitoring Program, and the Arroyo Grande Creek Channel Waterway Management Program; the Arroyo Grande Creek Channel Waterway Management Program October 2010 and directs staff to pursue funding and implementation of the projects and activities within the Program; and RESOLUTION NO. 2010-316, resolution designating the Director of Public Works as the authorized representative to file applications for California Department of Water Resources Stormwater Flood Management Grants, adopted.

cc: Public Works (2)
11/12/2010 cmc

STATE OF CALIFORNIA)
) ss.
County of San Luis Obispo)

I, **JULIE L. RODEWALD**, County Clerk and Ex-Officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of the said Board of Supervisors, affixed this 12th day of Novemer, 2010.

(SEAL) **JULIE L. RODEWALD**
County Clerk and Ex-Officio Clerk of the Board of Supervisors

By *CM Christensen*
Deputy Clerk

Public Works
Open

BEFORE THE BOARD OF SUPERVISORS

of the

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Tues day, November 2, 2010

PRESENT: Supervisors Bruce S. Gibson, Adam Hill, K.H. 'Katcho' Achadjian, James R. Patterson and Chairperson Frank Mecham

ABSENT: None

RESOLUTION NO. 2010-315

RESOLUTION CERTIFYING THE ARROYO GRANDE CREEK CHANNEL MANAGEMENT PROGRAM FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS, THE MITIGATION MONITORING PROGRAM, AND THE ARROYO GRANDE CREEK CHANNEL WATERWAY MANAGEMENT PROGRAM

The following resolution is now offered and read:

WHEREAS, the lower Arroyo Grande Valley has a long history of flooding and severe damage to agricultural and residential lands resulting in levees being built along lower Arroyo Grande Creek and the lower portion of Los Berros Creek, which was diverted in 1961 to provide flood control; and

WHEREAS, the flood control channel has experienced a significantly reduced capacity due to sediment accumulation and vegetation growth necessitating regulatory permitting to conduct channel maintenance activities; and

WHEREAS, in 2005, the District approved funding for an Alternatives Study which was completed and a preferred alternative was selected by the Zone 1/1A Advisory Committee which became the Arroyo Grande Creek Channel Waterway Management Program; and

WHEREAS, on December 1, 2009, the 1959 Maintenance Agreement was terminated by all parties (District, NRCS, SLCRCD), nevertheless, the District and Resource Conservation District (RCD) desire to coordinate on maintenance of the Creek Channel; and

WHEREAS, a Notice of Preparation was circulated to interested parties and responsible agencies for the preparation of a Draft Environmental Impact Report regarding implementation of the Arroyo Grande Creek Channel Waterway Management Program; and

WHEREAS, a Draft Environmental Impact Report was completed and circulated for a 45 day public review on June 3, 2010; and

WHEREAS, comments were received and revisions were incorporated into the Final Environmental Impact Report (FEIR); and

WHEREAS, the District held a public meeting on November 2, 2010, to certify the FEIR for the proposed Arroyo Grande Creek Channel Waterway Management Program; and

WHEREAS, at said meeting, the Flood Control and Water Conservation District heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to the Arroyo Grande Creek Channel Waterway Management Program.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Flood Control and Water Conservation District of the County of San Luis Obispo, State of California, in a regular meeting assembled on the second day of November, 2010, certifies that the Arroyo Grande Creek Channel Waterway Management Program Final Environmental Impact Report (FEIR), which is attached hereto (Attachment "C") and incorporated herein, has been prepared and completed in compliance with the California Environmental Quality Act, California Public Resources Code Section 21000 et seq.

The Flood Control and Water Conservation District reviewed and considered the information contained in the FEIR and that the FEIR reflects the lead agency's independent judgment and analysis. Furthermore, the Flood Control and Water Conservation District hereby adopts the recommended findings of the County Environmental Coordinator and the Mitigation Monitoring Plan, which are attached hereto (Attachment "B") and incorporated herein as though fully set forth.

NOW THEREFORE, BE IT FURTHER RESOLVED AND ORDERED that the Arroyo Grande Channel Waterway Management Program of October, 2010 (Attachment "A") is hereby adopted and the Public Works Director and/or his designee shall pursue funding and implementation of the projects and activities within said program which is attached hereto (Attachment "A") and incorporated herein as though fully set forth.

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Upon motion of Supervisor Achadjian, seconded by Supervisor Hill, and on the following roll call vote, to wit:

AYES: Supervisors Achadjian, Hill, Gibson, Patterson, Chairperson Mecham

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing Resolution is hereby adopted.

FRANK MECHAM
Chairperson of the Board of Supervisors

ATTEST:

JULIE L. RODEWALD
Clerk of the Board of Supervisors

By: C.M. CHRISTENSEN
Deputy Clerk

(SEAL)

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN
County Counsel

By: /s/ Timothy J. McNulty
Deputy County Counsel

Dated: 10/20/2010

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STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.

I, JULIE L. RODEWALD, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this 12TH day of November, 2010.

JULIE L. RODEWALD
County Clerk and Ex-Officio Clerk of the Board of Supervisors

(SEAL)

By 
Deputy Clerk.

BEFORE THE BOARD OF SUPERVISORS

of the

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Tuesday, November 2, 2010

PRESENT: Supervisors Bruce S. Gibson, Adam Hill, K.H. 'Katcho' Achadjian, James R. Patterson and Chairperson Frank Mecham

ABSENT: None

RESOLUTION NO. 2010-316

RESOLUTION DESIGNATING THE DIRECTOR OF PUBLIC WORKS AS THE AUTHORIZED REPRESENTATIVE TO FILE APPLICATIONS FOR CALIFORNIA DEPARTMENT OF WATER RESOURCES STORMWATER FLOOD MANAGEMENT GRANTS

The following Resolution is now offered and read:

WHEREAS, the State of California has established Stormwater Flood Management Grant funding pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resource Code Section 5096.800 et seq.) (Also known as Proposition 1E); and

WHEREAS, the Director of Public Works is especially suited to ensure that grant application materials related to water projects are prepared in a complete, efficient, and adequate manner; and

WHEREAS, the Director of Public Works has the authority to ensure that projects are carried out in full compliance with the applicable permits and agreements;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the San Luis Obispo County Flood Control and Water Conservation District, that application be made to the California Department of Water Resources and State Water Resources Control Board to obtain Stormwater Flood Management Grant funding pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resource Code Section 5096.800 et seq.), for the Arroyo Grande Creek Channel Waterway Management Program project Alternative 3A/3C proposal. The Director of Public Works of the County of San Luis Obispo is hereby authorized and directed to prepare the necessary data, make investigations, execute a grant agreement with (approved as to form by County Counsel) the California Department of Water Resources and file such application.

Upon motion of Supervisor Achadjian, seconded by Supervisor Hill, and on the following roll call vote, to wit:

AYES: Supervisors Achadjian, Hill, Gibson, Patterson, Chairperson Mecham

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing Resolution is hereby adopted.

FRANK MECHAM
Chairperson of the Board of Supervisors

ATTEST:

JULIE L. RODEWALD
Clerk of the Board of Supervisors

By: C.M. CHRISTENSEN
Deputy Clerk
(SEAL)

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN
County Counsel

By: /s/Timothy J. McNulty
Deputy County Counsel

Dated: 10/20/2010

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STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.

I, JULIE L. RODEWALD, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this 12TH day of November, 2010.

JULIE L. RODEWALD
County Clerk and Ex-Officio Clerk of the Board of Supervisors

By CMChristensen
Deputy Clerk.