San Luis Obispo County
Integrated Regional Water Management Region

Proposition 84 Authorizing Documentation

San Luis Obispo County
Integrated Planning Proposal

March 2012

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Authorizing Documentation

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Introduction

The San Luis Obispo County Flood Control and Water Conservation District (District) Board of Supervisors adopted Resolution No. 2012-42 designating the Director of Public Works as the Authorized representative to both file an Integrated Regional Water Management Program Planning Grant Application and execute associated grant agreements with the California Department of Water Resources.

BEFORE THE BOARD OF SUPERVISORS

of the

SAN LUIS OBISPO COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

Tuesday, February 28, 2012

PRESENT: Supervisors: Frank Mecham, Adam Hill, Paul A. Teixeira and Chairperson James R. Patterson

ABSENT: Supervisor: Bruce S. Gibson

RESOLUTION NO. 2012-42

RESOLUTION DESIGNATING THE DIRECTOR OF PUBLIC WORKS AS THE AUTHORIZED REPRESENTATIVE TO FILE APPLICATION AND EXECUTE AGREEMENTS FOR AN INTEGRATED REGIONAL WATER MANAGEMENT PROGRAM PLANNING GRANT

The following Resolution is hereby offered and read:

WHEREAS, the State of California has established an Integrated Regional Water Management grant program pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code Section 75001 et seq.) (Also known as Proposition 84); and

WHEREAS, a Memorandum of Understanding (Attachment "1"), which has been signed by the agencies listed in Attachment "2" and who constitute the Regional Water Management Group for the San Luis Obispo County Region as of the date of this resolution, designates the San Luis Obispo County Flood Control and Water Conservation District as the lead agency to submit Integrated Regional Water Management grants; 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 Flood Control and Water Conservation District of the County of San Luis Obispo, State of California, that:

1. Applications be made to the California Department of Water Resources to obtain Integrated Regional Water Management Planning Grants pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code Section 75001 et seq.), and to enter into agreements to receive grants for the San Luis Obispo County Region's Integrated Regional Water Management Program.

2. The Director of Public Works of the County of San Luis Obispo is hereby authorized and directed to prepare the necessary documentation required for Planning Grant funding, execute grant agreements (approved as to form by County Counsel) with the California Department of Water Resources and file such applications.

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

AYES: Supervisors Mecham, Hill, Teixeira and Chairperson Patterson

NOES: None

ABSENT: Supervisor Gibson

ABSTAINING: None

the foregoing Resolution is hereby adopted.

James R. Patterson
Chairperson of the Board of Supervisors

ATTEST:

JULIE L. RODEWALD
Clerk of the Board of Supervisors

By: Annette Ramirez
Deputy Clerk

(SEAL)

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN
County Counsel

By: /s/ Patrick J. Foran
Deputy County Counsel

Dated: 02/08/2012

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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 of the San Luis Obispo County Flood Control and Water Conservation District, 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 2nd day of March, 2012.

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

(SEAL)

By: Annette Ramirez
Deputy Clerk

San Luis Obispo County
Integrated Regional Water Management Plan
Memorandum of Mutual Understandings

1. PURPOSE

The purpose of this MEMORANDUM OF UNDERSTANDING (MOU) is to establish the mutual understandings between San Luis Obispo County Region partners with respect to their joint efforts towards developing an Integrated Regional Water Management Plan (IRWMP) for the San Luis Obispo County Region that will establish a unified vision of the relationships between individual goals of water quality improvement, ecosystem preservation, water supply protection, ground water management, and flood management.

2. DEFINITIONS

2.1 Integrated Regional Water Management Plan (IRWMP). A comprehensive plan for a defined geographic area, in this case the San Luis Obispo County Region, the specific development, content, and adoption of which shall satisfy requirements of California's IRWM Program and relevant codes. At a minimum, an IRWMP describes the major water-related objectives and conflicts within a region, considers a broad variety of water management strategies, identifies the appropriate mix of water demand and supply management alternatives, water quality protections, and environmental stewardship actions to provide long-term, reliable, and high-quality water supply and protect the environment, and identifies disadvantaged communities in the region and takes the water-related needs of those communities into consideration.

2.2 San Luis Obispo County Region (Region). The geographic area, which is coterminous with the San Luis Obispo County and the San Luis Obispo County Flood Control and Water Conservation District boundary, covered by the IRWMP.

2.3 Local Agency. Any city, county, city and county, special district, joint powers authority, or other political subdivision of the state, a public utility as defined in Section 216 of the Public Utilities Code, or a mutual water company as defined in Section 2725 of the Public Utilities Code.

2.4 Regional Water Management Group (RWMG). A group in which three or more local agencies, at least two of which have statutory authority over water supply or water management, as well as those other persons who may be necessary for the development and implementation of an IRWMP, participate by means of a joint powers agreement, memorandum of understanding, or other written agreement, as appropriate, that is approved by the governing bodies of those local agencies. The Region's RWMG Members are signatories to this MOU and may designate a representative to participate in RWMG activities.

2.5 Regional Projects or Programs. Projects or programs to be implemented by signatories of this MOU identified in an IRWMP that accomplish any of the following:

(a) Reduce water demand through agricultural and urban water use efficiency.
(b) Increase water supplies for any beneficial use through the use of any of the following, or other, means:
(1) Groundwater storage and conjunctive water management.
(2) Desalination.
(3) Precipitation enhancement.
(4) Water recycling.
(5) Regional and local surface storage.
(6) Water-use efficiency.
(7) Stormwater management.
(c) Improve operational efficiency and water supply reliability, including conveyance facilities, system reoperation, and water transfers.
(d) Improve water quality, including drinking water treatment and distribution, groundwater and aquifer remediation, matching water quality to water use, wastewater treatment, water pollution prevention, and management of urban and agricultural runoff.
(e) Improve resource stewardship, including agricultural lands stewardship, ecosystem restoration, flood plain management, recharge area protection, urban land use management, groundwater management, water-dependent recreation, fishery restoration, including fish passage improvement, and watershed management.
(f) Improve flood management through structural and nonstructural means, or by any other means.

2.6 Local Projects or Programs. Cooperative agreements between specific RWMG members for implementation of specific projects or programs that are approved by the RWMG are included in the definition of Regional Projects or Programs.

2.6 Regional Reports or Studies. Reports or studies relating to any of the matters described in 3.5 (a) to (f), that are identified in the IRWMP.

2.7 Service Function. A water-related individual service function provided by an agency, i.e. water supply, water quality, wastewater, recycled water, water conservation, stormwater/flood control, watershed planning, and aquatic habitat protection and restoration.

2.8 Integration. Assembling into one document the water-related management strategies, projects and plans in the Region. The first phase would be to identify water management strategies for the region and the priority projects that demonstrate how these strategies work together to provide reliable water supply, protect or improve water quality, provide watershed protection and planning, and provide environmental restoration protection. Projects and plans would be categorized and opportunities to identify regional benefits of linkages between multiple water management strategies among projects and plans of separate service functions and to see where projects and plans of separate service functions may further

interrelate, e.g. wastewater treatment and water recycling or habitat restoration.

2.9 Water Resources Advisory Committee (WRAC). This is the committee comprised of water purveyor, resource conservation district, environmental and agricultural representatives that was originally established in the 1940's to advise the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District (District) on water resource issues. The WRAC meets monthly, with the exception of July and August, and is subject to the Brown Act. The members of the WRAC with the authority to enter into an MOU are the same agencies that would comprise a RWMG to support the region's IRWM planning efforts. Therefore, RWMG Members and other regional stakeholder groups participate in the IRWMP development process by way of presentations to the Water Resources Advisory Committee (WRAC).

3. GOALS OF THE IRWMP

The goals of the IRWMP are to without unfairly burdening communities, neighborhoods, or individuals:

3.1 Protect and improve water quality for beneficial uses consistent with regional interests and the Basin Plan in cooperation with local and state agencies and regional stakeholders.

3.2 Improve regional water supply reliability and security, reduce dependence on imported water, reduce water rights disputes and protect watershed communities from drought with a focus on interagency conjunctive use of regional water resources.

3.3 Protect, enhance and restore the region's natural resources including open spaces; fish, wildlife and migratory bird habitat; special status and native plants; wetlands; estuarine, marine, and coastal ecosystems; streams, lakes, and reservoirs; forests; and agricultural lands.

3.4 Monitor, protect, and improve the regions groundwater through a collaborative approach designed to reduce conflicts.

3.5 Develop, fund, and implement an integrated, watershed approach to flood management through a collaborative and community supported process.

4. IRWMP PROJECT PARTICIPANTS

Development and implementation of the Region's IRWMP is a collaborative effort undertaken by the RWMG. The RWMG is being led by the District, in partnership with other signatories to this MOU. The IRWMP will be developed in coordination with the WRAC. However, only regional projects and programs to be implemented by signatories to this MOU will be eligible for grant applications. The signatories entering into this MOU are specifying their shared intent to coordinate and collaborate on water management issues as expressed in Section 3. Goals of the IRWMP and in accordance with Section 5. Mutual Understandings. The

signatories anticipate the potential need for future agreements on specific projects or programs that may be considered for grant applications.

5. MUTUAL UNDERSTANDINGS

5.1 Need for the Region's IRWMP

5.1.1 To improve communication and cooperation between public and private agencies and minimize conflict-generated solutions.

5.1.2 To enhance our existing water management efforts by increasing stakeholder awareness of important issues, providing more opportunities for collaborative efforts and improving efficiencies in government and water management.

5.13 To qualify for state grants and other funding opportunities only available to those regions which have developed an IRWMP.

5.2 Subject matter scope of the IRWMP. The IRWMP focuses on water supply, water quality protection and improvement, ecosystem preservation and restoration, groundwater monitoring and management, and flood management as these are the most prevalent water resource issues facing the Region.

5.3 Geographical scope of the IRWMP. The Region for this memorandum is coterminous with the boundary of San Luis Obispo County. This is an appropriate geographic region for integrated regional water management planning because it encompasses all aspects of water management generally within the same physical, political, environmental, social, and economic boundaries.

The Salinas Valley Integrated Regional Water Management Plan region borders the Region to the north and the Santa Barbara County IRWMP region border the Region on the South. Coordination with agencies in Kern County developing an IRWMP region at the time of initial execution of this MOU will be important for identifying any water resources issues overlapping with the Region in the future.

Water resources issues that overlap with neighboring regional boundaries are either covered by existing cooperative water management plans (i.e. Nacitone Watershed Management Plan), adjudication (i.e. Santa Maria Groundwater Basin), and operational agreements (i.e. Nacimiento and Salinas Reservoirs), or there is no defining water resource management issue at this time (i.e. Kern County region boundary). All of these items are to be included in the Region's IRWM Plan consistent with the IRWMPs of neighboring regions. The RWMG will continue to coordinate with neighboring regions to address additional water resources issues in our respective IRWMPs.

5.4 Approach to developing and implementing the IRWMP

5.4.1 Signatories. Signatories to this MOU, including the District, that make up the RWMG are responsible for the development of the IRWMP.

5.4.2 Lead Agency. The District will act as the lead agency, ultimately responsible for the final production of the Region's IRWMP, presentations to stakeholders, submittal of IRWM grant applications,

execution of grant agreements with the State, and execution of agreements with RWMG members responsible for the implementation of projects that are awarded grants.

5.4.3 RWMG Member Responsibilities. All members, in a timely fashion, will provide information sufficient to meet State guidelines for their regional projects and programs to be included in the IRWMP and participate in the review of the IRWMP. All Members will participate in the process to select IRWMP regional projects and programs for grant applications. Members responsible for the implementation of regional projects and programs awarded grant funding will be responsible, through contract with the District, for complying with the provisions of the District's grant agreement with the State. Members will provide the District with their designated representative's contact information. Members will adopt the IRWMP in accordance with 5.5 and 5.6 below.

5.4.4 Stakeholder Participation. RWMG Members and other regional stakeholder groups participate in the IRWMP development process by way of presentations to the Water Resources Advisory Committee (WRAC). Stakeholders that are not WRAC members will be notified of when an IRWMP item will be reviewed by the WRAC. Sub-regional meetings may be required to ensure all stakeholders, including disadvantaged communities, who may not necessarily be able to attend WRAC meetings, can participate in IRWMP development.

5.4.5 IRWMP Development and Implementation. The Region's IRWMP that was adopted by the District, developed in coordination with and approved by stakeholders in 2005, and updated in 2007, will be the basis for the next and subsequent adopted IRWMPs for the Region. The RWMG will propose changes to the previous versions of the IRWMP to comply with new State guidelines and incorporate new information and projects, for review and approval in accordance with 5.5 and 5.6 below. Since a key element of the IRWM Program is integration, the RWMG will work with other WRAC Members to identify water management strategies for the region and the priority projects that demonstrate how these strategies work together to protect and improve water quality; improve regional water supply reliability and security; protect, enhance and restore the region's natural resources; monitor, protect, and improve the region's groundwater; and develop, fund, and implement an integrated, watershed approach to flood management. Regional projects and programs would be categorized and opportunities to identify regional benefits of linkages between multiple water management strategies among projects and programs of separate service functions and to see where projects and programs of separate service functions may further interrelate, e.g. wastewater treatment and water recycling or habitat restoration.

5.5 Decision-making. The WRAC will serve as the main advisor to the RWMG on decisions to be made on the IRWMP. Written consensus will be sought between the representatives of RWMG members in the event the need for a decision arises that cannot be brought forth to the WRAC before a decision needs to be made.

5.6 Adoption of the IRWMP. IRWMP approval and adoption will occur by the governing bodies of RWMG Members. IRWMP updates to meet new State guidelines, add new RWMG Members, add or remove regional projects and programs, or other updates to information do not require IRWMP re-adoption. Significant changes to the IRWMP, including revised goals and objectives, revised regional boundaries, or other changes deemed significant by the RWMG, will require re-adoption of the IRWMP.

5.7 Non-binding nature. This document and participation in this IRWMP effort are nonbinding, and in no way suggest that a RWMG Member may not continue its own planning and undertake efforts to secure project funding from any source. An agency may withdraw from participation at any time.

5.8 Personnel and financial resources. It is expected that RWMG members will contribute the resources necessary to fulfill the responsibilities in 5.4.3 above.

5.9 Other on-going regional efforts. Development of the IRWMP is separate from efforts of other organizations to develop water-related plans on a regional basis. As the IRWMP is developed, work products can be shared with these separate efforts to provide them with current information. Cooperative agreements between specific RWMG members for implementation of specific projects or programs are included as attachments to this MOU.

5.10 Reports and communications. The WRAC, an IRWM contact list and the District's website will serve as the forum for updates and correspondence relating to the development of the IRWMP.

5.11 Termination. Because the IRWMP will require periodic review and updating for use into the future, it is envisioned that the joint efforts of those involved will be ongoing in maintaining a living document. Thus this MOU will remain as a reflection of the understandings of the RWMG Members. As indicated, individual signatories of this MOU may terminate their involvement at any time.

6. SIGNATORIES TO THE MEMORANDUM OF MUTUAL UNDERSTANDINGS

We, the undersigned representatives of our respective agencies, acknowledge the above as our understanding of how the San Luis Integrated Regional Water Management Plan will be developed.

COUNTY OF SAN LUIS OBISPO
FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

By: BRUCE S. GIBSON
Chairman,
Board of San Luis Obispo County
Flood Control and
Water Conservation District

ATTEST:

JULIE L. RODEWALD
Clerk of the Board of Supervisors By: Wendy Cummins
Deputy Clerk

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN
County Counsel

By: Patrick G. Zona
Deputy County Counsel

Dated: 4/10/09

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Attachment 2

San Luis Obispo County Region
Integrated Regional Water Managment Program
Regional Water Management Group

Memorandum of Understanding Signatories

Agency or Group	MOU Date
Coastal San Luis Resource Conservation District	7/17/2009
San Luis Obispo County	4/21/2009
San Luis Obispo County Flood Control and Water Conservation District	4/21/2009
Los Osos CSD	4/20/2009
City of Morro Bay	10/1/2009
Morro Bay National Estuary Program	12/2/2009
Nipomo CSD	4/9/2009
Oceano CSD	5/27/2009
City of San Luis Obispo	8/18/2009
San Simeon CSD	6/10/2009
Upper Salinas - Las Tablas Resource Conservation District	5/28/2009