



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

*Promoting the wise use of land
Helping build great communities*

MEETING DATE July 23, 2015	CONTACT/PHONE Megan Martin Project Manager 805-781-4163 mamartin@co.slo.ca.us	APPLICANT Golden State Water Company	FILE NO. DRC2014-00143
LOCAL EFFECTIVE DATE August 6, 2015			
APPROX DATE August 20, 2015			
SUBJECT Hearing to consider a request by Golden State Water Company for a Development Plan / Coastal Development Permit to allow for the construction of a new 400-foot deep domestic lower-aquifer community well. The project site is in the Commercial Service land use category and is located at the Golden State Water Company property at 1140 Los Olivos Avenue in the community of Los Osos. The site is in the Estero planning area.			
RECOMMENDED ACTION Approve Development Plan DRC2014-00143 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption (ED14-265) was issued on June 16, 2015.			
LAND USE CATEGORY Commercial Service	COMBINING DESIGNATION Archaeologically Sensitive Area, Coastal Zone	ASSESSOR PARCEL NUMBER 074-291-010	SUPERVISOR DISTRICT(S): 2
PLANNING AREA STANDARDS: Estero Planning Area <i>Does the project meet applicable Planning Area Standards: None applicable</i>			
LAND USE ORDINANCE STANDARDS: Section 23.08.288 – Public Utility Facilities <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

EXISTING USES: Golden State Water Company Community Water Well Facility (Offices, Water Tank, Parking Lot)	
SURROUNDING LAND USE CATEGORIES AND USES: North: Commercial Service / Residence & Storage Yard East: Commercial Service / Storage Yard South: Commercial Service / Car Sales West: Commercial Service / Residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Los Osos CSD, Coastal Commission, Los Osos Community Advisory Group, Native American Heritage Commission	
TOPOGRAPHY: Generally Level	VEGETATION: Decorative landscaping, Pepper Tree
PROPOSED SERVICES: Water supply: Community Water System – Golden State Sewage Disposal: Individual septic system Fire Protection: Cal Fire	ACCEPTANCE DATE: June 16, 2015

DISCUSSION

PROJECT HISTORY

The community of Los Osos sits on the coast of central California and draws its drinking water solely from the Los Osos Groundwater Basin (Basin). The Basin is the only source of water for residential, commercial, institutional and agricultural development in Los Osos. The groundwater basin underlying the community is stratified into four aquifer layers known as First Water, the Upper Aquifer, the Lower Aquifer, and the Alluvial Aquifer. The upper and lower aquifers are the main sources of municipal and domestic water supplies in the Basin. The upper aquifer is experiencing the effects of septic system effluent, primarily in the form of nitrate levels at or above the Maximum Contaminant Level (MCL). The lower aquifer, which supplies the bulk of the water for the community, is in a serious state of overdraft and experiencing the effects of sea water intrusion.

In March 2007, the County of San Luis Obispo certified a Severity Level III for water resources within the basin. Currently, the basin is being adjudicated, with the parties consisting of the two major water purveyors, Golden State Water Company and the Los Osos Community Services District; a small mutual water company, S&T Mutual; and the County of San Luis Obispo. These parties are currently working cooperatively under the auspices of an Interlocutory Stipulated Judgment (ISJ) to produce a Basin Plan which will service the Los Osos community and ensure the health of the groundwater basin by establishing environmentally sustainable levels of groundwater extraction. The Basin Plan has identified one method of achieving the goal of reducing seawater intrusion as moving production wells to the east, away from the seawater/freshwater interface.

PROJECT DESCRIPTION

The proposed project includes equipping and placing into service a new 400-foot deep (lower-aquifer) domestic community well. The new well will provide added reliability to the existing water supply system, reduce dependency on withdrawals of lower aquifer water, and implement

goals recognized in the Basin Plan to reduce seawater intrusion by moving installation of new production wells eastward.

COASTAL ZONE LAND USE ORDINANCE STANDARDS

Section 23.08.288 Public Utility Facilities

The following requirements are set forth by Section 23.08.288 of Title 23:

- a. **Permit Requirements.** In addition to the emergency repair and the general permit requirements of Section 23.08.286(a) and (b), Development Plan approval is required for any new facility or modification of any existing facility in the Agriculture, Rural Lands, Residential, Office and Professional, and Commercial land use categories.

Staff Response: The applicant is processing a Development Plan for the proposed project.

- b. **Application contents.** In addition to the application materials required by Chapter 23.02 (Permit applications), permit applications shall also include descriptions of:

- 1) The proposed design capacity of the facility; the operating schedule; and how the proposed facility interacts with incoming and outgoing utility services.

Staff Response: The proposed well will be a lower aquifer well and will specifically draw water from Zone D of the Los Osos Groundwater Basin. The well would pump to an existing ½-million gallon reservoir. The well will pump approximately 150 gallons per minute and will be chlorinated using sodium hypochlorite. The existing upper aquifer Los Olivos Well (located on the same site), currently pumps approximately 150 gallons per minute and is chlorinated using sodium hypochlorite. The Los Olivos Well adds to the same reservoir. The water from both wells blends in the reservoir before being pumped into the distribution system through two booster pumps. Both wells will be operated in conjunction with the other four (4) wells in the Golden State Water Company's drinking water system on a schedule¹ that allows for the adequate supply of water to meet demand as it varies throughout the system and throughout the day.

- 2) Plans for any overhead or underground transmission lines, transformers, inverters, switchyards or any required new or upgraded off-site transmission facilities.

Staff Response: The current electrical service connection to the site is adequate to supply the additional power required for the new well.

¹ Any given well will be triggered to run based upon particular criteria, or in some cases multiple criteria, such as the distribution system pressure or a reservoir level. Those criteria are in turn influenced by the water usage by our customers in a particular portion of the distribution system. In other words, high usage in one part of the system at one particular time may cause one or more wells to come on, while high usage at another time in another part of the system may cause a different set of wells to come on for a particular amount of time until the demand is met.

- 3) Proposed erosion control measures, revegetation, screening and landscaping during construction and operation.
- 4) An oil and hazardous material spill contingency plan, including a demonstration that all materials can be contained on-site.

Staff Response: This item does not apply to the proposed project.

- 5) For electric and telephone centers, estimates of the non-ionizing radiation generated and/or received by the facility. These will include estimates of the maximum electric and magnetic field strengths at the edge of the facility site, the extent that measurable fields extend in all directions from the facility.

Staff Response: This item does not apply to the proposed project.

- 6) The number and identification by trades of estimated construction and operation forces. If construction is estimated to take over six months, the construction workforce shall be estimated for each six-month period. The estimates shall include numbers of locally hired employees and employees who will move into the area, and a discussion of the estimated impact that employees moving into the area will have on housing, schools and traffic.

Staff Response: The number of construction workers will be of a low number and will not impact local housing, schools, and/or traffic.

- c. **Development standards.** The following standards apply in addition to any that may be established as conditions of approval:

- 1) **Environmental quality assurance.** An environmental quality assurance program covering all aspects of construction and operation shall be submitted prior to construction of any project component. This program will include a schedule and plan for monitoring and demonstrating compliance with all conditions required by the Development Plan. Specific requirements of this environmental quality assurance program will be determined during the environmental review process and Development Plan review and approval process.

Staff Response: The project, as conditioned, is required to comply with this standard.

- 2) **Clearing and revegetation.** The land area exposed and the vegetation removed during construction shall be the minimum necessary to install and operate the facility. Topsoil will be stripped and stored separately. Disturbed areas no longer required for operation will be regraded, covered with topsoil and replanted during the next appropriate season.

Staff Response: Construction will not occur in an area that is vegetated and no vegetation will be removed as a result of construction.

- 3) **Fencing and screening.** Public Utility Facilities shall be screened on all sides. An effective visual barrier will be established through the use of a solid wall, fencing and/or landscaping. The adequacy of the proposed screening will be determined during the land use permitting process.

Staff Response: The proposed well site is proposed to be located at the interior of the project site. An existing fence is located around the property boundary with vegetation providing an effective visual barrier to screen the development.

- d. **Limitation on use, sensitive environmental areas.** Uses shall not be allowed in sensitive areas such as on prime agricultural soils, Sensitive Resource Areas, Environmentally Sensitive Habitats, or Hazard Areas, unless a finding is made by the applicable approval body that there is no other feasible location on or off-site the property. Applications for Public Utility Facilities in the above sensitive areas shall include a feasibility study, prepared by a qualified professional approved by the Environmental Coordinator. The feasibility study shall include a constraints analysis, and analyze alternative locations.

Staff Response: The project site is not located in a sensitive environmental area; therefore, this item does not apply to the proposed project.

COASTAL PLAN POLICIES

The project is consistent with the Coastal Plan Policies. The most relevant policies are discussed below.

Shoreline Access:	N/A
Recreation and Visitor Serving:	N/A
Energy and Industrial Development:	N/A
Commercial Fishing, Recreational Boating and Port Facilities:	N/A
Environmentally Sensitive Habitats:	N/A
Agriculture:	N/A
Public Works: <input checked="" type="checkbox"/>	Policy No(s): 7
Coastal Watersheds: <input checked="" type="checkbox"/>	Policy No(s): 2, 3
Visual and Scenic Resources:	N/A
Hazards:	N/A
Archeology: <input checked="" type="checkbox"/>	Policy No(s): 1
Air Quality:	N/A

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COASTAL PLAN POLICY DISCUSSION:

Public Works

Policy 7: Permit Requirements. The County shall require a permit for all public works projects located within the coastal zone.

Staff Response: The proposed project is consistent with this policy; the applicant is processing a Development Plan.

Coastal Watersheds

Policy 2: Water Extractions. Extractions, impoundments and other water resource developments shall obtain all necessary county and/or state permits.

Staff Response: The project is consistent with this policy; the applicant is processing a Development Plan.

Policy 3: Monitoring of Resources. In basins where extractions are approaching groundwater limitations, the county shall require applicants to install monitoring devices and participate in water monitoring management programs.

Staff Response: The project, as conditioned, is consistent with this policy; the applicant is required to complete an environmental assurance program prior to a notice to proceed. The program will identify all aspects of construction and operation shall be submitted prior to construction of any project component. This program will include a schedule and plan for monitoring and demonstrating compliance with all conditions required by the Development Plan.

Archaeology

Policy 1: Protection of Archaeological Resources. The county shall provide for the protection of both known and potential archaeological resources.

Staff Response: The proposed project will occur in an area previously disturbed by development of the Golden State Water Company's Facility. The entire 0.88 acre site has been disturbed through installation of improvements and development. The well site location will be drilled in the existing parking lot. During a site visit, staff considered the location and determined that it was not likely Archaeological Resources would occur or be found in the location of the well site. In the event archaeological resources are unearthed or discovered during any construction activities, construction activities shall cease and a qualified archaeologist will be contacted for professional advice.

COMMUNITY ADVISORY GROUP COMMENTS:

The Los Osos Community Advisory Group discussed the project at a regular meeting on Thursday June 24, 2015. The Advisory Group provided the following comments:

AGENCY REVIEW:

Public Works – A Well Permit is required. The applicant will be required to sign a Consent Authorization prior to approval of the well permit. All analytical results obtained pursuant to the County requirements shall be reported directly to the County of San Luis Obispo Public Works and Health Departments by the 10th day of the month following the month in which the analyses were completed.

Staff Response: The project, as conditioned, will comply with this requirement.

Environmental Health – A Well Drilling Permit is required. The applicant/driller will need to provide specific information on the aquifers which will be penetrated in accordance with Section

13 of the Water Well Standards: State of California Bulletin 74-81. A cross section of the bore hole/well construction shall be submitted (Leslie Terry, June 5, 2015).

Staff Response: The project, as conditioned, will comply with this requirement.

Cal Fire – No comments.

Los Osos Community Services District – No comments.

California Coastal Commission – “Is the project part of a specific Basin Plan program? Is this part of the overall vision as it is understood in the Basin Plan recommendations, and why is it being proposed and what is it going to do to benefit the Los Osos Basin?” (Daniel Robinson, June 2, 2015)

Staff Response: The proposed well is part of Program B of the Los Osos Basin Plan (Basin) and is described in 10.3.2 Golden State Water Company Wells. The Program discusses constructing one new lower aquifer well in the Central Area of the Basin. The proposed location meets this criterion. The benefit of moving new production wells eastward toward the Central Area of the Basin, reduces the effects of seawater/freshwater interface lower aquifer wells are currently experiencing in the western portion of the Basin.

State of California Department of Public Health – Drinking Water Program – The Division of Drinking Water is in receipt of a permit application amendment for the proposed well located at the Olivos site. A well completion report will be required prior to issuance and the water quality must meet all state water quality standards. (Jeff Densmore, June 26, 2015.)

LEGAL LOT STATUS:

The one existing parcel was legally created by Public Lot PL78-218 which was approved by the San Luis Obispo County Board of Supervisors on April 2, 1979 at a time when that was a legal method of creating parcels. The subject parcel is Parcel 1 of Public Lot PL78-218.

Staff report prepared by Megan Martin and reviewed by Steve McMasters.