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March 9, 2009

Honorable Bruce Gibson  
Chairperson, Board of Supervisors  
County of San Luis Obispo  
976 Osos Street  
San Luis Obispo, CA 93408-2040

Subject: Water Resources Advisory Committee Comments on Water  
Sections of DEIR for the Laetitia Ranch

Dear Chairperson Gibson:

The San Luis Obispo County Water Resources Advisory Committee (WRAC) formed an ad hoc subcommittee to review and comment on the Draft Environmental Impact Report (DEIR) for the San Laetitia Ranch. On January 12, 2009, the subcommittee visited the project site on the Laetitia Ranch conducted by Allison Donatello, project designer RRM; Vic Montgomery RRM; and Spencer Harris, hydrologist Cleath & Assoc. As a result of that visit the subcommittee submitted the following comments and concerns to a general meeting of the WRAC on March 4, 2009, which were subsequently adopted with direction to send them to the Board of Supervisors with copies to the Planning Commission and the Director of County Planning.

#### A. CONCERNS OVER THE PROJECT DESCRIPTION IN THE EIR

The currently published DEIR does not include important changes that were submitted by the developer.

During the site tour the subcommittee members learned that several parts of the project had been altered.

1. Two well sites had been relocated on the project maps so as to remove possible water impact on Los Berros Creek.
2. The horse facilities had been removed from the project to avoid any pollution or water contamination of creeks.

We need to have an SEIR or Addendum published that includes all of the changes before we can submit our final comments.

#### Purpose of the Committee:

To advise the County Board of Supervisors concerning all policy decisions relating to the water resources of the SLO County Flood Control & Water Conservation District. To recommend to the Board specific water resource programs. To recommend methods of financing water resource programs.

Excerpts from WRAC By-Laws dated 3/6/07

B. CONCERN OVER CALCULATIONS THAT DETERMINE WATER NEEDS ASSESSMENT

The number of proposed homes appears to be excessive and it seems the DEIR cannot find justification for the 100+ units. The number of residences entitled depends on how intensively the land is being farmed; and if the Ag wells failed, their entitlements would decrease (unless the wells failed after homes were built).

We have a concern that in developing their water calculations there has been a commingling of Ag use and home use. In an Ag cluster the homes must not diminish the water available for Ag during drought conditions. Conservation measures listed by the applicant include reduction or periodic cessation of agricultural irrigation (V-52). We need an analysis of the impacts of the proposed residences on Laetitia's own Ag water supply.

C. CONCERNS FOR SUSTAINABLE WATER

The greatest single weakness in the Laetitia project is that the water supply is uncertain. Even though the Cleath water studies show an adequate supply for the project is available now, the difficult question is whether there will be water to sustain it for 20 years.

It is known that wells in fractured shale often go dry suddenly. The subcommittee does not share the confidence that there is sufficient protection for the homeowners for a sustainable water supply if left on their own without the continuity of stable water management.

A resident-owned mutual water company would have little recourse, great liability, and great expense providing water; therefore, the property owner (Laetitia Ranch/Winery) should retain ownership and the responsibility to provide adequate water to the properties for at least a twenty-year period. If the water supply proved to be sustainable after sufficient time, Laetitia would be free to divest themselves of it without charge to the homeowners.

D. CONCERNS FOR CREEKS AND ENVIRONMENT

The developer stated that the two new wells located just above Los Berros Creek would not be used for this project. The EIR should clearly state that any new well in that area should not be used unless it can be proven that they are not affecting flows in Los Berros Creek to the detriment of wildlife.

Although Adobe Creek was dry when we visited the site, the presence of vegetation indicates that there is underground water available at all times.

This is a likely habitat are for species that needs to remain viable. Pumping from the proposed upstream wells should not alter that balance.

E. CONCERNS FOR WASTEWATER TREATMENT OPERATION

There is evidence in the South County that small package wastewater plants of this sort are most expensive to operate - and carry greater regulatory liability - than 100 homes could operate economically. Laetitia should be required to retain ownership of the facility for the same period that they own the water company charging the residents no more than a price to be contracted for.

F. OTHER CONCERNS EXPRESSED BY INDIVIDUAL MEMBERS

Have the possible consequences of the development's water use on other neighboring properties to the South been fully studied and shown to have no significant impact?

The WRAC hopes its comments will prove helpful to all parties involved in the environmental review process for this project.

Respectfully,



MICHAEL WINN

Chairperson, Water Resources Advisory Committee

cc: SLO County Board of Supervisors  
SLO County Planning Commissioners  
Victor Holanda, SLO County Planning and Building Department  
Dean Benedix, SLO County Public Works Department