When opinions collide!

City of Pismo Beach
Los Robles Del Mar Annexation

“Where is the water?”
Los Robles Del Mar
Annexation to the City of Pismo Beach

- **Proponent:** David
  - City of Pismo Beach by Resolution of Application

- **Property Ownership:**
  - 2 parcels, 2 owners-154 & 28 acres-182 acres
  - 312 units-37% open space (69 acres)
  - Uninhabited Annexation (12 or less registered voters)

- **Purpose:**
  - To implement the City’s Specific Plan
  - Provide City services to the area
**David Sphere of Influence:**

Based on City’s General Plan Service Plans, Policies, Procedures

Site has been in SOI since 1987-Confirmed in updates in 2003 and 2011

**Municipal Service Review:**

Reviews the Cities service capabilities in regard to future growth and development-2003, 2011
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- A Specific Plan and Tract Map was approved by the City of Pismo Beach in 2004 for LRDM
- Two previous EIRs and an Addendum for the development project have been certified by the City (1996, 2004, and 2011)
- 2007 Supplemental EIR/Comments prepared by LAFCO was not certified by LAFCO
- Developer sues the City and four years later…
- 2011 the City submitted a Resolution of Application to LAFCO
  - State Water allocation instead of using on-site wells
  - Area has been Pre-zoned, EIR addendum prepared
  - Apparently ready for another go at it..
Pismo Beach Water Supply and Demand

PROJECTED DEMAND
City Build-out…………………………2,669
LRDM……………………………………106
Projected Demand………………………2,775

POTENTIAL SUPPLY
Current Available………………………2,836
Future State Water……………………500
Total Potential Supply…………………3,336
Tom - In 2008 the annexation was denied without prejudice:

- Allowed for the proposal to be resubmitted within one year of denial action (56884)(b)
- City Manager stated they did not have an adequate water supply w/o wells - City was sued by the Developer - Four years to work out the issues

David Brooks clearly stated: “the city did not have an adequate, reliable and sustainable water supply”

- City’s and developers credibility was wounded
- Developer sued the city-not LAFCO
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In 2012 - Staff recommendation w/counsel’s advice was conditional approval:

- Perpetual open space/conservation easement recorded on all the areas zoned as Open Space.
- City and property owner record a Covenant on deed prohibiting the use of groundwater by any person or entity for any purpose.
- Existing on-site wells shall be permanently and properly abandoned.
- Water Supply is State Water-not on site wells.

Commission wanted additional information.
On January 19, 2012 the Commission directed staff to study the following:

- Overall Water Supply and Demand for the City-consultant
- Traffic Impacts, Analysis, Mitigation and current conditions-consultant
- Possibility of modification of the existing Specific Plan for consistency with MOA
- Agricultural Buffer for the Mankins Property
- Interagency Coordination; CALTRANS, Coastal San Luis RCD, City of Arroyo Grande, County of San Luis Obispo
- Stormwater and Drainage Issues;
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Tom—Denial based on record and issues raised by the Public and Commission

- Groundwater: Only 200 afy is available to the City from Tri-Cities Aquifer (700 afy)
  - Wells are monitoring for salt water intrusion

- State Water Reliability Questions
  - State water is a volatile supply subject to Drought

- Lopez Reservoir was adequate, but it is subject to drought conditions—which happened

- Commission turned out to be clairvoyant

- LAFCO was sued by the developer
Take away’s **Tom and David:**

- Allow for disagreement – be flexible
- Be open minded to information and ideas
- Take your time and listen
- Prepare a solid record no matter the decision
- Be deferential to Commission and its role
- Commission, legal counsel, staff all have a role to play in any decision
- Always make sure you have water!
When opinions really collide…

San Luis Obispo LAFCO
August 20, 2015
Groundwater in California

- Unmanaged in many areas of state
- Resource becomes scarcer-drought
- Vineyards/Cities increased demand
- Rural residents wells are failing
- SGMA becomes law

Source: DWR’s Bulletin 118, update 2003
County Proposed Boundary
Proposed PRBWD based on DWR Bulletin 118 Boundary

Legend
- Draft PRBWD
- Positive SOI - Potential Annex
- SLO County Boundary

County of San Luis Obispo Public Works & Transportation Department
Opinions did collide

Formation of the 2453 District

- Goal: Respectful exchange  500 opinions in the room
- Land owner rights-less government is better
- “My” groundwater a variety of views and opinions
- Public outreach, 10,000 postcards, newspaper advertisements, public study sessions
Forming a District – AB 2453

- **Special Legislation-AB 2453:** Amended Water Code

  - Compromise that allowed for a 9 member Board of Directors—Landowners and Registered Voters
    - Vineyard Owners, Rural Residential, 2 large, 2 medium, 2 small landowners, and 3 RV
  - Identified the potential powers of the District
  - Makes clear that LAFCO can form the District, determine powers, and establish boundaries
  - Provides for a one landowner-one vote formula for formation-No protest process
  - Future actions subject to LAFCO; annexations, detachments, Sphere of Influence Update
Paso Robles Basin Water District

LAFCO Process

- Study Sessions - three public meetings
- Resolution of Application from County
- County completes evaluate studies Plan for Services, 218 Funding Analysis, etc.
- Public Hearings-Summer/Fall
- If approved, Election Process, 218
Take Away’s

- No good deed goes unpunished
- Groundwater is a hard issue
- Keep Calm and use the process
- Allow for passionate discourse—but not attacking
- Model how to disagree
- Be prepared to respond—proactively ready