

Plan Alternatives Comparison Chart

Chapter 11 Water Resources Element - **PC Final markup 10-20-11**

Plan Alternative		Chapter 11 Water Resources Element		Staff Remarks/Implementation	Position R,M,D
11.4 Goals					
A	B			WR-G1. Water Supply, Quality, and Beneficial Uses. High quality and abundant surface and groundwater water resources that satisfy the water quality objectives and beneficial uses identified in the Water Quality Control Basin Plan for the North Coast Region.	R
COMMENTS:					
A	B			WR-G2. Water Resource Habitat. River and stream habitat capable of supporting <u>the recovery and continued viability of wild, native salmonid and</u> other abundant salmon and steelhead coldwater fish populations <u>supporting a thriving commercial, sport and tribal fishery.</u>	M Vote 6-0
COMMENTS: 8-11-11 (C. Edmonds was excused) The Commissioners agreed with the revisions provided by staff and wanted to expand to include the wording provided by the Healthy Watersheds coalition which stated: <u>"the recovery and continued viability of wild, native, salmonid"</u> and other coldwater fish populations. . Director Girard provided alternative wording for consideration. <u>Straw vote</u> <u>Unanimous support of recommended revised language 6/0</u>					
		C	D	3360.1 To maintain or enhance the quality of the County's water resources and the fish and wildlife habitat utilizing those resources.	D
COMMENTS:					
A	B			WR-G3. Planning, Coordination, and Advocacy. A system of local coordination and intra-regional cooperation to advance local, regional, and state water management priorities and objectives.	R

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			COMMENTS:		
A	B		WR-G4. Watershed Planning Framework. Land use decision making that makes use of watersheds as a planning, management, and coordinating framework to cooperatively manage water and other natural resources with local communities, neighboring counties, and state and federal agencies.		R
			COMMENTS:		
A	B		WR-G5. Watershed Management. A system of water resource management that recognizes watersheds as natural systems producing multiple economic, social, and environmental benefits that can be <u>sustained in perpetuity and</u> optimized with <u>education</u> , sound data, cooperative public processes, adaptive management, and <u>science based</u> leadership.		M Vote 6-0
			COMMENTS: 8-11-11(C. Edmonds was excused) Commissioner Desiere requested the addition of the word "education" after "optimized". Commissioner Kreb requested the addition of the language recommended by the Healthy Watersheds and Watershed Restoration Council, along with the addition of "education" (all support). <u>Straw vote</u> <u>Unanimous support of the Watershed Restoration Council's suggestion and Commissioner Disiere's addition of the word "education".</u>		
A	B		WR-G6. Public Water Supply. Public water systems able to provide adequate water supply to meet <u>existing and</u> long-term community needs in a manner that protects other beneficial uses and the natural environment.		M Vote 6-0
			COMMENTS: 8-11-11(C. Edmonds was excused) C. Gearheart – pulled because there was a difference in the choice between A/B and C/D. C. Disiere – requested the addition of the word "existing" as recommended by the WLRG. <u>Straw vote</u> <u>Unanimous support of A/B with Commissioner Disiere's addition of the word "existing" 6/0</u>		
	C	D	3360.2 To maintain a dependable water supply, sufficient to meet existing and future domestic, agricultural, industrial needs and to assure that new development is		D


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			consistent with the limitations of the local water supply.		
A	B		WR-G7. Effective Conservation Strategies. Effective application of conservation, water re-use, and <u>low impact</u> storage strategies <u>such as rainwater catchment</u> in meeting year-round water supply needs. in water supply limited areas.		M Vote 7-0
			<p>COMMENTS: 8-11-11 (C. Edmonds was excused) Staff proposed the following revisions to WR-G7:</p> <p>WR-G7 Effective Conservation Strategies Effective application of conservation, water re-use, and <u>low impact off channel water</u> storage strategies in meeting year-round water supply needs in water supply limited areas.</p> <p>C. Disiere supported the revisions by the RLWG and requested striking “limited areas” (all agree).</p> <p>C. Nelson recommended that the Commission eliminate “storage strategies” and thinks it needs to be more specific. (staff indicated that was why the qualifier “low impact” was added).</p> <p>C. Kreb stated that he want to retain “low-impact”.</p> <p>C. Faust asked staff to explain what do we get from adding this language – modifier?</p> <p>TH - Not all storage strategies are good (i.e. poorly placed dams) there are techniques that can add value; therefore we recommend this language in a general way. Dams placed without regard to salmon migration are not good.</p> <p>C. Masten – storage strategies are a good thing – but we may not want to say “dams” – how about “tanks”?</p> <p>Kirk Girard – this is a goal – ‘sustainable, low impact’. If you want to say “prohibit in channel storage” we may want to say that in a standard or policy.</p> <p>C. Masten – can we just say “not dams”?</p> <p>TH – even off channel storage can do damage.</p> <p>Faust – I would recommend that both “low impact and off channel” remain in; however, my concern is that this is too vague.</p> <p>Girard – doing small dams in channel may be the best water recharge potential for</p>		


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			<p>groundwater. How about “groundwater recharge”</p> <p>Chair Gearheart requested that staff come back to us with revisions.</p> <p>C. Masten – this is a living document. If science shows that water recharge is viable – we can change it.</p> <p><u>Straw vote</u></p> <p>The Commission decided to have staff return with revised language for WR-G7</p>		
			<p>COMMENTS: 8-25-11 (C. Faust was excused)</p> <p>Staff recommended the following version of WR-G7:</p> <p>WR-G7. Effective Conservation Strategies. Effective application of conservation, water re-use, and <u>low impact</u> storage strategies <u>such as rainwater catchment</u> in meeting year-round water supply needs. <u>in water supply limited areas.</u></p> <p><u>Straw vote</u></p> <p>Unanimous support of staff revisions. 6/0</p>		
			<p>COMMENTS: 9-22-11</p> <p>C. Faust requested to be on the record that he supported the majority vote for WR-G7</p>		
A	B		<p>WR-G8. Restoration of Impacted River Flows. <u>Sufficient Restoration</u> of water <u>flows flow regimes</u> in the Trinity, Klamath, Eel, and <u>other rivers systems impacted by out of basin water diversions</u> to meet all beneficial uses, including salmon and steelhead recovery plans, recreational activities, and the economic needs of river dependent communities <u>and with</u> no additional upper or mid-level watershed exports from rivers flowing through the County.</p>		M Split Vote 3-3-1
			<p>COMMENTS: 8-11-11</p> <p>Staff proposed new wording to read as follows:</p> <p>WR-G8. Restoration of River Flows. <u>Sufficient</u> Restoration of water flows in the Trinity, Klamath, Eel, and <u>other rivers systems</u> to meet all beneficial uses, including salmon and steelhead recovery plans, recreational activities, and the economic needs of river dependent communities, <u>and with</u> no additional upper or mid-level watershed exports from rivers flowing through the County.</p>		

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	<p>C. Masten – why are we limiting to only the Trinity, Klamath and Eel – why not all watersheds? And tributaries.</p> <p>K. Girard – we received a lot of public comments on water diversions on the Trinity, Klamath and Eel Rivers. If we drop that we may lose some of that importance.</p> <p>C. Masten – they are all important to us. This is a goal statement.</p> <p>C. Nelson – the Mad River system is unique. We could never get that system approved or built now. I don’t think we should restore the Mad river. We should use the system as it exists. I think we should work on restoring the flows of the other rivers. Build a pipe for the low flow watersheds from the mad. Should use it.</p> <p>C. Kreb – I agree with C. Masten for the addition of “all watersheds”. But keep in “upper and mid-level watersheds” reference.</p> <p>Chair Gearheart calls for the vote.</p> <p>C. Masten recommends new language.</p> <p>C. Faust – C. Nelson raised the point that the Mad is different. Doesn’t this apply to the Mad also. (“restoration of water flows” doesn’t apply to the Mad).</p> <p>C. Masten – I would like to leave this reference to all watersheds.</p> <p>K. Girard – this goal was intended to restore flows to those rivers that have export going on them now. We may need two goals. One general to all watersheds, another for those that are experiencing low flows now. “Restoration of river flows of dammed rivers”</p> <p>Staff to come back with two goals with one to address de-listing waterways as a goal.</p>		
	<p>COMMENTS: 8-25-11 (C. Faust was excused)</p> <p>Staff recommended the following revision of WR-G8 to address the specific flow issues from impacted rivers and a new goal WR-G8x1 to address the de-listing of waterways:</p> <p>WR-G8. Restoration of <u>Impacted River Flows</u>. Sufficient Restoration of water flows in the Trinity, Klamath, Eel, and <u>other rivers systems impacted by out of basin water diversions</u> to meet all beneficial uses, including salmon and steelhead recovery plans, recreational activities, and the economic needs of river dependent communities. and with no additional upper or mid-level watershed exports from rivers</p>		

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	<p>flowing through the County.</p> <p>WR-G8x1. Restored Water Quality and Watersheds. All water bodies de-listed and watersheds restored, providing high quality habitat and a full range of beneficial uses and ecosystem services.</p> <p><u>Commission Discussion</u> C. Masten noted that DFG did propose that the Mad be included in this goal. Chair Gearheart stated that this was addressed in G8x1. C. Nelson stated that he would like to see the last sentence kept and not deleted (read into the record). C. Disiere stated that this was because of the Mad River that we struck that sentence. C. Nelson stated that he did not believe that it was covered in G8x1. He was against making it easy to exporting water.</p> <p><u>Straw vote</u> Split vote for support of staff revisions. 3/3 vote Commissioners Kreb, Disiere and Edmonds support the revision as proposed by the staff as follows:</p> <p>WR-G8. Restoration of <u>Impacted River Flows.</u> Sufficient Restoration of water flows in the Trinity, Klamath, Eel, and other rivers systems impacted by out of basin water diversions to meet all beneficial uses, including salmon and steelhead recovery plans, recreational activities, and the economic needs of river dependent communities. and with no additional upper or mid-level watershed exports from rivers flowing through the County.</p> <p>Commissioners Masten, Nelson and Gearheart support the revision as proposed by the staff with the last sentence in, with the remainder of the staff changes as follows:</p> <p>WR-G8. Restoration of <u>Impacted River Flows.</u> Sufficient Restoration of water flows in the Trinity, Klamath, Eel, and other rivers systems impacted by out of basin water diversions to meet all beneficial uses, including salmon and steelhead recovery plans,</p>		



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	recreational activities, and the economic needs of river dependent communities. and with no additional upper or mid-level watershed exports from rivers flowing through the County-		
	COMMENTS: 9-22-11 Commissioner Faust requested to be on the record that he supported the version of WR-G8 with the last sentence retained (similar to Masten, Nelson and Gearheart).		
	COMMENTS: 10-20-11 Commissioner Nelson requested to be on the record that he supported ending the sentence for G8 after "restoration of water flows of Trinity, Klamath, Eel rivers". (delete remaining)		
	COMMENTS: 10-20-11 During the October 13 th meeting, Commissioner Nelson was concerned about the use of the words "flow" or "flows", because average annual stream flows have not dropped; the issue is summer flows. Based on the staffs' review of this issue, staff recommended that the term "flow regimes" be substituted in for "flows" where appropriate in WR-G8 and WR-IM24 . Straw vote Unanimous approval to substitute "flow regimes" for "flow" in G8. 5/0		
	WR-G8x1. Restored Water Quality and Watersheds: <u>WR-G8x1. Restored Water Quality and Watersheds. All water bodies de-listed and watersheds restored, providing high quality habitat and a full range of beneficial uses and ecosystem services.</u>	New goal - added by the Commission on 8-25-11	R Straw Vote 6-0
	COMMENTS: 8-25-11 Commission Discussion (see discussion under G8). Straw vote Unanimous support of staff revisions. 6/0		
A B	WR-G9. Storm Drainage. Storm drainage utilizing onsite infiltration and natural drainage channels and watercourses, creating minimal while minimizing erosion, peak runoff,	Edited for clarity.	M Vote



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			and interference with surface and groundwater flows <u>and storm water pollution.</u>		6-0
			<p>COMMENTS: 8-11-11 New wording in staff report: WR-G9. Storm Drainage. Storm drainage utilizing <u>onsite infiltration and natural drainage channels and watercourses, creating minimal while minimizing</u> erosion, peak runoff, and interference with surface and groundwater flows <u>and storm water pollution.</u></p> <p>C. Kreb – is this the place to add LID for stormwater detention in reference to the new state law? (staff - better in the standards section). C. Faust – supports the revisions recommended by the Healthy Watersheds regarding “storm water pollution”.</p> <p>All support those changes. <u>Straw vote</u> Unanimous support of the addition of the words “and storm water pollution” 6/0</p>		
			<p>NEW - <u>WR-GX. Wastewater Management Individual wastewater systems that do not contaminate surface and ground water.</u></p>	New Goal added by the Commission on 9-8-11	M Straw Vote 5-0
			<p>COMMENTS: 9-8-11 see discussion under P16 and WR-Px6 During the Commission discussion on WR-P16, Commissioner Masten expressed the desire to have a goal statement that eliminates failed septic systems in the County along surface waters and the Commission directed staff to return with such a goal statement. <u>Straw vote:</u> Approved unanimously 5/0</p>		
11.4 Policies - Water Resources and Land Use					
A	B		WR-P1. Sustainable Management. Ensure that land use decisions conserve, enhance, and manage water resources on a sustainable basis to assure sufficient clean water for beneficial uses and future generations.	 Leg, QJ	R


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			COMMENTS:		
A	B		<p>WR-P2. Protection for Existing Surface and Groundwater Uses. Impacts on existing Basin Plan beneficial water uses shall be considered and mitigated during discretionary review of land use permits that are not served by municipal water supplies. Compliance measures for un-permitted development not served by municipal water supplies shall include mitigations for surface or groundwater resource impacts.</p>	 QJ, S4	<p>M Vote 6-0</p>
			<p>COMMENTS: 8-11-11 (C. Edmonds was excused)</p> <p>C. Nelson – there should be a database for all the watersheds. How much water falls on the watershed, groundwater, flow, evaporation rates, etc. We need an analysis for water available for use.</p> <p>Girard – that is more an implementation measure – critical watershed designation. IM8, IM11</p> <p>C. Gearheart – WLRG recommendations – why take out municipal?</p> <p>K.Girard – our planners when processing discretionary permits can get the beneficial uses per watershed from the Basin Plan for CEQA review. This may not be titled correctly. “impacts on Basin Plan existing beneficial water uses” - “existing” is wrong in the title.</p> <p>C. Faust – un-permitted uses are unlawful. I want to make it unlawful for those that withdraw water for unpermitted development that impact beneficial uses (recommends that staff return with is a separate policy).</p> <p><u>Straw vote</u></p> <p>Unanimous support of revised language to delete “existing” in both title and body of policy 6/0</p> <p>The Commission also directed staff to write a new policy that made it unlawful to draw water when there is non-permitted structures and had detrimental effect to other lawful water users.</p>		
			<p>COMMENTS: 8-25-11 (C. Faust was excused)</p> <p>The Commission reviewed the following language revisions as proposed by staff:</p> <p>WR-P2. Protection for Existing Surface and Groundwater Uses. Impacts on existing Basin Plan beneficial water uses shall be considered and mitigated during discretionary review of land use permits that are not served by municipal water supplies. Compliance measures for un-permitted development not served by</p>		

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	<p>municipal water supplies shall include mitigations for surface or groundwater resource impacts.</p> <p>Commission Discussion: All okay with proposed revisions.</p> <p><u>Straw vote</u> Unanimous support as revised 6/0</p>		
	<p>COMMENTS: 9-8-11 Staff proposed the following Implementation measure for WR-P2:</p> <p><u>WR-IMx2. (new)</u> Prepare an ordinance to provide increased enforcement capabilities for un-permitted development within critical watershed areas if the development impacts water resources. Work with the State Departments of Water Resources and Fish and Game to address illegal water diversions and over-subscribed water right allocations.</p> <p>Girard – we don’t have the authority to prohibit the withdrawal of water but do have the authority of illegal development – we can provide increased enforcement for those areas.</p> <p>C. Faust – if staff wants to pull this and wait for the revisions to P2, however I don’t have any objects to IMx2</p> <p>Chair Gearheart – needs a title. Why would we want to limit this to critical watersheds?</p> <p>Girard – increased enforcement is not easy in this county – don’t want to lose the importance of impacts to watersheds.</p> <p>Staff to come back with new IMx2 and water policy.</p>		
	<p>COMMENTS: 9-22-11 (C. Faust was excused for the 8-25 meeting so this item was continued to 9-22-11)</p> <p>C. Faust – I would like to talk about riparian water rights – and the absolute right to withdraw that water. The history of riparian water rights – any user had to respect other users. If it is an illegal use, I don’t believe that they can withdraw water if it is not recognized as a beneficial use. If those that are adversely affected by these illegal water diversions, they have the ability to sue and find legal recourse.</p>		

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	<p>C. Masten – I agree with C. Faust – if they are illegal, then their right is not adjudicated. Even if we don't have the right to enforce the water withdrawal, we can enforce on the illegal activity.</p> <p>C. Edmonds- I would accept what staff has proposed for going after the illegal land use.</p> <p>K. Girard – there is a slight difference in what counsel said regarding water policy and illegal land use. We can't declare it unlawful under our ordinance and police power to prohibit the withdrawal of water. What I heard Commissioner Faust say is that under state law, water users and riparian withdrawals can't hurt others ability to use water downstream. We could at least render this opinion. Illegal develop is hurting others and therefore a violation of state laws. I don't know how effective it would be but we could state it.</p> <p>Chair Gearheart – I would support having that statement in here.</p> <p>Davina Smith – how about something like "water diversions for unpermitted uses is not a beneficial use under the water laws of the state".</p> <p>C. Faust – I am grappling to find a solution for the withdrawal of water for illegal uses. If this action adversely affected their neighbors, they can sue for damages. I'm trying to get at the same thing here – some kind of remedy.</p> <p>RETURN – to withdraw you must declare that it is a legal beneficial use. Not hurting your neighbor.</p> <p>Chair – is this a new WR-Px1? yes</p>		
	<p><u>WR-P2x1: Unpermitted Development The County declares that a water use serving illegal development is not a reasonable and beneficial use of water, within the context of California water rights law.</u></p>	<p>New Policy added by the Commission on 10-13-11</p>	<p>M Straw Vote 4-1</p>
	<p>COMMENTS: 10-13-11 During the September 22 meeting, the Commission continued its discussion on the need for a policy concerning water withdrawals associated with unpermitted development. Staff drafted a policy as requested, but was concerned that it ran counter to water rights law which provides certain entitlements for riparian and overlying lands. During the continued discussion, Counsel Smith suggested wording that would declare that water withdrawals for</p>		



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				<p>unpermitted development not be recognized as a beneficial use. Staff was requested to return with such a policy. Staff had previously distributed a summary of California water rights law (in the staff report for 9-08-11). Based upon this and the Commission’s prior discussion staff recommended the following new policy:</p> <p><u>WR-P2x1: Unpermitted Development</u> The County declares that a water use serving illegal development is not a reasonable and beneficial use of water, within the context of California water rights law.</p> <p>Straw vote: Commissioners Disiere, Edmonds, Gearheart and Masten support the new language Commissioner Nelson does not support the addition of P2x1.</p>		
		C	D	<p>3361.1 Ensure that land use decisions are consistent with the long term value of water resources in Humboldt County.</p> <p>COMMENTS:</p>		D
		C	D	<p>3361.3 Ensure that the intensity and timing of new development will be consistent with the capacity of water supplies.</p> <p>COMMENTS:</p>		D
		C	D	<p>3361.4 Existing water uses shall be considered during the review for new water uses.</p> <p>COMMENTS:</p>		D
A	B			<p>WR-P3. Proactive Protections. Focus regulatory attention <u>and educational efforts</u> in specified watersheds where limited water supply or threats to water quality have potentially significant cumulative effects on the availability of water for municipal or residential water uses or the aquatic environment.</p> <p>COMMENTS:</p>	<p>Education added.</p> <p> Leg, QJ, Min, IM1-2</p>	R
A	B			<p>WR-P4. Critical Municipal Water Supply Areas. The Board of Supervisors shall designate all or portions of watersheds as “Critical Water Supply Areas” if cumulative impacts from land uses within the area have the potential to significantly impact the quality or quantity of municipal water supplies. Water resources within Critical Water Supply Areas shall be protected by the application of specific standards for such areas.</p> <p>COMMENTS: 8-11-11 (C. Edmonds was excused)</p>	<p> Leg, QJ, S1-2, IM1-2</p>	R


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		Staff pulled because this is a change in process for both P4 and P5. It is currently in our General Plan (limited) but this does increase it (Lufenholtz and Francis Creek now). All support as written.		
A	B	WR-P5. Critical Watershed Areas. The Board of Supervisors shall designate all or portions of watersheds as "Critical Watersheds" if cumulative impacts from <u>existing or planned</u> land <u>and water resource</u> uses within the area have the potential to create significant environmental impacts to threatened or endangered species; including <u>Chinook salmon</u> , Coho salmon or steelhead habitat . <u>Land and</u> water resources within Critical Watersheds shall be protected by the application of specific standards for such areas to avoid the take of threatened or endangered species.	California Coastal Chinook are threatened under the ESA.  Leg,QJ S1,S3, IM1-2	M Vote 6-0
		COMMENTS: 8-11-11 C. Faust – cumulative impacts – how do we review (see proposed changes) <u>Straw vote</u> Unanimous support of staff proposed revisions.		
A	B	WR-P6. Subdivisions <u>Water Supply</u>. Any subdivision of land approval shall be conditioned to require evidence of sufficient water supply during normal and multiple dry years <u>drought conditions</u> to meet the projected demand associated with the proposed subdivision. Sufficient water supply shall include the requirements of the proposed subdivision and existing and planned future uses. Written service letters from a public water system written in conformance with this policy is sufficient evidence. Subdivisions to be served through on-site water supplies or private water systems must provide evidence of sufficient water supply to the County Department of Environmental Health.	Added more accurate title and left definition of drought conditions to implementing regulations.  QJ, S6	M Vote 6-0
		COMMENTS: 8-11-11 (C. Edmonds was excused) C. Gearheart – for any subdivision you need to show a water supply? (yes) C. Faust – recommended the use of "division of land" in lieu of "subdivision"		


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				TH – recommend the wording “Any subdivision of land shall be...” <u>Straw vote</u> <u>Unanimous support of the revisions proposed by staff.</u>		
		C	D	3361.6 Projects must provide evidence of water availability prior to recordation of map.		D
A	B			WR-Px1. Requirements for Water Storage in temperature-flow Impaired Watersheds. Require new development proposed within in temperature-flow impaired watersheds that are not served by public water to install water storage tanks capable of providing 100 percent of the Department of Fish and Game recommended water storage volume and enter into a <u>forbearance agreement eliminating water withdrawals during low-flow conditions</u> . Require the installation of rain catchment systems to support domestic and outdoor water needs during low-flow summer months. <u>Proposed development that seeks to rely upon surface water or groundwater withdrawals from temperature impaired watersheds shall provide evidence of, or be conditioned to obtain a forbearance agreement eliminating water withdrawals during low-flow conditions.</u>	Recommended by staff for deletion. This requirement is addressed through WR-P5 and S1,S3, IM1-2.  This was a mitigation in the Housing Element (See H-IM36)	M Vote 7-0
				<p>COMMENTS: 8-25-11</p> <p>Chair Gearheart - Staff recommends that we delete - Does anyone object?</p> <p>C. Nelson wants this in</p> <p>C. Masten – why did we strike?</p> <p>TH – this is a very explicit action that may be better done through a Critical Watershed action and ordinance.</p> <p>C. Masten – I can see where this would be beneficial on some of our watersheds. I think this may be a good broad statement to include.</p> <p>Chair Gearheart - I think the combination of P5 and what DFG requires would take care of this.</p> <p>TH - This may be too broad. This would apply to quite a bit of the County.</p> <p>C. Kreb- DFG recommends this. I would like to change my vote to keep in.</p> <p>Commissioners Disiere and Gearheart – all okay with keeping it in as written.</p> <p><u>Straw vote</u></p>		

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	<p>Unanimous support of keeping this in. 6/0</p>		
	<p>COMMENTS: 9-8-11 The Commission considered WR-PX1 as proposed by the Healthy Watershed Working Group as follows: WR-PX1 Requirements for Water Storage in Temperature Impaired Watersheds. Require new development proposed on properties within in temperature impaired watersheds and critical watershed areas that are not served by public water to install water storage tanks facilities capable of providing 100 percent of the Department of Fish and Game recommended adequate water storage volume to meet water demand throughout the dry season. Require, where feasible, the installation of rain catchment systems to support supply domestic and outdoor water needs during low-flow summer months. Proposed development that seeks to rely upon surface water or groundwater withdrawals from temperature impaired watersheds shall provide evidence of, or be conditioned to obtain, a forbearance agreement eliminating water withdrawals during low-flow conditions.</p> <p>Straw vote approved unanimously as revised by the HWWG 5/0</p>		
	<p>Comment: 9-22-11 The Commission discussed the recommendation from the Healthy Watersheds Working Group (HWWG) regarding water storage during low flow periods and the need for forbearance agreements on impacted watersheds during the meeting of 8-25-11. The HWWG made suggested revisions to WR-S5 of which the Commission was generally in support of; however there was concern that this language may conflict with the previously approved WR-P2 or be duplicative with WR-Px1 and therefore, unnecessary.</p> <p>Commissioner Kreb – I would recommend that we use the word “flow” impaired instead of “temperature” impaired in both the title and policy language for Px1 and move the last sentence from Healthy Watersheds Working Group S-5 A(see below) to read as follows:</p> <p>WR-Px1. Requirements for Water Storage in temperature-flow Impaired Watersheds. Require new development proposed within in temperature-flow impaired</p>		

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	<p>watersheds that are not served by public water to install water storage tanks capable of providing 100 percent of the Department of Fish and Game recommended water storage volume and enter into a <u>forbearance agreement eliminating water withdrawals during low-flow conditions</u>. Require the installation of rain catchment systems to support domestic and outdoor water needs during low-flow summer months.</p> <p>Commissioner Krebs - Regarding WR-S5, I would support staff's recommendation to keep the additions of the second sentence but strike the last sentence to read as follows.</p> <p>WR-S5. Surface Water Withdrawal Permitting. Ministerial and discretionary permits for land use development that include development of new in-stream water sources or other streambed alterations subject to California Fish and Game Code Section 1602 shall provide evidence of, or be conditioned to obtain a Streambed Alteration Agreement from the Department of Fish and Game <u>as well as a Water Right Permit or a small scale domestic use registration from the State Water Board</u>. Proposed development that seeks to rely upon surface water or groundwater withdrawals from temperature impaired watersheds shall provide evidence of, or be conditioned to obtain a forbearance agreement eliminating water withdrawals during low flow conditions.</p> <p><u>Straw vote</u> Unanimous support of the changes made to both Px1 and S5 as recommended by Commissioner Krebs.</p>		
	<p>COMMENTS: 9-22-11 C. Faust requested to be on the record that he supported the majority vote for WR-Px1</p> <p>Director Girard explained to the commission that this policy would greatly expand the requirements for water storage throughout the County – for most of the watersheds that are temperature impaired, it may not directly relate to flow rates - this would affect a lot of development – sometimes it is related to flow but not always – (riparian vegetation loss).</p>		



Plan Alternative			Chapter 11 Water Resources Element	Staff Remarks/ Implementation	Position R,M,D
			<p>COMMENTS: 10-20-11 Commissioner Nelson requested to be on the record that he supported the wording to require new development in areas not served by public water having to install water storage tanks, and forbearance agreements during low flow conditions.</p>		
			<p><u>WR-Pxx Funding. Coordinate with local, state and federal agencies, and conservation and watershed restoration related organizations, to identify and obtain sources of funding for water quality enhancement, fish passage projects, stormwater pollution management, and water conservation efforts.</u></p>	<p>New Policy added by the Commission on 9-08-11</p>	<p>M Straw Vote 5-0</p>
			<p>COMMENTS: 9-08-11 The Commission considered an additional policy proposal by the Healthy Watershed Working Group to read as follows: <u>WR-Pxx Funding. Coordinate with local, state and federal agencies, and conservation and watershed restoration related organizations, to identify and obtain sources of funding for water quality enhancement, fish passage projects, stormwater pollution management, and water conservation efforts.</u></p> <p>Straw vote approved unanimously 5/0</p>		
A	B		<p>WR-P7. Cumulative Impacts of Rural Subdivision. Cumulative impacts of water withdrawal from surface and groundwater sources and sewage disposal shall be assessed during <u>prior to</u> the zoning and subdivision of all areas not served by <u>municipal water supply designated for Rural Development.</u></p>	<p>Edited for clarity.</p> <p> Leg, QJ, S6</p>	R
			<p>COMMENTS:</p>		
A	B		<p>WR-P8. Erosion and Sediment Discharge. Ministerial and discretionary projects requiring a grading permit shall comply with performance standards adopted by ordinance and/or conditioned to minimize erosion and discharge of sediments into surface runoff, drainage systems, and water bodies consistent with best management practices, adopted Total Maximum Daily Loads (TMDLs), and non-point source regulatory standards.</p>	<p> QJ, Min, S8</p>	R


Plan Alternative		Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
		COMMENTS:		
A	B	<u>WR-Px2. Mitigate Controllable Sediment Discharge Sites.</u> Discretionary development involving a site identified as part of the TMDL Controllable Sediment Discharge Inventory shall be conditioned to mitigate sediment.	Edited for clarity.  New Policy - Added by staff based on comments from the RWQCB	R Straw Vote 7-0
		<p>COMMENTS: 8-25-11</p> <p>C. Nelson – I’m not sure how the TMDL assessments fits in here – not all streams have them. Most deal with unstable roads and sediment discharge. It should exclude slide areas – roads – we may want to do a sediment source analysis. Grading ordinance – later on at Px3. there is more sediment produced from housing sites.</p> <p>TH – use of the word “controllable” really gets to man made sediment discharge. The TMDL plans focus on human caused with a target reduction on those discharges. That is what this policy is speaking to. It gives you the authority to be more specific in regulating road building. You have the option to go there.</p> <p>C. Nelson – Van Duzen River TMDL is a good example. From there, these have gone downhill.</p> <p>TH – are you concerned that it only limits it to those watersheds that have been figured out with a TMDL? (Yes) - that is a valid point.</p> <p>K. Girard – this is specific to what the water board might adopt with land use decisions in that area. Will it synchronize with our policies? It is not supposed to undermine the other policies in the plan.</p> <p>C. Masten – is there a way to incorporate C. Nelson’s concerns by adding a sentence.</p> <p>KG – look at P8 – it is covered.</p>		



Plan Alternative			Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
			<p>C. Masten supports the staff’s recommendations for Px2 and deletion of Px3. All okay.</p> <p><u>Straw vote</u> Unanimous support as written and deletion of Px3 6/0</p>		
			<p>COMMENTS: 9-22-11 C. Faust requested to be on the record that he supported the majority vote for WR-Px2</p>		
A	B		<p>WR-Px3. Continue to Implementation Water Quality Regulations. Continue to implement Division 3, Building Regulations, Section 331-12, Grading, Excavation, Erosion, and Sedimentation Control Regulations, and Division 1, Planning Zoning Regulations Chapter 6 – General Provisions and Exceptions Section 314-61.1 Streamside Management Area Ordinance to protect water quality.</p>	<p>Recommended for deletion. (Unnecessary policy.)</p> <p> New Policy - Added for consistency with other sections of the GPU</p>	<p>D Straw Vote 7-0</p>
			<p>COMMENTS: see discussion under WR-Px2 COMMENTS: 9-22-11 C. Faust requested to be on the record that he supported the majority vote for WR-Px3</p>		
A	B		<p>WR-P9. County Facilities Management. Design, construct, and maintain County buildings, roads, bridges, drainages, and other facilities to minimize erosion and the volume of sediment in stormwater flows.</p>	<p>Prog, S9, IM4</p>	<p>R</p>
			<p>COMMENTS:</p>		
A	B		<p>WR-P10. Project Design. Development should be designed to compliment and not detract</p>	<p>Min, OJ</p>	<p>R</p>


Plan Alternative		Chapter 11 Water Resources Element	Staff Remarks/ Implementation	Position R,M,D
		from the aesthetics and function of rivers, streams, ponds, wetlands, and their setback areas.		
		COMMENTS:		
A	B	WR-P11 Small and Micro Hydroelectric. Encourage small <u>and micro</u> hydroelectric development when impacts to surface water flows, <u>aquatic species</u> , and habitat <u>have been adequately mitigated and</u> are in conformance with state and federal <u>permits and</u> standards.	Added "micro" to include homesteads, QJ	M Straw Vote 5-0
		<p>COMMENTS: 8-25-11</p> <p>C. Nelson – 100kw - is this considered a micro) system?– yes.</p> <p>TH – small – less than 5MW – also seen small as 50 MW.</p> <p>C. Masten – I would also like to know what the specific size is. DFG also has comments on this for developing standard mitigation for these projects. That needs to be addressed.</p> <p>TH – see S11 – provides a definition. "Run of the river" project.</p> <p>C. Masten – I would want some sort of definition or size. "not more than..."</p> <p>K. Girard – micro – up to 100kw of electricity – small has a few definitions –</p> <p>C. Kreb – Healthy Watersheds Working Group recommends eliminating the words small and substituting it with micro.</p> <p>K. Girard – small hydro to be the solution during the last energy crunch – it was significant. Energy Element – balance the interest of water resources with the energy needs of the county. 12 – 15 MW on the reservation (Small) –</p> <p>C. Masten – we did not pursue because of impacts to fisheries.</p> <p>K Girard – I would recommend keeping the door open and leave the word small in - we did get testimony on this.</p> <p>Staff to bring back with recommendation of "small"</p> <p>Commissioner Kreb requested that someone from HH return with a discussion on their recommendation.</p> <p><u>Straw vote return</u></p>		
		COMMENTS: 9-8-11	Add new	

Plan Alternative	Chapter 11 Water Resources Element		Staff Remarks/Implementation	Position R,M,D
		<p>The Commission discussed changes to WR-P11 regarding the small hydroelectric policy. Discussion focused on the need for clear definitions, and responding to Fish and Games' comments. Staff is suggesting edits to respond to these issues, but is not recommending developing a set of "standard mitigations" as suggested by Fish and Game at this time. The definition of "small hydroelectric system" in the Framework Plan glossary is as follows: This definition has been revised in the proposed General Plan Update glossary to delete the 5 megawatt reference:</p> <p>Small Hydroelectric System: Small scale electrical generating systems using run of the river type diversions and existing impoundment with a maximum generating capacity of five (5) megawatts.</p> <p>Based on the Commission's discussion staff recommended the following revision of WR-P11 and add definition for "micro hydroelectric" to the glossary:</p> <p><u>Micro Hydroelectric System: Very small scale electrical generating systems using run of the river type diversions with up to 100 kilowatts of electrical generating capacity.</u></p> <p>WR-P11 Small and Micro Hydroelectric. Encourage small <u>and micro</u> hydroelectric development when impacts to surface water flows, <u>aquatic species</u>, and habitat <u>have been adequately mitigated and</u> are in conformance with state and federal <u>permits and standards.</u></p> <p>Straw vote: Approved unanimously as revised by staff 5/0</p>	definition to glossary	
	C	D		D
		COMMENTS:		


Plan Alternative		Chapter 11 Water Resources Element	Staff Remarks/ Implementation	Position R,M,D
A	B	<p>WR-P12. Groundwater Quality Protection. Commercial and industrial discretionary uses shall be evaluated for their potential to contaminate groundwater resources, and mitigated as necessary.</p>	 QJ	R
		<p>COMMENTS:</p>		
A		<p>WR-Px4 Well Permit Applications Require that information regarding the historic uses of the project site and contiguous surrounding lands and a map showing known contaminated sites within 500 feet of the property located near the project based on data available from the SWRCB <u>Geotracker or successor</u> website shall be included as part of well permit applications, as well as a map that identifies known contaminated sites located near the project based on data available from the SWRCB website. <u>as well as evidence of compliance with State water rights law.</u></p>	<p>Editorial changes and increased specificity.</p> 	<p>M Straw Vote 5-0</p>
		<p>COMMENTS: 8-25-11 Commissioner Disiere – why is this here? – isn’t that Environmental Health responsibility? K. Girard – yes – they do regulate contaminated sites. We included the implementation, just because it is EH. We have other overlay policies. C. Nelson – does everyone that drills a well have to have a permit? (yes) do they have to prove that it does not affect groundwater in the area (no – meets well construction standards) – how do we get that in here? KG - Groundwater management ordinance. TH – add a clause that they comply with state water law – statement of use. How about “Comply with our groundwater ordinance” C. Edmonds – I am reminded of Nevada County with agri-business that did draw down the ground water to depletion - issue. C. Gearheart – suggested wording? C. Masten – add a sentence – state law compliance? c. Kreb – support Px4 wit the additional wording by staff. TH – I would have to look at what Jane Arnold was referring to – does it stop with riparian rights? K. Girard – Px4 is really focused on well permits – EH – please make sure that we have knowledge and put the burden on the applicant for the Geotracker.</p>		




Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
				<p><u>Straw vote</u> Return – new wording from staff.</p>		
				<p>COMMENTS: 9-8-11 Commissioner Disiere asked staff for clarification regarding the additional language – what does it mean? T. Hofweber: there are several possible areas of state regulation that could apply to water wells and we would be looking for the applicant to provide those to us. Commissioner Disiere – How would the applicant know what would be required of them at the state level? T. Hofweber: There are guidelines. For example, Mattole Restoration Council has put out some good guidelines on the permit process; additional information could be made available. Commissioner Nelson: a lot of people have their wells tested and that information is not shared with anyone. Is there a solution to that? Commissioner Edmonds: once contamination is discovered, there is an automatic referral to Public Health. <u>Straw vote:</u> <u>approved unanimously as revised 5/0</u></p>		
A				<p>WR-Px5. Important Groundwater Recharge Areas. Protect important groundwater recharge areas by limiting the construction of impervious surfaces and requiring that new development maintain pre-development infiltration rates.</p>	<p>Modified so as not to limit location of these areas.</p>  <p><u>WR-S4,</u> <u>IMx3</u></p>	R
				<p>COMMENTS:</p>		
A	B			<p>WR-P13. Saltwater Intrusion. Discretionary projects involving groundwater withdrawals in proximity to coastal areas with a potential to create saltwater intrusion shall demonstrate that groundwater supplies will not be adversely affected.</p>	<p>Amended for clarity.</p>	R



Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/ Implementation	Position R,M,D
					 QJ	
				COMMENTS:		
A	B			<p>WR-P14. Pathogen and Nutrient Discharge from Septic Systems. Support programs <u>including the experimental sewage disposal program, and practices such as on site graywater re use to that</u> reduce coliform bacteria and nitrate discharges from septic systems. that do not meet operational standards established the North Coast Regional Water Quality Control Board. Work cooperatively with Environment Health to assess the need for land use controls in areas where septic discharge threatens public health or beneficial uses.</p>	 Iss, Prog, IM7	M Straw Vote 6-0
				<p>COMMENTS: 8-25-11 Chair Gearheart – is this policy just for failing septic systems (yes) I don't understand the wording here. I think we need a policy that completely supports graywater systems. C. Edmonds – is there an organization that establishes the efficiency of systems? Who determines this? K. Girard – compost toilets – Europe tracked this for two years. They worked theoretically – but if not maintained – they did not perform well and put people in contact with pathogens. C. Disiere – instead of experimental – all systems should be looked at. Science changes and I don't think we should be boxed in. Kreb – I agree that we need a new policy that “the county will modify the existing graywater permitting policy to make it more accessible to individual households.” Including alternative septic systems. A lot of people would like to have legal graywater systems. C. Masten – along rivers – concerned with the leakage into the river. I don't know if this addresses it. (yes – the state law was changed in 2002 to address this. The Water Board has tried 4 times to address this. Close to sensitive water body. TMDL, framework. We felt that that area is well occupied by the state). C. Nelson – how much control do we have on the old septic systems? Willow Creek? Does the county have any control over that? (Yes – formal approach to determining if you have a septic problem – study – whole range of options – including a full moratorium.</p>		

Plan Alternative			Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
			<p>K. Girard – you could say – let the state take the lead – or – have the County take the lead. Chair Gearheart suggested deleting “including the experimental sewage disposal program, and practices such as on-site graywater re-use” from the first sentence and supported the remainder of the staff proposed revisions.</p> <p><u>Straw vote</u> Unanimous support of C. Gearheart’s revisions to P14 and for staff to return with a separate policy that addresses full support of graywater systems. 6/0</p>		
			<p><u>WR-Px6. Greywater and Alternative Disposal Systems. Support programs and ordinance revisions that modify the permit process for greywater and other alternative disposal systems to make such systems more accessible to individual households.</u></p>	<p>New policy added by the Commission on 9-8-11</p>	<p>M Straw Vote 5-0</p>
			<p>Comments: 9-8-11 During the Commission discussion on WR-P14 Commissioner Kreb expressed the desire to have a policy that supports the re-use of water and alternative sewage disposal systems and the Commission directed staff to return with such a policy. It was recognized that this should be a separate policy. Based on the Commission’s discussion staff recommended the following policy: <u>WR-Px6. Greywater and Alternative Disposal Systems. Support programs and ordinance revisions that modify the permit process for greywater and other alternative disposal systems to make such systems more accessible to individual households.</u> Straw vote: Approved unanimously 5/0</p>		
A	B		<p>WR-P15. Nutrient Discharge from Agricultural Operations. Support programs that reduce nutrient discharge from agricultural operations, such as the voluntary manure management programs used by local dairies.</p>	<p>Amended for clarity.  Iss, Prog, IM27</p>	<p>R</p>
			<p>COMMENTS:</p>		
A	B		<p>WR-P16. State and Federal Regulation. Encourage state and federal agencies to maintain</p>	<p>Iss, Prog, IM6</p>	<p>R</p>

Plan Alternative	Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
	responsibility for water resources supply and water quality management. The County shall not accept administrative responsibility for state or federal regulatory programs unless sustainable funding sources are secured.		Straw Vote 5-2
	<p>COMMENTS: 8-25-11 Commissioner Edmonds – if we have a policy, do we then have an enforcement responsibility? (yes) C. Masten – I would like to recognize that there is a problem (goal?) but not necessarily have a policy that we have to implement. K Girard – every policy needs some sort of implementation with it. As far as liability, if we want to step in front of the state, we should do it with full force. P16 – where there is a real connection with their programs and county land use, we should be specific (P14 didn't quite get there). If they do a study, find a problem, we impose a moratorium. We just do the land use portion. TH – we were also avoiding that sewage disposal being run by CDS – service districts do that – the County manages septic systems. In the case of Willow Creek – would like to be designated as a CWS. C. Masten – please have staff look to writing a new goal for P14/P16 failed septic systems. C. Nelson – second sentence – seems absurd – I would like it deleted. KG – unfunded mandates are illegal in state law. We don't have the capacity to assume water quality programs. Unless they come with funds, we can't accept responsibilities. Comments that said don't get into the domain unless you have funding or overlapping with other agencies. Look to IM6. C. Edmonds – does this hold the weight of law? (Counsel – those are fights that go on all the time). C. Disiere – supports the way it is written. (Kreb, Masten, Gearheart, Edmonds too) Nelson – delete second sentence <u>Straw vote</u> Commissioners Disiere, Kreb, Masten, Gearheart and Edmonds support the way it is written. Commissioner Nelson voted to delete second sentence.</p>		
	COMMENTS: 9-22-11 C. Faust requested to be on the record that he supported		

Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
				Commissioner Nelson's vote to delete the second sentence of WR-P16.		
	C	D		3361.2 Regulate development that would pollute watershed areas.		D
				COMMENTS:		
	C	D		3361.5 The availability of groundwater should be used as a prime factor in determining the desirable amount of residential development in a particular area in order to protect groundwater resources from depletion or contamination.		D
				COMMENTS:		
	C	D		3361.13 Ensure that projects located within state designated wild, scenic or recreational river basins are consistent with the guidelines in the State Wild and Scenic Rivers Act (as amended).		D
				COMMENTS:		
11.4 Policies – Watershed Planning						
A	B			WR-P17. Watershed Planning. Use watersheds as the geographic planning framework for water resource planning and coordination with other regional, state, and federal planning, implementation, and funding efforts. Maintain relevant land use data on watershed basis to support watershed based management and decision-making processes. Encourage and support continued research, investigation, and analysis of the County's water resources by federal and state water resource agencies, and local watershed restoration groups. Encourage compilation of data, <u>such as the National Marine Fisheries Services and Department of Fish and Game coho recovery plans</u> , on a watershed basis.	Added content.  Iss, Leg, QJ, Prog, IM8, IM11-17	M Straw Vote 6-0
				COMMENTS: 8-25-11 Commissioner Nelson – what does this policy encompass? K. Girard – see it in the technical reports we prepared. Land use in each watershed – planning framework. Competing system would be to divide into Community Planning Areas. C. Nelson – does that include groundwater. K. Girard – our technical report did not address this. Basins versus aquifers.		

Plan Alternative			Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
			<p>Commissioner Masten noted that DFG requested additional wording. All support this addition.</p> <p><u>Straw vote</u> Unanimous support with revision by C. Masten. 6/0</p>		
A	B		<p>WR-P18. Watershed and Community Based Efforts. Support the efforts of local community watershed groups to protect water resources and work with local groups to ensure decisions and programs take into account local priorities and needs.</p>	 Iss, Prog, IM13, IM15	R
			COMMENTS:		
A	B		<p>WR-P19. Regional Water Management Planning. Work on a regional basis through the North Coast Integrated Regional Water Management Plan (NCIRWMP) to ensure coordination and adaptive management between statewide water resource planning efforts, regional priorities, and local needs. The goals and objectives of the NCIRWMP shall be considered in establishing County water resource priorities and policy positions.</p>	 IM9 Iss, Prog,	R Straw Vote 6-1
			<p>COMMENTS: 8-25-11 Commissioner Nelson requested that we add that our participation in the NCIRWMP does not endorse water transfers. Commissioner Disiere supports the staff's recommendation (all agree except C. Nelson). Commissioner Edmonds added that the state will override the county for water transfers regardless of our policy language. <u>Straw vote</u> All support staff's language except Commissioner Nelson 5/1</p>		
			<p>COMMENTS: 9-22-11 C. Faust requested to be on the record that he supported the majority vote for WR-P19</p>		
A	B		<p>WR-P20. State and Federal Watershed Initiatives. Support implementation of state and federal watershed initiatives such as the Total Maximum Daily Loads (TMDLs), the North Coast Regional Water Quality Control Board's (NCRWQCB) Watershed</p>	 Iss, IM10, IM13	M Straw Vote



Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
				Management Initiative, the National Marine Fisheries Services and Department of Fish and Game coho recovery plans and the California Non-Point Source Program Plan.		6-0
				<p>COMMENTS: 8-25-11 Chair Gearheart – just clear that we are supporting the A/B version. Commissioner Masten noted that DFG wanted us to add NMPS and recovery plan Straw vote Unanimous support of DFG revisions. 6/0</p>		
		C	D	3361.8 Continue participation in all state, regional or local water resource planning efforts effecting surface run-off or groundwater supplies.		D
				COMMENTS:		
		C	D	3361.9 Encourage further investigation on the County's water resources by federal and state water resource agencies.		D
				COMMENTS:		
11.4 Policies – Public Water Supply						
A	B			WR-P21. Sufficient Water Supply. Support the actions and facilities needed by public water systems to supply the water demands projected in this Plan.	Iss, Prog, IM19, IM21	R
				COMMENTS:		
A	B			WR-P22. Critical Water Supply Areas. Coordinate with public water systems in the designation and regulation of water resources in Critical Water Supply areas.	Prog, IM21	R
				<p>COMMENTS: 8-25-11 C. Masten – DFG had some suggestions – county coordinate with other resource agencies. TH – we would definitely consult with them for watersheds but not water supply – municipal water systems. Straw vote Unanimous support as written. 6/0</p>		
A	B			WR-P23. Conservation and Re-use Strategy. Promote the use of water conservation and re-use as a strategy to lower the cost, minimize energy consumption, and maximize the overall efficiency and capacity of public and private water systems. Encourage the installation of water storage, rain catchment and greywater systems to support	Added content.   Iss,	M Straw Vote 6-0




Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
				domestic and outdoor water needs. Encourage and support conservation for agricultural activities that increase the efficiency of water use for crop irrigation and livestock. Support the use of treated water for irrigation, landscaping, parks, public facilities, and other appropriate uses and coordinate with cities and other wastewater treatment entities in planning uses and minimizing impacts for treated water in unincorporated areas. Avoid water reuse that could adversely affect the quality of groundwater or surface water.	Prog, IM22	
				<p>COMMENTS: 8-25-11 Chair Gearheart – just clear that we are supporting the A/B version. Commissioner Masten noted that DFG recommended including “promote water conservation for private wells”.</p> <p><u>Straw vote</u> Unanimous support of revision by DFG 6/0</p>		
		C	D	3361.7. Maximize the use of water conservation techniques appropriate for new and existing development.		D
				COMMENTS:		
11.4 Policies – Water Exports						
A	B			WR-P24. Restoration of Flow Rates. The County shall advocate for reductions in water exports and improved flow release schedules from existing reservoirs on the Trinity, Klamath and Eel rivers to <u>restore and</u> enhance fisheries, natural sediment transport, <u>water quality, and recreational opportunities, and other beneficial uses as identified in the Basin Plan.</u>	Clarity and added content. Iss, Prog, S12, S13, IM24	M Straw Vote 6-0
				<p>COMMENTS: 8-25-11 <u>Straw vote:</u> Unanimous support of staff revisions. 6/0</p>		
		C	D	3361.11. Support flow release schedules from existing reservoirs that maintain or enhance the fisheries of those rivers.		
				COMMENTS:		
A	B			WR-P25. Compliance with Water Code Export Law. Water export projects will not be	The County	M



Plan Alternative	Chapter 11 Water Resources Element	Staff Remarks/ Implementation	Position R,M,D
	<p>approved or supported unless the specific requirements of California Water Code Section 10505 protecting development rights and Section 11460 <u>et seq.</u> protecting beneficial uses of the watersheds are met and substantiated through a scientifically based and public process. <u>The County should consider protesting new water applications or change petitions which may adversely affect water resources in Humboldt County under Water Code Sections 1330 and 1703.1, respectively.</u></p>	<p>does not have the legal authority to approve exports. Iss, QJ, S12, S13</p>	<p>Straw Vote 4-2</p>
	<p>COMMENTS: 8-25-11 Commissioner Nelson had questions on the sections of the Water Code cited in this policy and requested that staff return with a report. Straw vote: Unanimous support to bring back for a report on California Water Code Section 10505 and Section 11460.</p>		
	<p>COMMENTS: 9-8-11 Commissioner Disiere: questioned what a scientifically based public process would be. T. Hofweber: there is a list of criteria that needs to be met for water export from the county of origin; essentially CEQA-type review and findings associated with those criteria. Commissioner Disiere: concerned with the use of “public process”. If there is a standard that needs to be met it should be referred to rather than using the term “public process”. T. Hofweber: the CEQA process is intended to be factually based but also allows for public comment. Staff didn’t want to say CEQA because of the ins and outs of the water law. Commissioner Disiere: suggested alternative wording; use the word and to separate “scientific” from “public process”. Commissioner Nelson: suggested a period after “supported” and then say, “If the specific requirements... the Board of Supervisors (BOS) should not be supporting water export. Commissioner Edmonds: The BOS doesn’t have the authority to approve water export. T. Hofweber: That’s correct. That’s why the “approved or” is stricken in our recommendation. The BOS adopted a water export policy many years ago, that is in the framework General Plan, and we’re continuing it with some revisions.</p>		



Plan Alternative			Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
			<p>Commissioner Nelson: disagreed. Suggested “Water export projects will not be supported unless the specific requirements of California Water Code Section 10505 protecting development rights and Section 11460 protecting beneficial uses of the watersheds are met and substantiated through a scientifically based public process the project will not be opposed”.</p> <p>Straw vote: Approved as revised by staff 4/1 with Commissioner Nelson dissenting as he prefers his wording.</p>		
			<p>COMMENTS: 9-22-11 C. Faust requested to be on the record that he agreed with Commissioner Nelson, and believed WR-P25 should be re-titled</p>		
A	B		<p>WR-P26. Impact Analysis. All new export proposals and renewal of licenses for existing water exports shall include a full assessment of impacts on the environment, economy, and water supply needs of the county.</p>	Iss, S12, S13, IM24	R
			<p>COMMENTS:</p>		
A	B		<p>WR-P27. County Needs. Any consideration of exporting additional water resources shall place primary priority upon the benefit of and need for the water resources in the County and shall ensure that water needed by water users and natural resources will not be exported outside the County.</p>	Iss, S12, S13	R
			<p>COMMENTS:</p>		
	B		<p>WR P28. Public Trust Resources and Interests. The County shall advocate that dam relicensing projects effectively balance development values (electric power, flood control, and water supply) with non-developmental values (environmental resource protection, habitat restoration, and water quality), and other values that best reflect the public interest in Humboldt County.</p>	Added specificity. Iss, Prog, IM24	D see Alt A
			<p>COMMENTS: 8-25-11 Chair Gearheart – just clear that we are supporting the A or B version - Commissioners Masten, Kreb, Gearheart, Nelson supports the A version C. Edmonds, Disiere – supports B with the specificity of Humboldt County. Straw vote</p>		




Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/ Implementation	Position R,M,D
				Support of Alt A Version 4-2		
A				WR-P28. Public Trust Resources and Interests. The County shall advocate that dam relicensing projects redress the historical over-emphasis on development values (electric power, flood control, and water supply) at the expense of non-developmental values (environmental resource protection, habitat restoration, and water quality).		R Straw Vote 5-2
				COMMENTS: 9-22-11 see discussion under Alternative B C. Faust requested to be on the record that he supported the majority vote for WR-P28		
A	B			WR-P29. Public Input. The County shall advocate for the relicensing applicant to sponsor a participatory process involving all affected stakeholders prior to the submittal of a final relicensing application to the Federal Energy Regulatory Commission.	Iss, S12, S13, IM24	R
				COMMENTS:		
A				WR-Px. No new exports of water to locations outside Humboldt County shall be permitted unless the County has issued a Conditional Use Permit for such exportations. In the event a permit is issued, it shall set forth with specificity the details of the exportations (e.g. quantity, origination location, destination location, period of exportation, etc.). WR-Px. Water Export Facilities. No new facilities for export of water to locations outside Humboldt County shall be permitted unless the County has issued a Conditional Use Permit for such export facilities. Issuance of the use permit shall require a finding that the proposed water export will not be detrimental to beneficial uses within the County.	Deleted because the County does not have permitting authority over water exports. QJ, S12, S13	M Straw Vote 6-0
				COMMENTS: 8-25-11 Staff provided new wording based upon comments received by HBMWD (included in Attachment 1 of the staff report and reads as follows: WR-Px. Water Export Facilities. No new facilities for export of water to locations outside Humboldt County shall be permitted unless the County has issued a Conditional Use Permit for such export facilities. Issuance of the use permit shall require a finding that the proposed water export will not be detrimental to beneficial uses within the County.		


Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
				Commissioner Masten, Nelson, Edmonds, Krebs, Disiere and Gearheart – support the staff’s revised language. Edmonds – I thought we couldn’t regulate? TH - We can regulate the facilities. <u>Straw vote</u> <u>Unanimous support 6/0</u>		
		C	D	3361.10. Large water export projects will not be approved or supported unless specific requirements and assurances are satisfied. These shall include the 1978 water policy statement policies regarding "Water Export Projects on Humboldt County Streams".		D
				COMMENTS:		
11.4 Policies – Stormwater Drainage						
A	B			WR-P30. Natural Stormwater Drainage Courses. Natural drainage courses, including ephemeral streams, shall be retained and protected from development impacts which would alter the natural drainage courses, increase erosion or sedimentation, or have a significant adverse effect on flow rates or water quality. Natural vegetation within riparian and wetland protection zones shall be maintained to preserve natural drainage characteristics consistent with the Biological Resource policies. Storm water discharges from outfalls, culverts, gutters, and other drainage control facilities that discharge into natural drainage courses shall be dissipated so that they make no significant contribution to additional erosion and, where feasible, are filtered and cleaned of pollutants.	Modified the allowable level of impact.  Min, QJ, S14, IM25	R
				COMMENTS:		
		C	D	4235.2. Natural drainage ways shall be utilized where possible to convey drainage flows consistent with streamside management policies in the General Plan.		D
				COMMENTS:		
A	B			WR-P31 Downstream Stormwater Peak Flows. Peak <u>downstream</u> stormwater discharge shall not exceed the capacity limits of off-site drainage systems or cause downstream erosion, flooding, habitat destruction, or impacts to wetlands and riparian areas. <u>Detention facilities shall be required to ensure that storm flows from the 100-year (Q₁₀₀) storm shall be detained so as to release water from the site at a rate no</u>	 Min, QJ Edits based on Public Works	M Straw Vote 6-0



Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/ Implementation	Position R,M,D
				greater than the pre-development 2-year (Q₂) storm flows. <u>New development shall demonstrate that post-development peak flow discharges will mimic natural flows to watercourses and avoid impacts to Beneficial Uses of Water.</u>	standard conditions of approval	
				<p>COMMENTS: 8-25-11 Chair Gearheart requested inclusion of "downstream" in the title and in first sentence.</p> <p><u>Straw vote</u> <u>Unanimous support of revisions of both staff and C. Gearheart 6/0</u></p>		
		C	D	4235.3. Drainage facilities shall be capable of passing a 10 year intensity storm without static head at entrance and passing a 100 year intensity storm without major damage.		D
				COMMENTS:		
A	B			<p>WR-P32. New Drainage Facilities. Where it is necessary to develop additional drainage facilities, they shall be designed to be as natural in appearance and function as is feasible. All drainage facilities shall be designed to maintain maximum natural habitat of streams and their streamside management areas and buffers. Detention/retention facilities shall be managed in such a manner as to avoid reducing streamflows during critical low-flow periods.</p>	 Min, QJ	R
				COMMENTS:		
A	B			<p>WR-P33. Restoration Projects. The County shall encourage restoration projects aimed at reducing erosion and improving existing habitat values in Streamside Management Areas and wetlands.</p>	Editorial change.  Iss	R
				<p>COMMENTS: 8-25-11 <u>Straw vote:</u> <u>Unanimous support of revisions proposed by staff. 6/0</u></p>		
		C	D	3361.12. Support the development of fisheries enhancement projects on small Humboldt County streams.		D
				COMMENTS:		
A	B			<p>WR-P34. Commercial and Industrial Activities. Commercial and industrial activities shall minimize, and eliminate to the extent feasible facility-related discharges to the</p>	 Min, QJ,	R


Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
				stormwater system. As required by state codes and local ordinances, commercial and industrial stormwater discharge must be routed to a wastewater collection system; for example, minimizing runoff from vehicle maintenance yards, car washes, restaurants cleaning grease, contaminated mats/carts into storm drains, and other wash practices that result in materials other than plain water entering the storm drain system.	IM25	
				COMMENTS:		
A	B			WR-P35. Oil/Water Separation. Parking lot storm drainage shall include facilities to separate oils from stormwater in accordance with Public Works requirements and the recommendations of the Stormwater Quality Association’s California Stormwater Best Management Practices Handbooks or their equivalent.	 Min, QJ, IM25	R
				COMMENTS:		
A	B			WR-P36. Erosion and Sediment Control Measures. The following erosion and sediment control measures shall be incorporated into development design and improvements: A. Minimize soil exposure during the rainy season by proper timing of grading and construction; B. Retain natural vegetation where feasible; C. Vegetate and mulch denuded areas to protect them from winter rains; D. Divert runoff from steep denuded slopes and critical areas with barriers or ditches; E. Minimize length and steepness of slopes by benching, terracing, or constructing diversion structures; F. Trap sediment-laden runoff in basins to allow soil particles to settle out before flows are released to receiving waters; <u>and</u> G. Inspect sites frequently to ensure control measures are working properly and	 QJ, Min, S14, IM25	M Straw vote 6-0


Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
				correct problems as needed; and H. Allow for the construction of public roads, trails, and utilities, when properly mitigated.		
				COMMENTS: 8-25-11 Chair Gearheart requested that staff clean up the typos [move trailing "and" from G. to F. since H was deleted] <u>Straw vote</u> Unanimous support of staff revisions to P36 6/0		
A	B			WR-P37. Storm Drainage Design Standards. Drainage design standards for new development shall be adopted by ordinance. The design standards shall ensure that storms of specified intensity, frequency, and duration can be accommodated by engineered drainage systems and natural drainage courses.	 Leg, Prog, IM25	R
				COMMENTS:		
	B			WR-P38. Storm Drainage Impact Reduction. Develop storm drainage development guidelines with incentives to encourage Low Impact Development (LID) standards to reduce the quantity and increase the quality of stormwater runoff from new developments.	Prog, IM25-26	D
				COMMENTS: 8-25-11 TH – we are recommending the A version. <u>Straw vote</u> Unanimous support of the Alternative A version. 6/0		
A				WR-P38. Storm Drainage Impact Reduction. Develop and require the use of Low-Impact Development (LID) standards to reduce the quantity and increase the quality of stormwater runoff from new developments in watersheds with known significant cumulative impacts from stormwater runoff. For all other watersheds, develop storm drainage development guidelines with incentives to encourage Low-Impact Development (LID) standards to reduce the quantity and increase the quality of stormwater runoff from new developments.		R
				COMMENTS:		




Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
A	B			WR-P39. Reduce Toxic Runoff. Minimize chemical pollutants in stormwater runoff such as pesticides, fertilizers, household hazardous wastes, and road oil by supporting education programs, household hazardous waste and used oil collection, street and parking lot cleaning and maintenance, use of bio-swales and other urban stormwater best management practices described in the California Stormwater Best Management Practices Handbooks or their equivalent.	 Prog	R
				COMMENTS:		
A	B			WR-P40. Fish Passage Designs. Work with federal and state agencies <u>and local watershed restoration groups</u> to retrofit existing drainage and flood control structures and design new structures to facilitate fish and other wildlife passage in partnership with federal and state agencies.	 Prog	M Straw Vote 6-0
				COMMENTS: 8-25-11 Commissioner Masten noted DFG comments Commissioner Krebs noted Healthy Watersheds WG recommendations to develop a standard that follows these revisions. TH – okay. <u>Straw vote</u> <u>Unanimous support of A/B version as revised. 6/0</u> <u>Return with a standard as recommended by HH and DFG</u> <u>(see minutes of 12-15-11 for discussion of this issue).</u>		
		C	D	4235.1. Drainage needs of each community shall be studied as part of each community plan.		D
				COMMENTS:		
11.5 Standards – Water Resources and Land Use						
A	B			WR-S1. Designation of Critical Water Supply and Watershed Areas. The designation by the Board of Supervisors of Critical Water Supply and Watershed Areas shall be a public process, involving a recommendation from the Planning Commission and input from the public, affected water providers, and state and federal agencies.	 Leg	M Straw Vote 5-0
				COMMENTS: 8-25-11	New definition	

Plan Alternative			Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
			<p>Staff provided a new definition for Critical Water Supply Area as directed by the Commission to read as follows: <u>A Critical Water Supply Area is defined as the specific area used by a municipality or community for its water supply system, which is so limited in area that it is susceptible to a potential risk of contamination from development activities.</u></p> <p>All support new definition Commission Discussion TH – this issue was raised in public testimony as to what CWS meant - it is in the glossary, C. Masten - What about DFG comments on anadromous fish streams (we want a narrow definition so that can employ really extraordinary measures for protection). C. Nelson – where is the definition for critical watershed? How do you decide what is a critical water supply area? TH – usually from the water supplier – C. Nelson – it seems a little loose. TH – that was why we added a Critical Watershed Area. That is up to the BOS to decide C. Kreb – support A/B version. C. Masten – I have concerns regarding what DFG has stated. Would like to see that in the title. TH – see P5 – I think we are on the same page as DFG. Straw vote Unanimous support as revised by staff 5/0– C. Masten will review P5 and return with her thoughts.</p>		
	C	D	<p>3362.2 A Critical Water Supply Area is defined as the specific area used by a municipality or community for its water supply system, which is so limited in area that it is susceptible to a potential risk of contamination from development activities.</p>		D
			<p>COMMENTS:</p>		
A	B		<p>WR-S2. Development within Critical Water Supply Areas. Ministerial land use development proposed within Critical Water Supply areas shall comply with performance standards adopted by ordinance. Discretionary development shall comply with</p>	 Min	R

Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
				performance standards and supplemental permit conditions. Standards and permit conditions shall require: 1) demonstrating that no risk of contamination to the water supply would occur due to the development activity; and 2) avoiding degradation of municipal water supplies by reducing cumulative impacts to surface water quality and water quantity during low-flow periods to below levels of significance.		
				COMMENTS:		
		C	D	3362.3 Development proposed within Critical Water Supply Areas shall demonstrate that no risk of contamination to the water supply area would occur due to the development activity proposed.		D
				COMMENTS:		
		C	D	3362.4 Development within Critical Water Supply Areas shall utilize appropriate Erosion Control Measures including, but not limited to, those in the grading ordinance and this chapter.		D
				COMMENTS:		
A	B			WR-S3. Development within Critical Watershed Areas. Ministerial land use development proposed within Critical Watershed Areas shall comply with performance standards adopted by ordinance. Discretionary development shall comply with performance standards and supplemental permit conditions. Standards and permit conditions shall avoid take of endangered or threatened species by reducing cumulative impacts to aquatic habitat to below levels of significance.	 Min	R
				COMMENTS:		
A	B			WR-S4. Protection of Groundwater Recharge Areas. Ministerial and discretionary development in Critical Water Supply or Watershed Areas where maintenance of groundwater recharge is determined to be necessary to maintain sustainable groundwater demands or surface water flows shall maintain or increase the site's pre-development absorption to recharge groundwater or be conditioned to reduce effects to water supplies to below levels of significance.	 Min, QJ	R Straw Vote 6-0
				COMMENTS: 8-25-11 C. Nelson – where do you find these groundwater recharge areas? K. Girard – referred to the Mattole study done – there would be a hydrological connection		

Plan Alternative		Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
		<p>here. If development affected this, as you adopt as a part of your ordinance, there would need to be mitigation.</p> <p>C. Nelson – is it technically feasible? (Yes) Does everyone in the County need one?</p> <p>K. Girard – no – only in areas with critical water supply or critical watershed areas. We anticipate that there should be evidence in the record before we designate a CWS or Watershed area</p> <p>C. Kreb – I support S4 – must be designated first.</p> <p>All support.</p> <p><u>Straw vote</u></p> <p><u>Unanimous support as written 6/0</u></p>		
A	B	<p>WR-S5. Surface Water Withdrawal Permitting. Ministerial and discretionary permits for land use development that include development of new in-stream water sources or other streambed alterations subject to California Fish and Game Code Section 1602 shall provide evidence of, or be conditioned to obtain a Streambed Alteration Agreement from the Department of Fish and Game <u>as well as a Water Right Permit or a small scale domestic use registration from the State Water Board.</u></p>	 Min, QJ	<p>M</p> <p>Straw Vote</p> <p>6-0</p>
		<p>COMMENTS: 9-8-11 (Commissioners Faust and Masten Excused)</p> <p>Chair Gearhart: Healthy Watersheds working group suggested adding a forbearance agreement and asked for staff recommendations. [TH though this was OK additions]</p> <p>C. Edmonds. Is any of this redundant to existing permitting [TH would have to reread PX1 to see if this would be broader, somewhat redundant]</p> <p>C. Nelson. Maybe legal council could tell how water right is permitted from riparian stream - you don't need to get permit for riparian [DS says you need to get something from DWR]</p> <p>Chair Gearhart need to send back?</p> <p>C. Kreb supports the Healthy Watersheds Working Group suggestions</p> <p>C. Edmonds would like staff to clarify is this is duplicative or redundant with Px1</p> <p>C. Gearhart would like to have staff report back and look at consistency with WR-P2 also.</p> <p>C. Disiere - Working Group would like to make this consistent with WR-P2, staff should clarify</p> <p>The Commission directed staff to review and return with a recommendation.</p>		

Plan Alternative			Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
			<p>Comments: 9-22-11 see discussion for S5 under Px1 on 9-22-11 The HWWG suggested revisions to WR-S5 is as follows:</p> <p>WR-S5. Surface Water Withdrawal Permitting. Ministerial and discretionary permits for land use development that include development of new in-stream water sources or other streambed alterations subject to California Fish and Game Code Section 1602 shall provide evidence of, or be conditioned to obtain a Streambed Alteration Agreement from the Department of Fish and Game as well as a Water Right Permit or a small scale domestic use registration from the State Water Board. Proposed development that seeks to rely upon surface water or groundwater withdrawals from temperature impaired watersheds shall provide evidence of, or be conditioned to obtain a forbearance agreement eliminating water withdrawals during low-flow conditions.</p> <p>After review of this suite of policies, staff believes the last sentence of the HWWG addition to WR-S5 as duplicative and does not recommend inclusion. Straw vote: approved unanimously as recommended by staff</p>		
A	B		<p>WR-S6. Subdivisions Demonstration of Sufficient Water Supply. Demonstration of sufficient water supply shall include the requirements of the proposed subdivision, existing uses, and planned future uses. Subdivisions subject to state requirements of SB 610 and SB221 shall make the appropriate demonstrations consistent with regulations (as amended) established by these acts. Written service letters from a public water system written in conformance with this policy is sufficient evidence. Subdivisions to be served through on-site water supplies or private water systems must provide evidence of sufficient water supply to the County Department of Environmental Health.</p>	 QJ	<p>R Straw Vote 5-0</p>
			<p>COMMENTS: 9-8-11 (Faust and Masten Excused) Chair Gearhart – read the recommendations of HWWG for S6 and asked staff’s opinion. TH stated that he would not support HWWG language because there is Rural policy already</p>		

Plan Alternative			Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
			doing this and it relates to large subdivisions. All support as written.		
A	B		WR-S7. Total Maximum Daily Loads (TMDLs) Implementation. Discretionary development within watersheds containing impaired water bodies as defined under Section 303(d) of the federal Clean Water Act and governed by TMDL implementation plans shall be conditioned to reduce or prevent further impairment consistent with applicable TMDLs.	 QJ	R
			COMMENTS:		
A	B		WR-S8. Erosion and Sediment Discharge. Ministerial and discretionary projects shall conform to grading ordinance standards for erosion and sediment control.	 Min, QJ	R
			COMMENTS:		
A	B		WR-S9. County Facilities Management. The design, construction, and maintenance of County roads, bridges, drainages, and other facilities shall minimize <u>stormwater runoff</u> erosion and discharge of sediments <u>and other pollution</u> by following best management practices in accordance with the Five County Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds (5C's Manual) or its equivalent.	 Prog	M Straw Vote 5-0
			COMMENTS: 9-8-11 (Faust and Masten Excused) Commissioner Kreb suggested adding language suggested by HWWG to read as follows: WR-S9. County Facilities Management. The design, construction, and maintenance of County roads, bridges, drainages, and other facilities shall minimize <u>stormwater runoff</u> erosion and discharge of sediments <u>and other pollution</u> by following best management practices in accordance with the Five County Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds (5C's Manual) or its equivalent. TH says staff could support.		

Plan Alternative		Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
		<p><u>Straw vote</u> Unanimous support of revisions made by C. Kreb 5/0</p>		
A	B	<p>WR-S10. Projects in Proximity to Wild and Scenic Rivers. Projects located within state designated wild, scenic, or recreational river basins shall be consistent with the guidelines in the State Wild and Scenic Rivers Act as amended.</p>	QJ	R
		<p>COMMENTS:</p>		
A	B	<p>WR-S11. Small <u>Micro Hydroelectric.</u> Development of small run-of-the-river <u>micro</u> hydroelectric projects on privately owned lands are considered accessory to allowed uses if they are sized to meet the electrical demands of the subject property only <u>and designed to avoid impacts to streamflow of and fisheries.</u></p>	Min	M Straw Vote 5-0
		<p>COMMENTS: 9-8-11 (Faust and Masten Excused) Micro Hydroelectric System: Very small scale electrical generating systems using run of the river type diversions with up to 100 kilowatts of electrical generating capacity. C. Nelson has concerns regarding clarity [TH is specific to micro hydro – micro = accessory uses] C. Kreb should say “stream flow and fisheries” <u>Straw vote</u> Unanimous support of revisions made by C. Kreb 5/0</p>		
	C	D	<p>3362.8. Small hydroelectric projects for the purposes of this policy are defined as run of the river type diversions and existing impoundments with a maximum generating capacity of five (5) megawatts.</p>	D
		<p>COMMENTS:</p>		
	C	D	<p>3362.1. "Water Conservation Techniques" include but are not limited to, domestic and industrial low-flow water fixtures and native vegetation landscaping.</p>	D
		<p>COMMENTS:</p>		
	C	D	<p>3362.5. "Water Conservation Techniques" include but are not limited to, domestic and industrial low-flow water fixtures and native vegetation landscaping.</p>	D
		<p>COMMENTS:</p>		

Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
		C	D	<p>3362.7. Development of fisheries enhancement projects should include:</p> <ul style="list-style-type: none"> A. An immediate pilot project initiated on one of the Humboldt County streams for the express purpose of establishing the feasibility of small dams designated and operated only for fishery development and enhancement. B. Efforts designed to improve the anadromous fishery resources of Humboldt County streams. Specifically, the assessment of the natural capacities of the streams and identification of factors limiting production of anadromous fish. C. The use of Humboldt County Water Resources for the development of mariculture and aquaculture, with appropriate regulations to protect the native fish populations and the general public interests. 		D
				COMMENTS:		
11.5 Standards – Water Exports						
A	B			<p>WR-S12. Water Export Projects on Humboldt County Rivers. TThe Humboldt County Board of Supervisors, prior to giving its approval and support to export projects on county rivers, will require will require the following information to demonstrate the export project’s adherence to the requirements of California Water Code Section 10505 protecting development rights and Section 11460 protecting beneficial needs of the watersheds. The analysis of the export project shall include:</p> <ul style="list-style-type: none"> A. Effects on in-stream flows including flood events. B. Assessment of the environmental impact of the proposed project using appropriate ecological studies by a team of independent experts, qualified to conduct such studies, funded by the project sponsor and completed before project authorization. 	QJ	M Straw Vote 6-0

Plan Alternative	Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
	<p>C. Effects on fisheries and native wildlife habitat and restoration efforts. Analysis of the sustainability of any proposed fisheries and wildlife habitat mitigations.</p> <p>D. Impacts to Native American communities, including cultural and archaeological resources, economies, fisheries, and water supplies.</p> <p>E. Water supplies necessary to meet the ultimate future development needs of residential, agricultural, municipal, industrial, and recreational users and to promote environmental protection and fisheries habitat restoration.</p> <p>F. Cost and benefits to recreation.</p> <p>G. Water quality impacts and provisions for enhancement of any impaired water bodies (Section 303(d) of the federal Clean Water Act.</p> <p>H. Property tax and other fiscal or economic losses to local entities.</p> <p>I. Public infrastructure and service demands and costs including roads and recreation facilities.</p> <p>J. Public cost and benefits on statewide, regional, county, and local scales including the monetized value of impacted ecological services.</p>		
	<p>COMMENTS: 9-8-11 (Faust and Masten Excused) C. Nelson I would like to change the wording to "Will not object" in the first sentence and add A - J on the items in the Framework Plan policy 3362.6 -(read into the record) -- Chair Gearhart is this duplicative? C. Edmonds - why are we doing this if we have no standing? TH - this allows the County to file a petition with DWR PC agrees to change as proposed by Nelson ("Will not object"), but would like staff to come back re A through J</p>		

Plan Alternative	Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
	<p>TH - Staff would like to come back with additional language review] we tried to re-word to streamline language.</p>		
	<p>Comments: 9-22-11 The Commission directed staff to review the differences between the new wording of S12 with the Framework Plan 3362.2 to see what areas were duplicative or new items for possible inclusion. Staff determined that the language of WR-S12 addresses everything originally documented in 3362.2 except subsection G which provides for the exchange of property when land is being acquired for water export projects. Because this language is permissive (and therefore unnecessary), staff does not support the inclusion of subsection G. The current Framework Plan policy language is more prescriptive. The revisions included in WR-S12 provide more flexibility in issues to be addressed when reviewing water exports. All the same issues are addressed.</p> <p>C. Masten – would like to see the language 3362.6 incorporated. C. Faust – are they the same? What about G? Girard – water code – these interests for local jurisdictions must be addressed – C. Faust – was there legal advice from counsel about taking a position against water export projects?(No – nothing prevent your commission or the board that you vehemently object and hold their feet to the ground for these projects). C. Faust - does object to water export – I don't want to allow it under any circumstances. C. Disiere – thinks this is something the community needs to decide and it should be left open; is not opposed to exporting water C. Gearheart - changing of the term “don't object” C. Kreb – I think HBMWD went through a long process – I'm concerned about the fixed cost with a public water supply. We have had testimony from HBMWD – we don't want to close off the ability to export water at the end of their line. County counsel to weigh in on change in language. K. Girard – this policy is really getting to what data the county needs to adhere to state water law. You can be silent on whether you like or don't like export. We at least get to get the evidence. We are silent on once we evaluate it what we will do. If you want to take a position, I think we have already done that.</p>		






Plan Alternative	Chapter 11 Water Resources Element		Staff Remarks/Implementation	Position R,M,D
		<p>C. Masten – re-write with Kirk’s language (the board will require this information in order to evaluate export projects) and then a discussion of the differences of the original language 3362.2</p> <p>C. Faust – I support the re-write. I thought we dealt with this and made a distinguishing point of the Mad and the other rivers. Whatever direction we go with the Mad River, which this does not open up much larger projects for moving water south.</p> <p>K. Girard explained the difference of S12 and 3362.2 - one is about studies and one is about “if you do a water project it must be by these conditions XYZ”</p> <p>Chair Gearheart – I don’t think they should be combined. More concerned about the wording.</p> <p>C. Edmonds – S12 and 3362 – we have no police authority? Just what we would like to see in export projects.</p> <p>Girard – there are mitigations in here but no requirements from the state to “sweeten” the deal. 2 different things here – dangerous to dangle these sweeteners. 3362 predetermines the benefits.</p> <p>Edmonds supports staff recommendation.</p> <p>Straw vote: approved unanimously as revised by staff</p>		
		<p>COMMENTS: 10-20-11 Commissioner Nelson requested to be on the record that he does not support the phrase “will not object to water exports” and votes for deletion.</p>		
	C	<p>D 3362.6. Water Export Projects on Humboldt County Streams. The Humboldt County Board of Supervisors, prior to giving its approval and support to large export projects on County streams, will require the following:</p> <p>A. Assurances must be given that each project constructed on any stream tributary to Humboldt County be designed and operated in a manner that provides maximum practical flood protection from the water flowing from the project consistent with the project purposes.</p> <p>B. Full recognition shall be given to the ecological impact of any proposed</p>	QJ	D


Plan Alternative	Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
	<p>project. Appropriate ecological studies by a team of independent experts, qualified to conduct such studies, should be funded by the project sponsor and completed before project authorization.</p> <p>C. Absolute assurance must be given that funding will be made available for development and improvement of suitable fisheries above, and maintenance and improvement of native fisheries below, any project. Absolute assurance must also be given that funding will be made available for the effort to replace, restore, and maintain the native wildlife habitat destroyed or altered by any of the contemplated projects. The funding requirement for such development, improvement and maintenance of the fisheries and native wildlife habitat set forth herein above, shall be a funding requirement of the project and shall be identified as a commitment of the state, federal or local entity sponsoring the project. Recognition must also be given to the difficulty in accurately predicting long range financial requirements to meet the fisheries and wildlife policies set forth herein. Consequently, reappraisal and adjustments should be considered on five to ten year schedules throughout the projected project life in order to meet all of the funding requirements which may occur during the project life. Funding shall be provided for post project evaluation. Wildlife mitigation should be accomplished insofar as possible on existing public lands with prime consideration given to the wildlife resources involved and to its habitat requirements.</p> <p>D. Inasmuch as Native Americans comprise a large segment of Humboldt County's population with environmental and historical ties to some of the river valleys, assurances must be given prior to the construction of any water project that no Indian tribal lands, including burial, or ceremonial grounds in Humboldt County will be inundated without specific prior consultation with the Indian people concerned.</p>		


Plan Alternative	Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
	<p>E. Water supplies must be planned and financed as part of any project in sufficient quantity to provide ultimate future supplies of agricultural, municipal, industrial, recreational, and environmental water, and water for fisheries and wildlife habitat development. Recreational, and environmental water requirements (i.e., non-consumptive water requirements for the general public enjoyment including non-resident populations of tourists to north-western California) may well exceed consumptive uses in many hydrographic areas. Thus, the project sponsor must take an active role in providing such water and must absorb the burden of expenses for such water. Greater consideration of the values of non-consumptive water uses should be given when assessing the economic feasibility of water projects.</p> <p>F. Recreation land acquisition should be included in the project development, consistent with the project's purpose.</p> <p>G. Land acquisition should include provisions for exchange.</p> <p>H. Water quality control must be included as a specific purpose of the project.</p> <p>I. Projects which result in property tax loss to local entities shall have in-lieu taxes as a part of the project costs.</p> <p>J. The state must assume the non-federal recreational costs of a federal project. These costs must include the improvement of existing roads and development of roads required for the recreational development.</p> <p>K. If hydroelectric power is generated by a major water project using the water resources of the county, the county should be compensated for the sale of such power.</p>		


Plan Alternative	Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
	<p>L. Department of Fish and Game shall develop a flow release schedule to provide for the maintenance of the fishery resources and habitat. The project sponsor shall agree to provide the water for the release schedule.</p>		
	<p>COMMENTS:</p>		
<p>A B</p>	<p>WR-S13. Minimizing Effects of Water Exports. The County shall require <u>prevent water that</u> exports not from <u>damaging</u> the county's environmental and economic setting by ensuring that "no unreasonable effect" occurs in the transfer and withdrawal of water resources pursuant to Section 1810 of the State Water Code. County standards for defining "no unreasonable effect" include actions that will not:</p> <ul style="list-style-type: none"> A. Contribute to a decline in, <u>or interfere with the recovery of</u> the population of any sensitive or protected plant, fish, or wildlife species. B. Reduce water levels in any existing public or private groundwater wells to levels that preclude withdrawal by existing users or would substantially increase the costs or such withdrawal. C. Contribute to any impacts on water quality that reduces water quality below health standards or federal or state water quality standards. D. Contribute to effects on water quality that would result in a deficiency by the water treatment agency's ability to treat water to appropriate standards. E. Reduce available groundwater or surface water resources to levels that would make access and/or use of these waters uneconomical for development planned in accordance with this General Plan. F. Directly or indirectly discharge contaminants into surface or groundwater resources. 	<p>QJ</p>	<p>M Straw Vote 5-0</p>
	<p>COMMENTS: 9-8-11 (Faust and Masten Excused)</p> <p>Commissioner Nelson: same as overall interest: County has no jurisdiction and cannot</p>		




Plan Alternative	Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
	<p>prevent water export but can object and suggest the following wording:</p> <p>"The County shall object to require prevent water that exports not that from damaging the county's environmental and economic setting by ensuring that "no unreasonable effect" occurs in the transfer and withdrawal of water resources pursuant to Section 1810 of the State Water Code."</p> <p>[TH thinks that staff has it right]</p> <p>Chairperson Gearheart: for "the county shall require " they are suggesting the county shall prevent water exports from damaging the county's environmental and economic setting by ensuring that no unreasonable effect . . . and the rest is the same.</p> <p>Deputy County Counsel Smith: staff is not saying that they are going to prevent water exports; they are saying they are going to prevent water exports from damaging the county's environmental and economic setting by going through certain processes. The environmental impacts are going to be mitigated.</p> <p>Commissioners Kreb, Desiere, think that staff has it right</p> <p>C. Edmonds - combine A/B and C/D version of S11 through S13 [TH says that they are different statutes] to simplify for applicants understanding.</p> <p>Chair Gearhart - fine with it and says TH to hand something out to PC responding to Nelson's concerns.</p> <p>C. Edmonds - have we been through this process before? [TH County has participated in these proceedings long ago]</p> <p>C. Nelson - County involved in FERC proceedings would hate to have this stop that [TH would be glad to come back with relationship...]</p> <p>Straw vote: Approved unanimously as revised 5/0; Staff to provide code section to Commissioners for information.</p>		
11.5 Standards – Stormwater Drainage			


Plan Alternative		Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
A	B	WR-S14. Storm Water Management. All commercial, industrial, multi-family, quasi-public, and public parking facilities shall, whenever possible, provide stormwater treatment for parking lot runoff using bio-retention areas, filter strips, and/or other practices that be integrated into required landscaping areas and traffic islands. In all other cases, oil/water separators shall be required. A maintenance plan for oil/water separators shall be required.	 Min, QJ	R
		COMMENTS:		
11.6 Implementation Measures – Water Resources and Land Use				
A	B	WR-IM1. Critical Water Supply and Watershed Area Ordinance. Prepare and adopt an ordinance to implement Critical Water Supply and Watershed Area policies.	 Leg	R
		COMMENTS:		
A	B	WR-IM2. Critical Water Supply and Watershed Area Designation. Identify and designate Critical Water Supply and Watershed Areas through a zoning overlay process using best available scientific data, consultation with municipal water suppliers and resource agencies, and public outreach and input.	 Leg	R
		COMMENTS:		
A	B	WR-IM3. Require Restoration of Degraded Areas. Require replanting of vegetation and remediation of erosion conditions in conjunction with related discretionary land use approvals, especially those including roads and grading on steep slopes.	 QJ	R
		COMMENTS:		
A	B	WR-IM4. County Facilities. The Department of Public Works shall manage and conduct internal reviews of County construction and maintenance activities to ensure conformance with adopted best management practices for erosion and sediment control.	 Prog	R
		COMMENTS:		
A	B	WR-IM5. Septic Systems. Actively pursue the abatement of failing septic systems that have been demonstrated to represent a health and safety hazard.	Prog	R
		COMMENTS:		


Plan Alternative		Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
A	B	WR-IM6. Permitting Coordination. The County shall maintain efficient and timely procedures for project referral to the North Coast Regional Water Quality Control Board for review and consultation.	QJ	R
		COMMENTS:		
A	B	WR-IM7. Basin Plan Septic Requirements. Update and amend existing County septic regulations to reflect the latest Basin Plan standards for design and maintenance of on-site wastewater systems.	Leg	R
		COMMENTS:		
		<u>WR-IMx. Graywater Re-use Standards. Update and amend the existing County Code to implement the revisions to the State California Plumbing Code, Title 24, Part 5, Chapter 16A regarding Graywater Standards, as reflected in SB1258.</u>	New IM added by the Commission on 9-8-11	M Straw Vote 5-0
		COMMENTS: 9-08-11 See Discussion under P14 Straw vote: approved unanimously 5/0		
A	B	WR-IMx1. Update Water Quality Regulations. Amend the Grading, Excavation, Erosion, and Sedimentation Control Regulations and Division 1, Planning Zoning Regulations Chapter 6 - General Provisions and Exceptions Section 314-61.1 Streamside Management Area Ordinance to reflect the reflect the new erosion, sediment control, vegetation, restoration, and stormwater drainage policies and standards contained in the Water Resources Element, and the Biological Resources Chapter of the Conservation and Open Space Elements and evaluate as part of the five-year Housing Element Update to determine if additional measures are needed to protect water quality.		M Straw Vote 5-0
		COMMENTS: 9-8-11 (Faust and Masten Excused) Chair Gearhart - is staff changing "to reflect" [TH correcting typo] All support change		
11.6 Implementation Measures – Watershed Planning				
A	B	WR-IM8. Watershed Planning. The County shall maintain relevant land use data on	Prog	R




Plan Alternative			Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
			watershed basis to support watershed based management and decision-making processes.		
			COMMENTS:		
A	B		WR-IM9. North Coast Integrated Regional Water Management Planning. The County shall participate in the continued update and implementation of the North Coast Integrated Regional Water Management Plan.	Prog	R
			COMMENTS:		
A	B		WR-IM10. Total Maximum Daily Loads (TMDLs) TMDL Controllable Sediment Discharge Inventory and Reduction Program. Map impaired water bodies as defined under Section 303(d) of the federal Clean Water Act with associated impairment parameters, water quality objectives, and pollution budgets contained in TMDL implementation plans. <u>Seek funding to identify controllable sediment discharge sites and establish a program to prioritize, treat, monitor, and subsequently reevaluate such sites.</u>	Prog	M Straw Vote 6-0
			COMMENTS: 9-22-11 – see discussion under IMx2		
A	B		WR-IMx2. TMDL Controllable Sediment Discharge Inventory. Seek funding to inventory impaired watersheds to identify controllable sediment discharge sites and establish a program to prioritize, treat, monitor, and subsequently reevaluate such sites.		D
			<p>COMMENTS: 9-8-11 (Faust and Masten Excused)</p> <p>Commissioner Nelson I think this is already done by USEPA or Water Board. For County to fund does not make sense [TH would agree that this is duplicative...they ask us if we are implementing...we often need to implement, has some concerns with wording...we will have to do things to respond to plan]</p> <p>C. Desiere turn it back to staff to revise.</p> <p>C. Edmonds Why are we only concerned about impaired watersheds – why not be concerned about those becoming impaired [TH – good point, TMDL are identified by the state but we (county) could do it for all watersheds]</p> <p>Nelson isn't this covered by IM10? staff will review IMx2 and IM10 and return with revised language.</p>		

Plan Alternative			Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
			<p>Comments: 9-22-11 The Commission was concerned that WR-IMx2 was currently being done by another state of federal agency and was duplicative with the issues addressed in WR-IM10. After review, staff concurs that there is some duplication in these two Implementation Measures; however, IMx2 goes further and directs the County to go beyond mapping and establish a program that reduces sediment loads. The Commission could fold these two together to read as follows:</p> <p>WR-IM10. Total Maximum Daily Loads (TMDLs). TMDL Controllable Sediment Discharge Inventory and Reduction Program. Map impaired water bodies as defined under Section 303(d) of the federal Clean Water Act with associated impairment parameters, water quality objectives, and pollution budgets contained in TMDL implementation plans. Seek funding to inventory impaired watersheds to identify controllable sediment discharge sites and establish a program to prioritize, treat, monitor, and subsequently reevaluate such sites.</p> <p>All support the wording as proposed by staff for IM10 (combining with IMx2) and the subsequent deletion of IMx2.</p>		
A	B		<p>WR-IM11. Watershed Data. Seek and secure funding to evaluate the quality and quantity of water resources in each of the watershed basins. Support studies that correlate the quality and quantity of water captured, stored, and contained within watersheds to the needs of beneficial water uses by residents, local industry, agriculture, and the natural environment. <u>Identify and map important groundwater recharge areas.</u></p>	Prog	M Straw Vote 5-0
			<p>COMMENTS: see discussion under IMx3.</p>		
A	B		<p>WR-IM12. Groundwater Management Plans. Support the development of Groundwater Management Plans (California Water Code Section 10750 - 10756) for Critical Water Supply and Watershed Areas or in other areas where maintenance of groundwater recharge is determined to be necessary to maintain sustainable groundwater demands <u>and the development of groundwater monitoring programs</u>(California Water Code Section 10920 - 10933). The Board shall consider serving as the local</p>	 Leg Edits to WR-IM12 are based on changes in	R

Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
				public agency as defined by California Water Code Section 10752, and agency responsible for monitoring and reporting groundwater elevations as defined in California Water Code Section 10927 in areas within the County not served by a water service provider.	state law and current requirements	
				COMMENTS:		
A				WR-IMx3. Identification of Critical Groundwater Recharge Areas. Identify and map important groundwater recharge areas.		D – see IM-11
				<p>COMMENTS: 9-8-11 (Faust and Masten Excused)</p> <p>Chair Gearhart - doesn't know why this is on the list?</p> <p>C. Nelson - what is a Critical Groundwater Recharge Areas in Humboldt County</p> <p>TH - area of watershed identified for recharging groundwater such as Eel and Mad River bottoms per state soil identification, areas are poorly mapped and defined.</p> <p>C. Nelson - had not thought of a way to do it on Eel River, likes that idea.</p> <p>C. Desiere - per HWWG recommendations, IM-11 should incorporate watershed data</p> <p>TH - staff does not oppose combining these implementation measures</p> <p>C. Kreb - what does staff think of additional language from HWW?[a little nervous about this because of not enough info to support incorporating it]</p> <p>C. Nelson how would it read (staff reads into the record).</p> <p>Chair Gearhart – does anyone oppose adding this sentence into IM11?</p> <p>No objections – all support adding IMx3 into IM11.</p>		
A	B			WR-IM13. Water Planning and Coordination. Actively encourage and participate in local and state water resource planning efforts that have the potential to achieve Water Resource Element goals.	 Prog	R
				COMMENTS:		
A	B			WR-IM14. Watershed Planning with Public Land Managers. Participate in the planning activities of federal and state land management agencies to advocate for watershed-based planning and management approaches and policies and	 Prog	R

Plan Alternative			Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
			projects that are consistent with Water Resource Element policies.		
			COMMENTS:		
A	B		WR-IM15.Coordinate and Support Watershed Efforts. Seek funding and work with land and water management agencies, community-based watershed restoration groups, and private property owners to implement programs for maintaining and improving watershed conditions that contribute to improved water quality and supply.	 Prog	R
			COMMENTS:		
A	B		WR-IM16. Basin Plan. Work cooperatively with the North Coast Regional Water Quality Control Board and other interested parties in the update and implementation of Basin Plan policies and programs.	Prog	R
			COMMENTS:		
A	B		WR-IM17.Water Resources Funding. Work with public water suppliers, utility districts, stakeholder groups, and interested parties to seek and secure outside funding sources to implement this Element.	Prog	R
			COMMENTS:		
A	B		WR-IM18.Facility Construction. Coordinate with public water suppliers in the planning, development, and construction of the storage and transmission facilities needed to supply water pursuant to this Plan’s policies, urban water management plans, water supply agreements, municipal service reviews, and programs to mitigate identified water quantity conditions, where applicable.	Prog	R
			COMMENTS:		
11.6 Implementation Measures – Public Water Supply					
A	B		WR-IM19. Water Facilities Consistency with the General Plan. Pursuant to the requirements of California Government Code, Sections 65400-65402, require public water suppliers—including cities, county-dependent districts, special districts, and other local public agencies—to consult with the County prior to acquiring a site or developing any well or facilities for public water supplies in the unincorporated area, by requesting a determination of the proposal’s consistency with the General Plan.	QJ	R
			COMMENTS:		

Plan Alternative		Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
A	B	<p>WR-IM20. Technical Assistance Water Supply and Quality. Assist public water suppliers in the assessment of available water supplies and protection of water quality.</p>	Prog	R
		<p>COMMENTS:</p>		
A	B	<p>WR-IM21. Long-term Water Supply Planning. Work with Humboldt Bay Municipal Water District and other public water suppliers in the development and implementation of long-term plans for water supply, storage, and delivery necessary to first meet existing water demands and, secondly, to meet planned growth within the designated service areas, consistent with the sustainable yield of water resources.</p>	Prog	R
		<p>COMMENTS:</p>		
A	B	<p>WR-IM22. Promoting Water Conservation and Re-use. Maintain <u>Encourage water conservation and re-use practices by providing</u> information resources for permit applicants on:</p> <ul style="list-style-type: none"> A. Water-conserving design and equipment in new construction. B. Water conserving landscaping <u>and other land management practices measures.</u> C. Water conserving retrofit options for existing buildings. D. Residential water re-use options including grey water <u>graywater</u> systems. E. Off-stream water storage systems <u>including tanks and ponds.</u> 	 Prog	M Straw Vote 5-0
		<p>COMMENTS: : 9-8-11 (Faust and Masten Excused)</p> <p>Gearhart based on input from HWWG, does staff have thoughts [TH can support]</p> <p><u>all support IM-22 with HWWG revisions as recommended by Chair Gearheart</u></p>		
A	B	<p>WR-IM23. Urban Water Management Plans. Review and comment on Urban Water Management plans (California Water Code Sections 10610–10656) prepared by</p>	Prog	R

Plan Alternative				Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
				urban water suppliers.		
				COMMENTS:		
11.6 Implementation Measures – Importing and Exporting						
A	B			WR-IM24. Restoration of Flow Rates. The County shall actively participate in decision-making processes that affect water flows in the Trinity, Klamath, Eel, Mad and Van Duzen rivers to advocate for the goals and policies of this Plan.	Prog	R
				COMMENTS: 10-20-11 Commissioner Nelson requested to be on the record to recommend that “restoration” be changed to “Maintenance” of Flow Rates.		
11.6 Implementation Measures – Stormwater Drainage						
A	B			WR-IM25. Drainage Ordinance. The County shall develop and maintain an ordinance that regulates stormwater drainage consistent with the policies and standards of the Element.	 Leg	R
				COMMENTS:		
	B			WR-IM26. Low Impact Development Methods. Encourage discretionary projects to utilize best management practices for Low Impact Development to meet surface water run-off standards.	Prog	D
				COMMENTS:		
A				WR-IM26. Low Impact Development Methods. Require projects to utilize best management practices for Low Impact Development to meet surface water run-off standards. in watersheds with known significant cumulative impacts from stormwater runoff.		M Straw Vote 6-0
				COMMENTS: 9-22-11 All support a version as recommended by Chair Gearheart.		
A	B			WR-IM27. Nutrient Discharge from Agricultural Operations. Seek funding and support voluntary manure management programs.	 Prog	R
				COMMENTS:		

Plan Alternative	Chapter 11 Water Resources Element	Staff Remarks/Implementation	Position R,M,D
	<p><u>(NEW) WR-IMx2. Prepare an ordinance to provide increased enforcement capabilities for un-permitted development within critical watershed areas if the development impacts water resources. Work with the State Departments of Water Resources and Fish and Game to address illegal water diversions and over-subscribed water right allocations.</u></p>	<p>New IM – added by Commission at the 9-22-11 meeting</p>	<p>M Straw Vote 6-0</p>
	<p>COMMENTS: 9-22-11 NEW Implementation Measure regarding Un-Permitted Development (held over from the 9-8-11 meeting – see discussion under P2). In discussing changes to WR-P2, Commissioner Faust expressed the desire to have a policy that stated it was unlawful to have un-permitted diversions serving un-permitted development, and the Commission directed staff to return with such a policy. Staff drafted a policy as requested, but was concerned that it may run counter to water rights law which provides certain entitlements for riparian and overlying lands. During the Commission hearing on September 8th, when this new policy was first introduced, Assistant County Counsel Ruth stated that she believed the County did not have the authority to enforce the proposed policy. The Commission continued the discussion on this item until Commissioner Faust could be present. Staff recommended that this issue be addressed through WR-IMx2 (new), as shown below. Staff does not recommend the inclusion of WR-P2x1 as originally proposed for the August 25th meeting.</p> <p><u>(NEW) WR-IMx2. Prepare an ordinance to provide increased enforcement capabilities for un-permitted development within critical watershed areas if the development impacts water resources. Work with the State Departments of Water Resources and Fish and Game to address illegal water diversions and over-subscribed water right allocations.</u></p> <p>Straw vote: Approved unanimously as presented.</p>		