

WORKING COPY

KDM AO22423

Please indicate County where your project is located here:

SANTA BARBARA

MAIL FORM AND ATTACHMENTS TO: State Water Resources Control Board DIVISION OF WATER RIGHTS P.O. Box 2000, Sacramento, CA 95812-2000 Tel: (916) 341-5300 Fax: (916) 341-5400 http://www.waterboards.ca.gov/waterrights

STATE WATER RESOURCES CONTROL BOARD 2015 MAY -7 AM 11:37 DIV OF WATER RIGHTS SACRAMENTO

PETITION FOR EXTENSION OF TIME

Cal. Code Regs., tit. 23, § 842

Application 22423 Permit 15878

Separate petitions are required for each water right. Incomplete forms may not be accepted. Complete this form if the time previously allowed in your permit within which to complete construction work and/or use of water has either expired or will expire and you require additional time. Provide attachments if necessary.

Water Code section 1396 requires an applicant to exercise due diligence in developing a water supply for beneficial use. The State Water Resources Control Board (State Water Board) will review the facts presented to determine whether: (a) due diligence has been exercised, (b) failure to comply with previous time requirements has been occasioned by obstacles which could not reasonably be avoided, and (c) that satisfactory progress will be made if an extension of time is granted. (Cal. Code Regs., tit. 23, § 844.) If an extension of time is not granted, the State Water Board may initiate formal action to either: (a) issue a license for the amount of water heretofore placed to beneficial use under the terms of the permit, or (b) revoke the permit.

If this is your first extension of time, answer the questions below for the permitted construction and water use development period. If previous extensions have been approved, answer these questions for the most recently approved extension period (for example, if a ten-year extension was previously granted, list the activities completed during the ten-year period).

I (we) request a 15 year extension of time to complete construction work and/or beneficial use of water.

Construction

Estimate the date construction work will begin, list the actions taken toward commencing or completing construction, and list the reasons why construction of the project was not completed.

SEE ATTACHMENT 1

Insert the attachment number here, if applicable: 1

Complete Use of Water

List reasons why use of water was not completed within time previously allowed.

SEE ATTACHMENT 2

Insert the attachment number here, if applicable: 2

REC'D 5-7-2015 CHK# 30629 \$6,153.00 CHK# 30627 \$850.00

GC

**Quantities Diverted**

For direct diversion projects, list the cubic feet per second (cfs) or gallons per day (gpd) diverted during the maximum month of use, and the acre-feet per annum (afa) and identify the year this occurred. For storage projects, identify the maximum amount collected to storage and withdrawn for beneficial use in afa and identify the year this occurred.

	Year	Maximum Diversion Rate (cfs or gpd)	Maximum Annual Amount (afa)
Direct Diversion	1999	1.85 cfs	1,053 afa
Storage			
Beneficial Use			

Insert the attachment number here, if applicable:

**Information on Beneficial Uses**

Number of Acres Irrigated	41 acres
Number of Houses or People Served	5,395 people
Per Capita Residential Water Use During the Maximum 30-day Period (gpd)	231 gpd
Extent of Past Use of Water for Any Other Purpose (identify gpd, cfs or afa)	

Insert the attachment number here, if applicable:

**Approximate Amount Spent on Project** \$

**Water Conservation** – If water conservation is required by your permit, provide the information below.

**Water Conservation Measures In Effect**

List the water conservation measures that are in effect within the place of use.

SEE ATTACHMENT 3

Insert the attachment number here, if applicable:

**Water Conservation Measures Planned**

List the water conservation measures that are feasible within the place of use and the date the measures will be implemented. Identify the quantities estimated to be conserved when the measures are implemented.

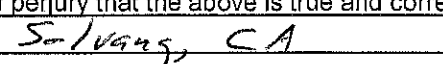
As noted in Attachment 3, Solvang has a very aggressive and dynamic water conservation program in effect including very effective tiered pricing and incentives to change landscaping to low water use drought tolerant plantings.

Solvang intends to continue pioneering and implementing best management practices for water efficiency as those are developed.

Insert the attachment number here, if applicable:

**All Right Holders Must Sign This Form:** I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief. Dated  at

  
Right Holder or Authorized Agent Signature

  
Right Holder or Authorized Agent Signature

**NOTE:** All petitions must be accompanied by:

- (1) the form Environmental Information for Petitions, available at: [http://www.waterboards.ca.gov/waterrights/publications\\_forms/forms/docs/pet\\_info.pdf](http://www.waterboards.ca.gov/waterrights/publications_forms/forms/docs/pet_info.pdf)
- (2) Division of Water Rights fee, per the Water Rights Fee Schedule, available at: [http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/fees/](http://www.waterboards.ca.gov/waterrights/water_issues/programs/fees/)
- (3) Department of Fish and Wildlife fee of \$850 (Pub. Resources Code, § 10005)

## ATTACHMENT 1 TO PETITION FOR EXTENSION OF TIME

**Estimate the date construction work will begin, list the actions taken towards commencing or completing construction, and list the reasons why construction of the project is not complete.**

The City of Solvang's (City) EIR for the Water System Master Plan Update and initial infrastructure projects was adopted in February 2014. The Project set forth in the Plan and reviewed in the EIR calls for the construction of up to six new wells within the Santa Ynez River channel. However, the proposed well locations are not within the City's permitted reach of diversion. Therefore, the City has applied to modify its existing reach of diversion. The City is currently awaiting approval from the SWRCB before proceeding with final design and construction of the new wells, pipelines and related infrastructure.

Once approval is received from the SWRCB, the City can move forward with final engineering and construction of the Project. However, in the interim, the City has been working diligently to secure all necessary easements for construction of the new wells. Appraisals and easement documents have been completed, and the City is wrapping up negotiations with property owners to secure the easements.

The Project will be implemented in two phases: 1) well & waterline design and construction, and 2) water treatment plant design and construction. During the first year after approval, the City will conduct and complete site specific engineering for the well & waterline phase of the Project. This will entail detailed design of the wells, wellhead facilities, and transmission waterlines including permitting and coordination with PG&E to bring power to the well sites.

Once the site specific engineering for Phase 1 is complete, this portion of the Project will be put out to bid, a contract awarded, and well & waterline construction can begin. Well & waterline bidding and construction will take approximately 12 months. The process for installation of the wells is described in pages 2.0-22 through 2.0-26 of the EIR. Pump testing will occur immediately after well installation. The waterlines and electrical conduits will be installed after well testing. The proposed well installation will be completed in a staged approach. The entire Phase 1 process is expected to take approximately 24 months.

The site specific engineering for Phase 2, the water treatment plant (WTP), will begin once Phase 1 is out to bid. This will entail detailed design of the WTP site, treatment equipment, pumping facilities and reservoir including permitting and coordination with PG&E to bring power to the WTP. The Phase 2 design process is also expected to take approximately 24 months. The process for development and installation of the central WTP and related facilities are described on pages 2.0-28 through 2.0-32 of the EIR. Bidding and construction activities are expected to be completed within approximately 18 months and will be completed in stages: (1) grading and construction of foundation and retaining wall, if necessary on the east side of the Project site; (2) reservoir (clear well) construction; (3) electrical/pump station/chemical building construction; (4) utility connections, including electricity, cable, sewer, and the waterline from the wells located along the Santa Ynez River; (5) installation of the treatment modules; and (6) startup and troubleshooting process.

The total time from SWRCB approval of the new reach of diversion is estimated to be between 3 1/2 and 5 years to complete the water facilities. At the current rate of growth, Solvang estimates that its full build-out and maximum water demand will occur in ten to fifteen years.

## ATTACHMENT 2 TO PETITION FOR EXTENSION OF TIME

### List reasons why use of water was not completed within the time previously allowed.

In 1998, flooding caused the Santa Ynez River channel to move away from the City's Well 3. This reduced the City's pumping capacity.

In 2005 the Santa Ynez River flooded, destroying the wellhead of the City's Well 5. This reduced the City's pumping capacity.

Before the City had the ability to fully restore the pumping capacity lost due to flooding, the Santa Ynez River run of Steelhead was listed as endangered under both the Federal and California Endangered Species Acts. The listing necessitated the preparation of a Biological Opinion for management of the Santa Ynez River and an Environmental Impact Report for the Cachuma Project.

The City intended to conduct its own environmental review to evaluate the impacts of increasing its water diversion capacity and beneficial use. In discussions with the SWRCB, however, SWRCB staff and the City decided that it was most appropriate for the City to determine the final form of its Project and conduct the environmental review of that Project *after* the Biological Opinion and Cachuma Project EIR were complete and adopted. This would allow the City's environmental review to consider the findings/determinations in the other environmental documents.

Once the Biological Opinion and the Cachuma Project EIR were complete, the City was able to begin the process of its own environmental review and preparation of an EIR. The final project adopted by the City is very different than it would have been prior to the Steelhead listing. In particular, the City's use of the more expensive downstream locations was primarily driven by accommodating the Biological Opinion requirements.

### ATTACHMENT 3 TO PETITION FOR EXTENSION OF TIME

List the water conservation measures that are in effect within the place of use.

As mitigation for the Project, EIR Section 5.1.6, requires the Water Division of the Public Works Department of the City of Solvang to actively advertise, promote, and implement their Water Conservation (Management) Program to conserve water. The Program seeks to reduce total water consumption and, in particular to reduce the need to pump water during summer and fall, and during droughts.

During the major drought of 1989 through 1991, the City of Solvang developed and implemented an informal Water Conservation (Management) Program. This program implemented the following water conservation Best Management Practices and programs:

1. Metering of all water deliveries. The City meters all water supply sources (such as our existing wells) and all customers service connections (deliveries);
2. Conservation oriented pricing (high water rates);
3. Low Flow Toilet Rebate Program;
4. Promotion of native and drought tolerant landscaping; and
5. Ongoing public education campaign.

In 2011 the City implemented more aggressive conservation oriented pricing consisting of a tiered water rate structure. Most recently, during the current drought that began in 2013, the City again implemented a Low Flow Toilet Rebate Program, and has an ongoing "cash for grass" Landscape Rebate Program. The City also has ramped up its community outreach and education campaign through press releases and water conservation messages on water bills issued by the City. The City intends to continue to implement these conservation measures and programs, and implement various periodic programs such as the Landscape Rebate Program as State and Federal grant funding is available.

Since 1991, the above measures have resulted in approximately 10% conservation (reduction in demand). These as well as other future measures that will be implemented are expected to result in an additional 10% (150 AFY) conservation by 2025. These conservation measures are expected to result in a maximum yearly water demand of 1,980 AFY at full build out. This is an approximately 45% reduction in demand from the 3,620 AFY permitted under the City's Permit 15878.

The current severe drought conditions began in January 2013. As a result, the City of Solvang implemented Stage 1 Drought Restrictions on January 13, 2014, and then implemented Stage 2 Drought Restrictions on July 28, 2014. Stage 2 Drought Restrictions are anticipated to remain in effect until December 2015 or later dependent upon weather conditions.

State of California  
State Water Resources Control Board  
DIVISION OF WATER RIGHTS  
P.O. Box 2000, Sacramento, CA 95812-2000  
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<http://www.waterboards.ca.gov/waterrights>

STATE WATER RESOURCES  
CONTROL BOARD

2015 MAY -7 AM 11:41

DIV OF WATER RIGHTS  
SACRAMENTO

## ENVIRONMENTAL INFORMATION FOR PETITIONS

This form is required for all petitions.

Before the State Water Resources Control Board (State Water Board) can approve a petition, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared, a determination must be made of who is responsible for its preparation. As the petitioner, you are responsible for all costs associated with the environmental evaluation and preparation of the required CEQA documents. Please answer the following questions to the best of your ability and submit any studies that have been conducted regarding the environmental evaluation of your project. If you need more space to completely answer the questions, please number and attach additional sheets.

### DESCRIPTION OF PROPOSED CHANGES OR WORK REMAINING TO BE COMPLETED

For a petition for change, provide a description of the proposed changes to your project including, but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated, increase in water diversion and use (up to the amount authorized by the permit), changes in land use, and project operational changes, including changes in how the water will be used. For a petition for extension of time, provide a description of what work has been completed and what remains to be done. Include in your description any of the above elements that will occur during the requested extension period.

This Environmental Information is to support the April 20, 2015 Petition for Extension of Time submitted by the City of Solvang to complete facilities and put water to beneficial use under Permit # 15878. Please see Attachment 1 for more information.

Insert the attachment number here, if applicable:

1

**Coordination with Regional Water Quality Control Board**

For change petitions only, you must request consultation with the Regional Water Quality Control Board regarding the potential effects of your proposed change on water quality and other instream beneficial uses. (Cal. Code Regs., tit. 23, § 794.) In order to determine the appropriate office for consultation, see: [http://www.waterboards.ca.gov/waterboards\\_map.shtml](http://www.waterboards.ca.gov/waterboards_map.shtml). Provide the date you submitted your request for consultation here, then provide the following information.

Date of Request

Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation?

Yes  No

Will a waste discharge permit be required for the project?

Yes  No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

**Local Permits**

For temporary transfers only, you must contact the board of supervisors for the county(ies) both for where you currently store or use water and where you propose to transfer the water. (Wat. Code § 1726.) Provide the date you submitted your request for consultation here.

Date of Contact

For change petitions only, you should contact your local planning or public works department and provide the information below.

Person Contacted:  Date of Contact:

Department:  Phone Number:

County Zoning Designation:

Are any county permits required for your project? If yes, indicate type below.  Yes  No

- Grading Permit  Use Permit  Watercourse  Obstruction Permit  
 Change of Zoning  General Plan Change  Other (explain below)

If applicable, have you obtained any of the permits listed above? If yes, provide copies.  Yes  No

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

**Federal and State Permits**

Check any additional agencies that may require permits or other approvals for your project:

- Regional Water Quality Control Board     Department of Fish and Game
- Dept of Water Resources, Division of Safety of Dams     California Coastal Commission
- State Reclamation Board     U.S. Army Corps of Engineers     U.S. Forest Service
- Bureau of Land Management     Federal Energy Regulatory Commission
- Natural Resources Conservation Service

Have you obtained any of the permits listed above? If yes, provide copies.     Yes     No

For each agency from which a permit is required, provide the following information:

Agency	Permit Type	Person(s) Contacted	Contact Date	Phone Number
Dept. Fish & Wildlife	Streambed Alt.	Natasha Lohmus	March 10, 2015	(805) 684-6281
Central Coast RWQCB	Water Qual Cert	David Innes	March 10, 2015	(805) 549-3150
US ACOE	404 Permit	Crystal Huerta	March 10, 2015	(805) 585-2143

If necessary, provide additional information below:

Insert the attachment number here, if applicable:

**Construction or Grading Activity**

Does the project involve any construction or grading-related activity that has significantly altered or would significantly alter the bed, bank or riparian habitat of any stream or lake?     Yes     No

If necessary, provide additional information below:

SEE ATTACHMENT 2

Insert the attachment number here, if applicable:



**Archeology**

Has an archeological report been prepared for this project? If yes, provide a copy.  Yes  No

Will another public agency be preparing an archeological report?  Yes  No

Do you know of any archeological or historic sites in the area? If yes, explain below.  Yes  No

If necessary, provide additional information below:

SEE ATTACHMENT 3

Insert the attachment number here, if applicable:

**Photographs**

For all petitions other than time extensions, attach complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from each point of diversion
- Along the stream channel immediately upstream from each point of diversion
- At the place where water subject to this water right will be used

**Maps**

For all petitions other than time extensions, attach maps labeled in accordance with the regulations showing all applicable features, both present and proposed, including, but not limited to: point of diversion, point of redirection, distribution of storage reservoirs, point of discharge of treated wastewater, place of use, and location of instream flow dedication reach. (Cal. Code Regs., tit. 23, §§ 715 et seq., 794.)

Pursuant to California Code of Regulations, title 23, section 794, petitions for change submitted without maps may not be accepted.

**All Water Right Holders Must Sign This Form:**

I (we) hereby certify that the statements I (we) have furnished above and in the attachments are complete to the best of my (our) ability and that the facts, statements, and information presented are true and correct to the best of my (our) knowledge. Dated  at

  
Water Right Holder or Authorized Agent Signature

\_\_\_\_\_  
Water Right Holder or Authorized Agent Signature

**NOTE:**

- Petitions for Change may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game. (Cal. Code Regs., tit. 23, § 794.)
- Petitions for Temporary Transfer may not be accepted unless you include proof that a copy of the petition was served on the Department of Fish and Game and the board of supervisors for the county(ies) where you currently store or use water and the county(ies) where you propose to transfer the water. (Wat. Code § 1726.)

## ATTACHMENT 1 TO ENVIRONMENTAL INFORMATION FOR EXTENSION OF TIME PETITION

### PROJECT BACKGROUND

In 1969, the State Water Resources Control Board (SWRCB) approved Solvang Municipal Improvement District's (SMID) application and issued water right Permit No. 15878 subject to Application 22423 to appropriate, by direct diversion, at a rate up to 5 cfs from January 1 to December 31 of each year (for a maximum annual diversion of 3,620 acre-feet) of underflow from the Santa Ynez River to be put to beneficial use within the boundaries of the SMID service area. Permit 15878 was subsequently assigned to the City of Solvang (City) in 1986.

Permit 15878 provides that the maximum amount of diversion may be reduced by the SWRCB after inspection to determine the amount of water that had been put to beneficial use. The SWRCB Water Rights Division conducted a compliance inspection on August 11, 1999, found that there had been no changes in beneficial use and determined that Solvang's annual diversion of Santa Ynez River water for beneficial use at that time was 1,053 AFY and the maximum diversion rate was 1.85 cfs.

The City determined that at full build out it will beneficially use 1,980 AFY and require a maximum diversion rate of up to 5 cfs. The diversion rate is necessary to meet both peak water demand and fire flow requirements for the City. The City desires to develop the capacity to divert its entire water demand via groundwater wells from the underflow of the Santa Ynez River.

### THE WATER SYSTEM MASTER PLAN

In 1996, the City adopted a Water System Master Plan, which contains a description of the City's water supplies, distribution and treatment system, population and water demand projections, and future facilities to address need for additional supplies and treatment requirements.

After the adoption of the Water System Master Plan, several important events occurred that necessitated an update of the Plan, including the delivery of water from the State Water Project (SWP), completion of several new local facilities (including a new pump station and water main sections), and loss of several wells in the Santa Ynez River due to flood damage. Perhaps most significantly by, the Steelhead run in the Santa Ynez River was listed as endangered under both the Federal and California Endangered Species Acts.

In 2002, the City prepared and adopted a Water System Master Plan Update. In 2009, the City also completed a minor update of the 2002 Master Plan Update. Finally, in 2011, City staff further updated the 2002 Master Plan Update.

The purpose of the Water System Master Plan Update was to (1) evaluate the present and future water supply and demand conditions, (2) analyze and identify water system supply and distribution deficiencies, and (3) develop recommendations for prioritizing water sources, developing new and expanded water production and treatment facilities, upgrading various distribution and storage facilities, and developing a capital improvement program to address deficiencies.

The first major recommendation in the Master Plan Update was the installation of new Santa Ynez River underflow wells to give the City sufficient pumping capacity to extract Santa Ynez River underflow at the maximum instantaneous rate allowable under Water Rights Permit No. 15878. That would allow the river wells to be the first priority and primary water source for the City. The other major recommendation was to utilize the river wells in conjunction with the wide range of other water supplies available to the City to provide a highly reliable source to the water to users within the City's municipal service area.

The City performed a CEQA environmental review of the Water System Master Plan Update and the Project recommended in the update, including the proposed six downstream underflow wells, pipelines and a central potable water treatment plant. In scoping the potential environmental effects of the Water Master Plan and the Project, the City determined that an EIR would be required.

### THE EIR

On January 4, 2011, the City circulated a Notice of Preparation (NOP) (State Clearinghouse Number 2011011004 of an EIR for review and comment by the public and responsible and reviewing agencies. The NOP review period extended for 30 days and ended on February 2, 2011.

The Draft Environmental Impact Report (DEIR) was released for agency and public review on June 15, 2012. Public review lasted for 45 days, until July 30, 2012. Following the review of comments received on the DEIR, the Final EIR (FEIR) was prepared.

The FEIR was certified by Solvang City Council on February 24, 2014. A copy of the FEIR is enclosed for your reference.

Although the DEIR identified potentially significant impacts that could result from implementation of the Water System Master Plan Update (including the construction described below), the mitigation measures adopted as part of the FEIR reduce all significant impacts to "less than significant." (See DEIR Section 7.1.) Consequently, there will be no unavoidable significant environmental effects from implementation of the Water System Master Plan Update, and the Project, including construction of the proposed river wells pipelines and the water treatment plant.

#### EXISTING WATER INFRASTRUCTURE

The City currently has two active river wells (Wells 3 and 7A) and one inactive river well (Well 5) within its Existing Reach of Diversion (starting at approximately 400 feet below the Alisal Bridge and extending approximately 3.75 miles upstream). (See Figure 2.0-3 of the DEIR.)

Well 3 is located near the Santa Ynez River channel in the floodplain. It was drilled in 1993 to a depth of 55 feet and has a capacity of approximately 340 gallons per minute (gpm) (which equates to 0.73 cfs, or if pumped continuously, approximately 530 acre-feet per year (AFY)). The low flow channel within the River meanders within the banks and changes course every few years. Where Well 3 is located during winter months River flows are frequently within 100 feet of the well. Therefore, pumping from Well 3 is curtailed due to water quality regulations during most winters.

Well 5 is located in the river channel. It is inactive and has not been used since the 2005 flood because the wellhead was destroyed.

Well 7A is also located near the Santa Ynez River channel in the floodplain. It was constructed in 1995 to replace Well 7 that was destroyed in the flood conditions of the previous winter. It was drilled to a depth of 55 feet and has the capacity of about 110 gpm (which equates to 0.25 cfs, or if pumped continuously, 179 AFY).

Together, Wells 3 and 7A produce approximately .98 cfs or 709 AFY. However, at full build out, the City anticipates a beneficial use of 1,980 AFY and a need for a maximum flow rate of 5 cfs. Furthermore, the City concluded as part of its Master Plan Update that the most reliable source of water to meet its demand is underflow from the Santa Ynez River. Therefore, additional river wells are required to ensure a reliable water supply for Solvang.

#### WELL CONSTRUCTION

To achieve both its full water demand of 1,980 AFY as well as the maximum extraction rate of 5 cfs, the City has determined that it is necessary to install up to six new wells, with a similar capacity of about 400 gpm each. (Well design is described in Figure 2.0-8 of the DEIR.) However, the City has determined that the wells cannot be drilled within the Existing Reach of Diversion because the portion of the Santa Ynez River within the Existing Reach of Diversion is impacted by existing wells belonging to others (See DEIR Section 2.4.4.) and due to Steelhead water requirements.

Therefore, the City has filed a Change Petition to expand its Existing Reach of Diversion by adding approximately 1.5 miles downstream of the Alisal Bridge and the downstream boundary of the Existing Reach of Diversion (referred to as the "Additional Reach of Diversion"). The City proposes to install all of the proposed wells within the Additional Reach of Diversion.

As described in Section 2.4.4 of the EIR, the proposed sites are located along the north side of the river between points approximately 1.5 miles west of the Alisal Bridge and upstream to the confluence of Alamo Pintado Creek. (DEIR at 2.0-16.) The locations were selected to maximize water production, minimize well interference, provide ease of access, maximize use of existing water lines for conveyance piping, and minimize potential flood

damage. (See DEIR 2.0-16 – 2.0-17.)

The proposed well sites are designated Well Sites A and Well Sites B (see DEIR Figures 2.0-5, 2.0-6 and 2.0-7). Those sites, while within the 100-year floodplain, are outside and above the ordinary high water mark of the active river channel. The proposed sites are currently at least 150 feet from any surface water flows in accordance with Department of Public Health requirements for extraction without additional monitoring and filtration treatment.

The proposed six new wells would provide the City with eight potentially active wells that are capable of providing an average of 300 gpm each (for a total of 2,400 gpm or 5.33 cfs). Therefore, together, the eight wells will meet the City's anticipated future water needs.

#### WATER TREATMENT FACILITY CONSTRUCTION

Rules issued by the Department of Public Health restrict the use of water being produced from a well while surface water is within 150 feet unless the water is filtered and meets the standards of the Surface Water Treatment Rule. Since water from the River Channel will frequently be within 150 feet of the City's wells, to ensure that the City wells can be utilized when needed, the City determined that it is necessary to construct a water treatment plant in conjunction with the installation of the new river wells. The City has elected to construct a conventional surface water treatment plant.

Design and construction of the overall Project are planned to be phased. Well design and construction will take approximately 24 months.

Water treatment plant bidding and construction activities are expected to be completed in an 18-month period that will start following the commencement of the well design and construction but may begin before the wells are completed. Water treatment design and construction will occur in the following phases:

1. grading and construction of foundation and retaining wall, if necessary on the east side of the building site;
2. reservoir (clear well) construction;
3. electrical/pump station/chemical building construction;
4. utility connections, including electricity, sewer, and water lines from the river wells;
5. installation of the treatment modules
6. startup and troubleshooting process.

The surface water treatment plant will ensure that all water extracted from the river wells will be potable and available to meet the City's water demand.

#### THE PETITIONS

The City has submitted a Petition for Extension of Time (to allow the City additional time to demonstrate its ability to extract and beneficially use 1,980 afy at a maximum diversion rate of up to 5 cfs to serve the City's full build out water demand. The City has also submitted a Petition for Change to add the Additional Reach of Diversion to the Existing Reach of Diversion Both petitions are necessary to allow the City to meet the objectives of the Water Master Plan Update.

Specifically, the Petition for Change is necessary to allow the City to construct its necessary wells downstream of the Alisal Bridge in an area of the Santa Ynez River that contains no other diverters or water flow requirements under the Biological Opinion. Constructing the new wells in the Additional Reach of Diversion will eliminate any well interference or environmental impacts that would exist within the Existing Reach of Diversion. These six new wells will not only increase the amount of water available to the City, but will allow the City to meet its entire future water needs.

The Petition for Extension of Time is necessary to allow the City enough time to construct the new wells and the water treatment plant. Only after the construction of those facilities will the City will be able to demonstrate its ability to extract and beneficially use 1,980 AFY at a maximum diversion rate of up to 5 cfs to serve the City's full build out demand.

## ATTACHMENT 2 TO ENVIRONMENTAL INFORMATION FOR EXTENSION OF TIME PETITION

At each well site, a 2,500-square-foot area (about 50' by 50') will be cleared and graded only as necessary to allow for construction of the well. The well will be installed within this area, which will also be used for the drilling rig, stockpiling, and other equipment parking. The construction timeframe is temporary and short term in nature and will be completed when water flow is low and is far from the well site under construction. Therefore, construction of the wells will not significantly reduce stream flows to the Santa Ynez River or substantially alter the existing drainage pattern of the area. See discussion in Section 5.1.6.3 of the EIR.

The City certified the EIR conclusion that the Project's impacts on stream flows and drainage patterns from construction of the water treatment facility and six new river wells will be less than significant. As noted above, the water treatment plant will be located outside the Santa Ynez River channel.

### **ATTACHMENT 3 TO ENVIRONMENTAL INFORMATION FOR EXTENSION OF TIME PETITION**

The Cultural section of the Solvang Water Master Plan EIR notes that the Project area has been home to the Cumash society for over 7,500 years due to the high concentration of natural resources in the Santa Barbara Channel area. For the same reason, European settlement of the area has been longstanding. EIR Section 5.4.4.4 lists cultural resources recorded in the general area of the Project, as including:

Prehistoric/ethnohistoric village sites, bedrock mortars, lithic scatters, cemeteries, isolated burials, midden deposits, resource collection and exploitation sites, ceremonial sites and other miscellaneous sites.

Historic sites of the Spanish, Mexican and American periods include structures, foundations, earthworks, trails and roads related to oil, mining, ranching, farming and other activities.

The City conducted a Phase I Cultural Resources Report for the proposed new well site areas and the water treatment plant site. No surface cultural resources were identified in proposed Well Sites A and B, but one cultural site was identified adjacent to the water treatment plant site. Due to the possibility that construction activity may uncover a cultural site anywhere in the area, Solvang adopted Mitigation Measures CUL-2 and CUL-3 (DEIR page 5.4-22). Those provide for a Santa Ynez Chumash tribal monitor during any ground disturbing construction activities and require all work to stop if any cultural resources are encountered during construction.

The City has consulted with the State Historic Preservation Office, the Native American Heritage Commission and the Santa Ynez Band of Chumash Indians concerning treatment of cultural resources during project implementation.

The City certified the EIR conclusion that, following mitigation, the Project's impacts on cultural resources will be less than significant.