

Bylaws

Supplemental Water Alternatives Evaluation Committee (SWAEC)

(APPROVED BY NCSD Board of Directors ON JUNE 27, 2012
- REVISED JULY 25, 2012)



1. Name

The name of this organization shall be the “**Supplemental Water Alternatives Evaluation Committee**” (SWAEC), hereafter referred to as the Committee.

2. Purpose and Authority

a. On June 27, 2012, the NCSD Board of Directors authorized formation of the Committee to analyze alternatives to providing Supplemental Water to the Nipomo Mesa region.

b. The purpose of the Committee is to provide the NCSD Board of Directors a thorough, accurate, and objective analysis of means to provide supplemental water to the Nipomo Mesa region.

c. The Committee exists under the authority of the NCSD Board of Directors. The Committee and its members are not empowered to commit the NCSD to any action, participation, or financial involvement. The Committee is not authorized to take any legal action on behalf of the NCSD, or to legally bind the NCSD in any way.

3. Areas of Responsibility

a. The Committee shall be responsible for performing analysis and evaluation for the Board of Directors, using the following process and sequence:

i. The Committee shall develop a list of viable supplemental water alternatives that includes as a minimum:

- AECOM-designed 3,000 AFY Santa Maria pipeline
- AECOM-revised TBD AFY Santa Maria pipeline
- Interconnection with Central Coast Water Authority (CCWA) pipeline
- Seawater desalination
- Other alternative water supply/alternative treatment (including recycled water)

ii. The Committee shall assign the analysis and evaluation of each alternative to specific and identified Committee members.

iii. The Committee will develop a matrix of Pro's and Con's for each alternative, measured against the CONSTRAINTS and their ability to meet the SUPPLEMENTAL WATER GOALS:

CONSTRAINTS:

As constraints, the Committee will consider:

- 2005 Stipulation and 2008 Court Order
- Annual delivered water volume and flow variation (availability)
- Cost
- Schedule
- Reliability of supply
- Effluent disposal requirements (if any)
- Environmental regulations and required approvals
- Permitting requirements of the California Coastal Commission, CA Department of Fish and Game, US Fish and Wildlife Services, Army Corps of Engineers, Environmental Protection Agency, Central Coast Regional Water Quality Control Board, County Planning, Building, and Public Utilities requirements in San Luis Obispo and Santa Barbara Counties.

SUPPLEMENTAL WATER GOALS:

- Deliver an uninterrupted supply of 3000 AFY of imported potable water to the Nipomo Mesa region, with the capability to increase the delivery to 6,200 AFY at minimum cost increase
- Provide initial water deliveries of +/- 1000 AFY by June 2015
- Lowest construction, system operation and maintenance, and delivered water cost
- Provide compliance with the 2008 Court Order

iv. The Committee will develop a numerical ranking for each alternative with reference to the CONSTRAINTS and their ability to meet the SUPPLEMENTAL WATER GOALS.

b. The Committee and its members shall conduct its meetings and discussions with respect to the diversity of opinions, to its members, and to all individuals from the public and other organizations.

c. The committee will seek technical input from the community and recognized authorities. The following documents will be used as the primary reference authorities in the analyses:

- 2010 Santa Maria Urban Water Management Plan
- 2010 NCSD Urban Water Management Plan
- 2010 CCWA Urban Water Management Plan
- 2007 Boyle Alternatives Analysis
- 2011 NMMA TG Annual Report

- 2009 NCS D Supplemental Water Project EIR
- 2005 Stipulation
- 2008 Court Order

Other published technical analyses may be used if the SWAEC finds them to be rigorously accurate.

4. Membership

a. Membership on the SWAEC is by appointment of the NCS D Board of Directors based on the recommendation of the Nomination Committee. The Nomination Committee will consist of:

- One member appointed by the SLO County Fourth District Supervisor
- One member appointed by the management of Rural Water Company
- One member appointed by the management of Golden State Water Company
- Two members appointed by the management of the Woodlands Mutual Water Company
- Four members appointed by the NCS D Board of Directors

b. Applications for the voting members of the SWAEC will be submitted via the NCS D Water Resources Policy Committee.

c. The Nomination Committee will review applications submitted and forward nominations for the seven voting seats to the NCS D Board of Directors for approval.

d. The SWAEC will have seven voting members, one Chairperson, and one Vice Chairperson as follows:

- Committee Chair/Facilitator (non-voting, except to break a tie)
- Vice Chair (NCS D District Engineer, non-voting)
- Two Engineering/Water Management members
- Two Financial members
- Two Environmental members
- One Citizen-at-Large member

e. No NCS D Board member will serve on the Committee.

f. The term of membership shall be for the duration of the Committee, beginning on the effective date that members are appointed by the NCS D Board of Directors, and shall continue through the sunset date (TBD) of the Committee.

g. No member may assign or transfer their membership on the Committee.

h. The Committee's voting members shall serve without compensation except that provided in their current employment.

5. Officers

- a. The Committee Chair shall be nominated by the NCS D General Manager and ratified by the NCS D Board of Directors. The Committee Vice Chair shall be the NCS D District Engineer. The Secretary to the Committee is to be determined.
- b. It shall be the duty of the Chair to:
 - Preside over the meetings
 - Prepare the agenda for the Committee meetings
 - Call special meetings as necessary
 - Coordinate communication and issue all reports
- c. It shall be the duty of the Vice Chair to:
 - Preside over meetings in the absence of the Chair
 - Assist the Chair in any of the Chair's duties as the Chair shall require
 - Provide technical advice as to the compatibility of the alternatives with the NCS D water supply system
- d. It shall be the duty of the Secretary to take notes and provide meeting minutes. Meeting minutes will be posted on the NCS D website (ncsd.ca.gov) after they are approved by the Committee.
- e. It shall be the duty of all the voting members to actively participate in the alternatives analysis and contribute opinions and findings in the interim and final reports and presentations.
- f. Any member may resign their position at any time by submitting a written letter of resignation to the Chair.
- g. Any member who misses three consecutive meetings will be subject to removal from the Committee at the discretion of the Chair.
- h. The replacement for any seat vacated by resignation or dismissal may be nominated by the voting members of the Committee, and ratified by the Board; but the Committee shall continue its work whether or not this is done.

6. Standard Meetings

- a. Meetings shall be held on a schedule established by the Committee. The frequency of the meetings will be determined by the Committee. Meetings shall be noticed and held in a manner consistent with applicable law, including the Brown Act, California Government Code Sections 54950 et seq.
- b. A majority of the voting members shall constitute a quorum.

c. Special meetings may be called by the Chair with notification posted to the NCSD website and NCSD's automatic e-mail notification system at least 24 hours before the scheduled time of the special meeting.

d. All regular and special meetings will be open to the public, and a portion of each meeting will be reserved for public comment on issues within the purview of the Committee.

e. Any finding by the Committee will require a majority vote of the voting Committee members.

f. Draft minutes of each meeting shall be posted by the NCSD on its website and replaced only if, on subsequent approval, the Committee makes changes.

7. Reports

a. The Committee will provide written reports and oral presentations to the NCSD Board of Directors.

b. As a minimum, the Committee will report:

- The minutes of each Committee meeting within two weeks of each meeting.
- The description of alternatives to be analyzed under 3.a.i. TO-BE-DETERMINED weeks after Committee formation.
- Identification of the Committee members assigned to each evaluation four weeks after Committee formation
- A rough draft of the Pro's and Con's of each alternative
- A final draft of the Pro's and Con's of each alternative
- A relative numerical ranking of each alternative as the final work product.