

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION
DISTRICT
ZONE 9 ADVISORY COMMITTEE

NOTICE IS HEREBY GIVEN that the Zone 9 Advisory Committee will hold a Regular Meeting at **1:30 PM on Wednesday, October 12, 2022** at the City of San Luis Obispo, Community Development Department in Conference Room #1 located at 919 Palm Street, San Luis Obispo, CA 93401.

To participate via Zoom (NON-VOTING MEMBERS and GUESTS ONLY):

<https://us06web.zoom.us/j/82060579052?pwd=SVJvZWg0VUd0YUe0eHI3KzNwMUdBZz09>

Call-in information: Dial +1 (669) 900-6833, Meeting ID: 820 6057 9052, Passcode: 351543

AGENDA

1. Introductions and roll call
2. Approval of April 13, 2022 meeting minutes
3. Fiscal Year 2022/23 Budget Presentation
4. Endorsement of the City of San Luis Obispo's Annual Work Plan – Fiscal Year 2023-24
5. Ongoing Updates
 - a. Mid-Higuera Bypass Project
 - b. Creek Maintenance
 - c. Arundo Removal
 - d. East Fork Limited Study
6. Public comment
At this time, the public may address the Committee on any item not appearing on the agenda that is within the subject matter jurisdiction of the Committee.
7. Future agenda items

Next Regular Meeting

Wednesday, December 7, 2022 at 1:30 PM
City of San Luis Obispo, Community Development Department
919 Palm Street, San Luis Obispo, CA 93401

“The purpose of the Zone 9 Advisory Committee: SECTION 1: To advise the County Board of Supervisors concerning all policy decisions relating to Zone 9. The Committee shall determine the needs, desires, and financial capabilities of the property owners in Zone 9 and, upon deliberation, shall convey to the Board of Supervisors their recommendations with respect to the objectives of said zone. SECTION 2: To recommend to the Board of Supervisors specific programs to alleviate and control flood damage within Zone 9 with recognition of the ecological and aesthetic values of the programs. Further, to recommend to the Board of Supervisors other programs within Zone 9 concerning the objects and purposes of the Flood Control District Act. SECTION 3: To recommend methods of financing programs for Zone 9.” – Excerpts from the By-Laws adopted March 1, 2011

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
ZONE 9 ADVISORY COMMITTEE

Meeting Minutes (DRAFT) – Wednesday, April 13, 2022

Members Attending:

Wayne Peterson, County At-Large (Chair)
Christine Mulholland, City At-Large
Carlyn Christianson, City Council
Brian Nelson, City Staff (Vice-Chair)

Non-Voting Members and Guests Attending:*

Manny Guzman, City Staff (Alternate)
Janet Andrews, County At-Large #2 (Alternate)
Brendan Clark, San Luis Obispo County (Secretary)
Jennifer Taylor, San Luis Obispo County (Staff)
Joey Steil, San Luis Obispo County
Kathy Borland, Resident, Zone 9

*Attended (virtually by Zoom):

Geoff English, San Miguelito Mutual Water Company
Courtney Howard, San Luis Obispo County
Jessica Johnson, San Luis Obispo County

1. Introductions and roll call

Chair calls the meeting to order at 1:30 PM; there is a quorum. Introduction of attendees. Secretary provided clarification regarding the meeting conforming to the Brown Act by requiring in-person voting; that the meeting is broadcast by Zoom for non-voting members and guests; the camera/video is turned off and only the screen with the agenda is shared.

2. Moment of Silence

There was a moment of silence for Dave Romero (Alternate, City At-Large) who recently passed away, served as City Engineer and Director of Public Works from 1956 – 1992 and then on the City Council for 16 years, eight of those as mayor. Wayne Peterson and Christine Mulholland spoke in his honor, sharing professional and personal memories.

3. Approval of Meeting Minutes – December 8, 2021

Ms. Mulholland questioned if there was a motion on Item No. 4, Committee Membership and Re-affirmations. Upon further review of the audio recording of the meeting, there was no motion made and it was indeed a receive and file item. The minutes are hereby amended to remove the motion. In addition, Kathy Borland's name was corrected.

Motion by: Christine Mulholland

Second by: Carlyn Christianson

The Committee approves the meeting minutes of December 8, 2022, as amended (4-0-0). The Chair requested that Staff send meeting materials that would normally be distributed at the meetings, such as ongoing reports, whenever a meeting is cancelled; the Secretary agreed.

4. Officer Elections

Ms. Mulholland asked when the Committee amended the by-laws to strike Section 3. Furthermore, Ms. Mulholland asked why the remaining Sections were not renumbered, indicating another motion is necessary to correct this. The Secretary confirmed the deletion occurred in 2011. Ms. Mulholland moved to nominate Mr. Peterson to continue for an additional 2-year term; Janet Andrews seconded. Mr. Peterson accepted, however as Ms. Andrews is the Alternate for Mr. Peterson, Ms. Christianson amended the motion and proposed the same officers that are currently serving continue serving the next term (2-years).

Motion by: Carlyn Christianson
Second by: Christine Mulholland

The motion passed (4-0-0) that those currently serving continue for the next 2-year term as Wayne Peterson (Chair), Brian Nelson (Vice Chair), and Brendan Clark (Secretary).

5. Ongoing Reports

a. Sustainable Groundwater Management Act (SGMA)

Water Resources staff provided the final, adopted Groundwater Sustainability Plan to the Department of Water Resources (DWR) by the January 31, 2022, SGMA deadline, available online: <https://sma.water.ca.gov/portal/gsp/all> for a 75-day comment period. In March 2022, the Groundwater Sustainability Commission approved the first annual report (Water Year 2020-2021) submitted by the April 1, 2022, deadline. The Secretary noted that all managed basins with adopted plans and reports have transitioned from the Public Works Department, Water Resources Division to the new Groundwater Sustainability Department, and moving forward, all future questions should be directed to the new Director, Blaine Reely (breely@co.slo.ca.us).

Ms. Mulholland voiced concern that someone attend the Zone 9 Advisory Committee meeting in the meantime. Ms. Mulholland further commented on the historic groundwater pumping exceeding sustainability and doubted there would be any groundwater left at all once the basin is brought into sustainability. The Chair clarified that there are two distinct, separate areas of the groundwater basin, that Zone 9 is only a portion of the groundwater basin, the San Luis Obispo Valley portion, which is in excellent shape.

The Chair offered a second comment regarding his frustration as he witnessed wells drilled around the Airport for the last several months now, in the street in front of his home with disregard for the subsurface hydrologic characteristics. The Secretary asked if it was the California Regional Water Board and if they were still out there drilling, however nobody knew who had ordered the work. Kathy Borland, a resident, discussed the matter with the contractor on site who stated the purpose of the job is to determine the presence of Perfluoroalkyl Substances (PFAS) pursuant to federal requirements on regional airports.

b. Mid-Higuera Bypass Project

Mr. Nelson stated the design with Wallace was somewhat on hold until jurisdictional permits are finalized. The County applied for the permit during Fall 2021 and the process can take 9 months to a year. The right of way sub-consultant (Hamner, Jewel and Associates) is nearly finished with appraisals and to obtain legal descriptions for property negotiations.

Ms. Mulholland requested confirmation that the Army Corps of Engineers permit fee (\$10.00) is not a typo and Jennifer Taylor confirmed. The Chair inquired about the basis of the approximately \$70,000 fee from the Regional Board. Manny Guzman replied that it is the length of the project limits. Mr. Nelson further clarified that the mitigation fee is based on project disturbance within the riparian zone and stream channel (for cubic yards of excavation or fill and linear feet of channel respectively). In addition, Mr. Nelson confirmed that tree removal will occur throughout the project, including in front of the barrel constriction at the Marsh Street Bridge on Higuera.

c. San Luis Obispo Creek Maintenance

Mr. Nelson explained the City continues to obtain Right of Entry agreements at several locations within San Luis Obispo Creek and Stenner Creek to allow maintenance - removal of overgrown vegetation and sediment. Ms. Mulholland was concerned that mattresses and other debris are constricting the channel as well. City Rangers identify encampments, notify and provide unhoused residents with the opportunity to relocate, a junk removal contractor hauls the remaining debris. The Secretary described a joint maintenance effort through an agreement between the City and County for work within three County areas - Prefumo Canyon, Cuesta Park and the East Fork.

d. San Luis Obispo Creek Arundo Removal

All Arundo work is complete. California Department of Fish and Wildlife (CDFW) is in the process of reviewing the Land Conservancy permit application for a Streambed Alteration Agreement to remove Arundo from the San Luis Obispo Creek at the Los Osos Valley Road bridge.

e. East Fork Limited Study

A revised DRAFT report and model are being updated after initial staff review. The County will circulate a revised DRAFT report for comment, once available.

6. Public Comment

A Notice of Preparation (NOP) for a Draft Environmental Impact Report for the Caltrans District 5 Maintenance Station and Equipment Shop Project can be viewed and downloaded from the Caltrans District 5 Project website here:

<https://dot.ca.gov/caltrans-near-me/district-5/district-5-current-projects/05-1k680>

7. Future Agenda Items

- East Fork Study – Revised DRAFT Report
- Budget

Meeting adjourned at approximately 2:49 PM

Agenda Item #3: Fiscal Year 2023/24 Budget Presentation

FLOOD CONTROL ZONE 9
 (SAN LUIS OBISPO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT)
 DISTRICT BUDGET DETAIL

GOVERNING BOARD:
 BOARD OF SUPERVISORS...X
 OTHER APPOINTED.....
 OTHER ELECTED.....

BUDGET FOR FISCAL YEAR 2022-23

FUND	ASSESSED VALUATION AND DEBT SERVICE TAX RATE SUMMARY							
	ASSESSED VALUATION		DELINQUENCY		MEANS OF FINANCING VOTER APPROVED DEBT			
	SECURED	UNSECURED	SECURED	UNSECURED	SECURED	UNSECURED	TOTAL	TAX RATE
1302000000 FLOOD CONTROL ZONE 9								
SUMMARY OF ADDITIONAL FINANCING SOURCES (ESTIMATED REVENUE, OTHER FINANCING SOURCES, AND RESIDUAL EQUITY TRANSFERS)								
SUMMARIZATION BY SOURCE		ACTUAL REVENUES 2020-21	ACTUAL ESTIMATED REVENUE 2021-22	ESTIMATES REQUESTED RECOMD. 2022-23	APPROVED/ADOPTED BY BOARD 2022-23	FUND IDENTIFICATION OTHER THAN GENERAL FUND		
(1)		(2)	(3)	(4)	(5)	(6)		
FUND BALANCE AVAILABLE					176,567	SPECIAL DISTRICT		
CANCELLED RESERVES					0	NON-ENTERPRISE		
PROPERTY TAX ALLOCATION		673,658	714,590	724,476	724,476	FLOOD CONTROL ZONE 9		
HOMEOWNERS PROPERTY TAX RELIEF		3,774	3,756	3,715	3,715	PROVIDES FLOOD CONTROL		
INTEREST		50,131	28,763	26,324	26,324	PROGRAM FOR WATERSHED		
OTHER		8,496	4,248	0	0	AREA OF SAN LUIS CREEK AND ITS TRIBUTARIES		
(6000000)		0	0	0	0			
TRANSFER FROM FC GENERAL (1300000000)								
CURRENT FINANCING		736,059	751,357	754,515	754,515			
TOTAL FINANCING SOURCES		736,059	751,357	754,515	931,082			
SUMMARY OF FINANCING REQUIREMENTS								
SUMMARY OF FINANCING REQUIREMENTS		ACTUAL COST 2020-21	ACTUAL ESTIMATED COST 2021-22	ESTIMATES REQUESTED RECOMD. 2022-23	APPROVED/ADOPTED BY BOARD 2022-23	FUND IDENTIFICATION OTHER THAN GENERAL FUND		
(7)		(8)	(9)	(10)	(11)	(12)		
(5XXXXXX)						DESIGNATED RESERVES:		
STREAM DATA MANAGEMENT 455R270141		0	0	0	0			
PRECIPITATION DATA MANAGEMENT 455R270142		0	0	0	0	INCREASE FOR		
GENERAL & ADVISORY GROUP COOR 455R277602		46,238	73,921	128,800	128,800	REPAIRS / EMERGENCIES		
CONTRIB. TO ISF FOR NEW EQUIP 455R277604			0	0	0	\$195,781		
MAINT RCRDNG DATA GAUGES 455R277612		5,997	499	24,858	24,858			
COUNTY WIDE OVERHEAD 455R277620		8,210	13,247	13,541	13,541			
TAX COLLECTION FEE (SB2557) 455R277625		9,971	10,606	10,000	10,000	Mid Higuera Project line items are subject to a signed MOU		
MID-HIGUERA PROJ-ENVIRONMENTAL (*)455R277627		64,006	177,153	47,706	47,706			
MID-HIGUERA PROJ-FINAL ENG/DESIC (*)455R277629		96,992	75,050	52,200	59,300			
SILT REMOVAL (*)455R277820		164,556	140,115	139,819	157,243			
STREAM BED VEG MAINTENANE 455R277821		136,242	133,452	170,617	170,617			
COUNTY AREA VEG MAINTENANCE 455R277822		13,193	18,823	94,241	94,241			
WATERWAY MANAGEMENT PLAN (*)455R277823		27,013	94,794	0	28,995	(*) The 22-23 requested amount in columns 10 represent new funding which will be adjusted in the Final Budget to include variances from the prior year.		
MID-HIG PROJECT PRELIM 455R277628		0	1,100	0	0			
TOTAL OPERATING COSTS (5500030)		572,418	738,760	681,782	735,301			
TOTAL CAPITAL OUTLAY		0	0	0	0			
TOTAL CAPITAL OUTLAY, DEBT SERVICE AND O & M		572,418	738,760	681,782	735,301			
INCREASE IN DESIGNATED RESERVES		391,360	107,926	70,407	195,781			
INCREASE IN GENERAL RESERVE		0	0	0	0			
TOTAL INCREASE IN RESERVES		391,360	107,926	70,407	195,781			
TOTAL BUDGET REQUIREMENTS		963,778	846,686	752,189	931,082			

Agenda Item #4:

Endorsement of the City of San Luis Obispo's Annual Work Plan – Fiscal Year 2023-24



Public Works

919 Palm Street, San Luis Obispo, CA 93401-3218
805.781.7200
slocity.org

Date: October 4, 2022
To: Brendan Clark, Water Resources Engineer – County of San Luis Obispo
From: Brian Nelson, City Engineer - City of San Luis Obispo
Subject: 2023-2024 Zone 9 Budget Request

Based on the current status and future needs to continue making progress on several projects, the City is requesting the following funding from Zone 9 for the 2023-2024 Fiscal Year.

Project Name	Requested FY 2023/24
General Creek Maintenance	\$183,500
General Creek Maintenance in County Areas	\$60,000
Silt Removal	\$150,000
Mid Higuera Bypass	\$1,400,000
Total	\$1,793,500

General Creek Maintenance

\$134,500 to fund ongoing general creek maintenance which includes channel clearing, including removal of trees, vegetation, and arundo from creeks. Funding is planned to be used as follows:

1. Contract Labor - Channel Clearing: \$100,000
2. Channel Tree Removals: \$50,000
3. Vegetation Disposal: \$ 5,000
4. Arundo Removal: \$28,000

General Creek Maintenance in County Areas

\$60,000 to fund ongoing assessment and maintenance of creeks and waterways that come into or leave the City and cross County jurisdictional area. This will be an expansion of the existing work program the City currently undertakes in City-limits. Prioritization will be completed where flooding or backwatering has occurred in the past to ensure proper drainage exists. Funding is planned to be used as follows:

1. Creek Assessment and Mapping: \$3,000
2. Contract Labor/Tree Contractor - Channel Clearing: \$52,000
3. Vegetation Disposal: \$ 5,000

Silt Removal

Existing funding to support Silt Removal is approximately \$130,000. Each year City staff assess several creek locations for silt accumulation and focus future projects in the areas that have the highest benefit to the creek system. The existing funds, in addition to the requested appropriation of \$150,000, will support design surveys, permitting work, and silt removal construction work at locations selected for a project in Fall 2023. Typically, yearly silt removal projects address 1-3 locations, with the construction cost directly related to the volume of silt removed and ease of access for construction equipment. In 2023, staff are planning to perform silt removal at up to five locations.

Mid Higuera Bypass

Mid-Higuera Bypass project is currently at a 90% design completion. County Staff have submitted for environmental regulatory permits and have so far received a Regional Water Quality Control Board Section 401 permit. The design will be finalized once the remaining environmental permits for Army Corp and Fish and Wildlife are received.

Pending final design completion, permit approvals, and final property easement agreements, the project could begin construction within the 2024 calendar year. The City was awarded a \$6 million DWR grant for the project, but the total project cost is underfunded by an estimated \$4.3 million, largely due to inflationary construction cost escalation of approximately 37% since estimates were last produced (per California DGS), with much of that increase occurring over the last year due to shortages in labor and materials and increases in fuel costs. Total project costs include construction, construction management/engineering and environmental compliance, easements, and construction contingency.

This funding request is for maintenance related project work included in the Mid-Higuera Bypass project scope, including:

- Removal of invasive plant species
- Tree pruning and tree removals
- Removal of trash and other debris in creek channel
- Silt Removal at Marsh Street Bridge
- Plantings and plant establishment
- Construction phase design support and environmental services

The estimated costs of the above work scope including contingencies is approximately \$1.4 million.

TO: Zone 9 Advisory Committee

FROM: Brian Nelson, City Engineer, City of San Luis Obispo
Blaize Uva, Environmental Specialist, County Public Works

DATE: October 12, 2022

SUBJECT: Mid-Higuera Bypass Project Updates

Update

During September 2021, the County of San Luis Obispo Water Conservation and Flood Control District (District), in coordination with the City of San Luis Obispo (City), applied for several permits in compliance with the provisions of the Clean Water Act and provided responses in February 2022 to initial requests for information from the following agencies:

- California Department of Fish and Wildlife (CDFW), Section 1600

A response to CDFW's 8/26/22 RFI response has been prepared and the City has finalized their review – it will be submitted to CDFW by 10/7/2022. The County will had a meeting on 10/6 with CDFW and discussed the permitting and excessive, repetitive RFIs.

- Army Corps of Engineers (ACOE), Section 404

ACOE is in consultation with the USFWS. On 9/26 the Corps forwarded on a USFWS question regarding 3:1 mitigation ratio and if there is sufficient space to mitigate replacement plantings at this ratio. We will resolve the question by 10/7. A copy of the 401 permit was forwarded to the Corp.

- Regional Water Quality Control Board (RWQCB), Section 401

This permit was issued 9/22/22. We will receive a \$13,442 permit fee refund.

The City is making progress on securing permanent easements and temporary construction easements. So far the City has received appraisals from Hamner, Jewel and Associates for work impacting the Madonna Property west of Bianchi Bridge and the Todd Property adjacent to Mathews open space where channel widening will involve removal of an existing structure on the Todd property. The City has also received a third appraisal for the Hayes property, which is adjacent to Todd.

On July 19th, City staff received negotiating authority from City Council to begin formal negotiations with the Madonna and Todd properties. Staff will return to Council for negotiating

authority for the other affected properties once all appraisals are received, which is expected to occur by the end of 2022.

Additionally, City and County staff are pursuing a negotiated funding arrangement for the unfunded portion of the project construction phase. In May, City staff transmitted a formal letter request for funding support to County Staff.

Wallace Group's remaining final design work continues as follows:

- Topographic survey on Bianchi to capture development improvements (completed)
- Legal descriptions for property negotiations (in progress, nearing completion)
- Utility letters and coordination (in progress)
- 95% PS&E revisions (pending Jurisdictional permit review and comments)
- Right of entry and construction easement exhibits (completed)
- Building Permits: Grading and Demolition plan for building removal (pending approval and agreement of Todd property easement acquisition)
- Final 100% contract documents (pending)

TO: Zone 9 Advisory Committee
FROM: Freddy Otte, Biologist, City of San Luis Obispo
DATE: October 12, 2022
SUBJECT: Creek Maintenance Updates

Most of the creek survey work has been completed and the hot spot/pinch point areas have been a focus for this effort. Marsh Street Bridge at the Promontory has been cleaned up and dead material has been removed from the channel. This location is critical due to it being the confluence area for both SLO and Stenner Creeks immediately downstream of downtown. Murray and Santa Rosa Streets over Stenner Creek has received maintenance since we have experienced flooding from this location in the past as well. Additional surveys in Stenner Creek up to Foothill Blvd still needs to occur but the area around the Foothill Bridge needs to be evaluated for the number of trees in the channel that may impede flow in the future. Stenner Creek from Chorro down to Broad Street has some debris from the businesses but City staff is following up on that. Additional projects have been identified in lower Prefumo Creek before it enters Laguna Lake (minor trimming of dead material near the channel), trimming of aquatic vegetation at the outlet of Laguna Lake and other dead trees in the channel in Prefumo Creek downstream of Laguna Lake that will be removed with contractor help.

City/County efforts in East Fork SLO Creek will kick off with the California Conservation Corps coming out to assist with flood control activities for three weeks beginning October 17th.

TO: Zone 9 Advisory Committee
FROM: Jon Hall, Land Conservancy
DATE: October 12, 2022
SUBJECT: Arundo Removal Updates

Work has begun and survey/control work is progressing from the upstream extent of the watershed to Los Osos Valley Road (LOVR). The homeless camps upstream of LOVR have been vacated allowing access to populations not accessible in previous years. However, those encampments have moved south of the Octagon Barn and that stretch of creek is now inaccessible due to safety concerns. We are also beginning outreach to the See Canyon watershed that drains into San Luis Creek and historically contains previously untreated populations of Arundo. The Large population at the SLO Creek and LOVR intersection is currently on hold due to permitting delays and CCC scheduling conflicts due to Fire Season needs taking precedent.

TO: Zone 9 Advisory Committee

FROM: Brendan Clark, Supervising Water Resources Engineer, County Public Works

DATE: October 12, 2022

SUBJECT: East Fork Limited Study Updates

Since the consultant presentation at the December 8th, 2021 meeting, the East Fork Study has experienced significant delays due to staff turnover at both the County and the consultant, Schaaf and Wheeler. County staff has been working closely with Schaaf and Wheeler to refine the models, discuss CIP opportunities, and more.

Findings from the study are starting to solidify.

Existing conditions:

- Flooding in less than 10-yr interval
- Backwater conditions are primary cause of flooding conditions. Area between Buckley and SLO Creek @ S. Higuera is incredibly flat.
- Buckley road Culvert is very sensitive to clogging – increased maintenance will help.

Future / Near-term Conditions

- Buckley Road extension appears to have improved flood conditions for Buckley & Vachell.
- Upstream storage improvements (i.e. near airport) would be modest.
- Channel widening below Buckley Road appears to have the most effect at reducing flooding in the area.

We expect a draft report to be completed ahead of our December 7th meeting for Committee review.