

LOS OSOS GROUNDWATER BASIN, BASIN MANAGEMENT COMMITTEE

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Los Osos Groundwater Basin, Basin Management Committee Board of Directors will hold a **Regular Board Meeting at 1:30 P.M. on Wednesday, November 16, 2022** at the **Los Osos Community Services District Boardroom**, located at 2122 9th Street, Suite 106, Los Osos, CA 93402. Members of the public may participate in this meeting in person or via teleconference and/or electronically.

For quick access, go to <https://us04web.zoom.us/j/778762508>

(This link will help connect both your browser and telephone to the call)

If not using a computer, dial 1 (669) 900-6833 or 1 (346) 248-779 and enter **778 762 508**

All persons desiring to speak during any Public Comment can submit a comment by:

- Email at danheimel@ConfluenceES.com by 5:00 PM on the day prior to the Committee meeting.
- Teleconference by phone at 1 (669) 900-6833 and enter **778 762 508**
- Teleconference by phone at 1 (346) 248-7799 and enter **778 762 508**
- Teleconference meeting at <https://us04web.zoom.us/j/778762508>
- Mail by 5:00 PM on the day prior to the Committee meeting to:
Attn: Dan HeimeI (Basin Management Committee)
2122 9th St.
Suite 110
Los Osos, CA 93402

Directors: Agenda items are numbered for identification purposes only and may not necessarily be considered in numerical order.

NOTE: The Basin Management Committee reserves the right to limit each speaker to three (3) minutes per subject or topic. In compliance with the Americans with Disabilities Act, all possible accommodations will be made for individuals with disabilities, so they may participate in the meeting. Persons who require accommodation for any audio, visual or other disability in order to participate in the meeting of the BMC are encouraged to request such accommodation 48 hours in advance of the meeting from Dan HeimeI at danheimel@ConfluenceES.com.

BASIN MANAGEMENT COMMITTEE BOARD OF DIRECTORS AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. BOARD MEMBER COMMENTS

Board members may make brief comments, provide project status updates, or communicate with other directors, staff, or the public regarding non-agenda topics.

5. SPECIAL PRESENTATION

Los Osos CSD Water Resiliency Intertie Project

6. CONSENT AGENDA

The following routine items listed below are scheduled for consideration as a group. Each item is recommended for approval unless noted and may be approved in their entirety by one motion. Any member of the public who wishes to comment on any Consent Agenda item may do so at this time. Consent items generally require no discussion. However, any Director may request that any item be withdrawn from the Consent Agenda and moved to the "Action Items" portion of the Agenda to permit discussion or to change the recommended course of action. The Board may approve the remainder of the Consent Agenda on one motion.

- a. 2022 Budget Update and Invoice Register**
- b. Approval of Minutes from October 19, 2022 BMC Meeting**
- c. Updated Minutes from September 21, 2022 BMC Meeting**

7. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

The Basin Management Committee will consider public comments on items not appearing on the agenda and within the subject matter jurisdiction of the Basin Management Committee. The Basin Management Committee cannot enter into a detailed discussion or take any action on any items presented during public comments at this time. Such items may only be referred to the Executive Director or other staff for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on specific agenda items should do so at the time specified for those items. The presiding Chair shall limit public comments to three minutes.

8. EXECUTIVE DIRECTOR'S REPORT

9. ACTION ITEMS

- a. Calendar Year 2023 BMC Budget**

Recommendation: 1) approve the proposed Calendar Year 2023 BMC Budget; 2) approve Calendar Year 2023 BMC Executive Director and Hydrogeologist Consultant Proposals; or 3) provide alternate direction to staff.

10. ADJOURNMENT

TO: Los Osos Basin Management Committee

FROM: Daniel Heimel, Executive Director

DATE: November 16, 2022

SUBJECT: Item 6a & b – Approval of Budget Update/Invoice Register and Meeting Minutes

Recommendations

Staff recommends that the BMC review and consider approval of Budget/Invoice Register and Meetings Minutes or provide alternate direction to Staff.

Discussion

BMC Staff has prepared a summary of costs incurred as compared to the adopted budget and a running invoice register for Calendar Year 2022 and Meeting Minutes from previous BMC Meetings (see Attachments).

Attachment 2: Invoice Register for Los Osos BMC for Calendar Year 2022

Vendor	Invoice No.	Amount	Month of Service	Description	Budget Item	Date Executive Director Approved	Date BMC Chairperson Approved	Date BMC Approved
CHG	20211203	\$6,490.00	Dec-21	Annual Report Preparations	6	Jan-22		
CHG	20211204	\$2,534.40	Dec-21	Groundwater Monitoring	5	Jan-22		
CHG	20211205	\$5,076.40	Dec-21	Rating Curve Development	11	Jan-22		
ConfluenceES	1011	\$5,100.00	Jan-22	BMC Executive Director Services	1		Feb-22	
CHG	20220103	\$20,495.00	Jan-22	Annual Report Preparations	6	Mar-22		
CHG	20220104	\$1,319.40	Jan-22	Groundwater Monitoring	5	Mar-22		
CHG	20220105	\$2,327.00	Jan-22	Rating Curve Development	11	Mar-22		
CHG	20220204	\$15,400.00	Feb-22	Annual Report Preparations	6	Mar-22		
CHG	20220205	\$320.00	Feb-22	Technical Support - Data Request Response	4			Apr-22
ConfluenceES	1018	\$5,700.00	Feb-22	BMC Executive Director Services	1		Mar-22	
CHG	20220303	\$10,740.00	Mar-22	Annual Report Preparations	6	Apr-22		
CHG	20220304	\$1,740.00	Mar-22	Groundwater Monitoring	5	Apr-22		
CHG	20220305	\$1,440.00	Mar-22	Technical Support - Monitoring Well Invest.	4			May-22
ConfluenceES	1026	\$4,050.00	Mar-22	BMC Executive Director Services	1		Apr-22	
CHG	20220405	\$2,545.00	Apr-22	Annual Report Preparations	6	May-22		
CHG	20220406	\$11,370.00	Apr-22	Groundwater Monitoring	5	May-22		
ConfluenceES	1031	\$7,450.00	Apr-22	BMC Executive Director Services	1		May-22	
CHG	20220501	\$3,200.00	May-22	Technical Support - Program C Evaluation	4	Jun-22		
CHG	20220503	\$2,772.00	May-22	Groundwater Monitoring	5	Jun-22		
CHG	20220502	\$1,600.00	May-22	Annual Report Preparations	6			Jun-22
ConfluenceES	1037	\$8,493.75	May-22	BMC Executive Director Services	1		Jun-22	
CHG	20220610	\$1,280.00	Jun-22	Technical Support - Monitoring Well Invest.	4			Jul-22
CHG	20220611	\$640.00	Jun-22	Annual Report Preparations	6			Jul-22
ConfluenceES	1043	\$5,837.50	Jun-22	BMC Executive Director Services	1		Jul-22	
CHG	20220705	\$1,510.00	Jul-22	Technical Support - Monitoring Well Invest.	4			Sep-22
ConfluenceES	1046	\$6,250.00	Jul-22	BMC Executive Director Services	1		Aug-22	
CHG	20220805	\$1,597.50	Aug-22	Technical Support - ITRC Coordination, LA6	4			Sep-22
ConfluenceES	1050	\$3,900.00	Aug-22	BMC Executive Director Services	1		Sep-22	
CHG	20220905	\$5,128.00	Sep-22	Groundwater Monitoring	5	Oct-22		
AGP	14692	\$1,350.00	Sep-22	BMC Meeting Recording Hosting	3	Oct-22		
ConfluenceES	1053	\$6,250.00	Sep-22	BMC Executive Director Services	1		Oct-22	
CHG	20221003	\$12,902.30	Oct-22	Groundwater Monitoring	5	Nov-22		
ConfluenceES	1057	\$5,000.00	Oct-22	BMC Executive Director Services	1		Nov-22	
	2022 Total	\$171,808.25						To be approved

BASIN MANAGEMENT COMMITTEE BOARD OF DIRECTORS

Agenda Item 6b: Minutes of the Meeting of October 19, 2022

The following is a summary of the actions taken at the Basin Management Committee Board of Directors Meeting.
The official record for the meeting is the recording that can be found at:

<https://slo-span.org/static/meetings-LOBMC.php>

Agenda Item	Discussion or Action
1. Call to Order	Chair Ochylski called the meeting to order at approximately 1:30 PM.
2. Roll Call	Daniel Heimel, Executive Director, called roll to begin the meeting. Director Gibson, Director Zimmer, Chair Ochylski, Director Reineke
3. Pledge of Allegiance	
4. Board Member Comments	None
5. Special Presentation	None
6. Consent Agenda 6a. 2022 Budget Update and Invoice Register 6b. Approval of Minutes from September 21, 2022 BMC Meeting	Public Comment (4:18) none Board Action 6a and 6b (4:35) Approve Consent Agenda with modifications to September 21, 2022 Meeting Minutes to further clarify which initiatives in Item 9c each Director supported. Motion: Director Gibson Second: Director Zimmer Ayes: Director Reineke, Director Gibson, Director Zimmer, Chair Ochylski Nays: None Abstain: None Absent: None
7. Public Comments on Items Not Appearing on the Agenda	Public Comment (5:30) Jeff Edwards Becky McFarland
8. Executive Director's Report	Public Comment (26:09) Becky McFarland
9. Action Items	
9a. Calendar Year 2023 Sustainable Yield Estimate	Recommendation: Receive information on the Sustainable Yield calculations and approve the proposed Sustainable Yield estimate of 2,380 AFY for Calendar Year 2023; or provide alternate direction to staff. Public Comment (37:00) Jeff Edwards Larry Raio Becky McFarland Board Action (45:38) Approve the proposed Sustainable Yield estimate of 2,380 AFY for Calendar Year 2023. Motion: Director Gibson Second: Director Zimmer Ayes: Director Reineke, Director Zimmer, Director Gibson, Chair Ochylski

	<p>Nays: None Abstain: None Absent: None</p>
<p>9b. Phase 2 Lower Aquifer Nitrate Investigation</p>	<p>Recommendation: Approve funding for Cleath-Harris Geologists to perform additional Nitrate Source Investigation; or provide alternate direction to staff.</p> <p>Public Comment (49:10) Jeff Edwards Becky McFarland</p> <p>Board Action (1:08:20) Approve funding for Cleath-Harris Geologists to perform additional Nitrate Source Investigation with the modification that it is clearly stated that cost won't exceed \$8,500, Cleath-Harris provides a registry of the costs and BMC Staff to coordinate with the well owners to obtain approval prior to sampling the wells.</p> <p>Motion: Director Zimmer Second: Director Gibson Ayes: Director Reineke, Director Zimmer, Director Gibson, Chair Ochylski Nays: None Abstain: None Absent: None</p>
<p>9d. Draft Calendar Year 2023 Budget and Water Recycling Funding Program Facilities Planning Study Grant</p>	<p>Recommendation: Receive information on potential items for BMC Calendar Year (CY) 2023 Budget and provide direction to staff for how to proceed with the CY 2023 Budget and the Water Recycling Funding Program Facilities Planning Study Grant.</p> <p>Public Comment (1:27:24) Jeff Edwards</p> <p>Board Action (1:30:10) Approve staff's approach and submit updated table for the grant agreement.</p> <p>Motion: Director Gibson Second: Director Zimmer Ayes: Director Reineke, Director Zimmer, Director Gibson, Chair Ochylski Nays: None Abstain: None Absent: None</p>
<p>9c. Funding & Organization Study Follow-Up</p>	<p>Recommendation: Receive requested follow-up information on cost, timing and decision points for establishing a more formal governance and funding structure for the BMC.</p> <p>Public Comment: (1:52:27) Jeff Edwards Becky McFarland</p> <p>Board Direction (1:56:05) Direct Executive Director to work with BMC Party Staff to further discuss different options for a JPA with or without a special tax, strategies to educate the community about the proposed tax and its benefits and bring additional information back the BMC at a future meeting.</p>

10. Adjournment

Meeting adjourned at approximately 3:34 pm.
The next regularly scheduled meeting is Wednesday, November 16th, 2022, at 1:30 PM.

BASIN MANAGEMENT COMMITTEE BOARD OF DIRECTORS

Agenda Item 6c: Updated Minutes of the Meeting of September 21, 2022

The following is a summary of the actions taken at the Basin Management Committee Board of Directors Meeting.
The official record for the meeting is the recording that can be found at:

<https://slo-span.org/static/meetings-LOBMC.php>

Agenda Item	Discussion or Action
1. Call to Order	Chair Ochylski called the meeting to order at approximately 1:30 PM.
2. Roll Call	Daniel Heimel, Executive Director, called roll to begin the meeting. Director Gibson, Director Zimmer, Chair Ochylski
3. Pledge of Allegiance	
4. Board Member Comments	None
5. Special Presentation	None
9a. S&T Mutual Water Company BMC Director Change	<p>Recommendation: Receive letter from S&T Mutual Water Company regarding change in BMC Director and Alternate Director positions.</p> <p>Public Comment (7:43) None</p> <p>Board Direction Welcome Beth Reineke as the BMC Director representing S&T Mutual Water Company</p>
6. Consent Agenda 6a. 2022 Budget Update and Invoice Register 6b. Approval of Minutes from July 28, 2022 BMC Meeting	<p>Public Comment (8:53) Patrick McGibney Linde Owen</p> <p>Board Action 6a and 6b (13:17) Approve Consent Agenda Motion: Director Gibson Second: Director Zimmer Ayes: Director Reineke, Director Gibson, Director Zimmer, Chair Ochylski Nays: None Abstain: None Absent: None</p>
7. Public Comments on Items Not Appearing on the Agenda	<p>Public Comment (14:37) Jeff Edwards Patrick McGibney Becky McFarland Linde Owen Emily Miggins Ronny Giron</p>
8. Executive Director's Report	<p>Public Comment (47:35) Jeff Edwards Patrick McGibney Becky McFarland Terry Simons Linde Owen</p>

<p>9. Action Items</p>	
<p>9b. Recommendation for selection of RWG Law to provide Contract Legal Counsel Services for the BMC</p>	<p>Recommendation: Receive recommendation and approve the selection of RWG Law to provide Contract Legal Counsel Services for the BMC or provide alternate direction to staff.</p> <p>Public Comment (1:14:57) Jeff Edwards Terry Simons Linde Owen Becky McFarland</p> <p>Board Action (1:29:22) Approve selection of RWG Law to provide Contract Legal Counsel Services for the BMC. Motion: Director Gibson Second: Director Zimmer Ayes: Director Reineke, Director Zimmer, Director Gibson, Chair Ochylski Nays: None Abstain: None Absent: None</p>
<p>9c. BMC CY 2022 Budget Re-Allocation Recommendations</p>	<p>Recommendation: Receive recommendations to modify current budget allocations and contingencies to alternate tasks to leverage ability to utilize anticipated unused CY 2022 BMC Budget funds or provide alternate direction to staff.</p> <p>Public Comment: (1:38:20) Terry Simons Linde Owen</p> <p>Board Direction BMC evaluated each proposed budget re-allocation and provide input on their support for each of the items, shown below:</p> <p>Ferrell Well (LA13) Modifications: Director Reineke, Director Gibson, Director Zimmer, Chair Ochylski all supported</p> <p>Updated Agriculture and Turf Irrigation Estimate: Director Gibson supported; No other Directors indicated support</p> <p>Los Osos Basin Well Database: Director Reineke, Director Gibson, Chair Ochylski supported; Director Zimmer did not support</p> <p>Board Action (1:59:52) Direct staff to utilize anticipated unused CY 2022 BMC Budget funds to the following tasks: Ferrell Well (LA13) Modifications and Los Osos Basin Well Database. Motion: Director Gibson Second: Chair Ochylski Ayes: Director Reineke, Director Gibson, Chair Ochylski Nays: Director Zimmer Abstain: None Absent: None</p>

10. Adjournment

Meeting adjourned at approximately 3:40 pm.

The next regularly scheduled meeting is Wednesday, October 19th, 2022, at 1:30 PM.

TO: Los Osos Basin Management Committee

FROM: Dan Heimel, Executive Director

DATE: November 16, 2022

SUBJECT: Item 8 – Executive Director’s Report

Recommendations

Staff recommends that the Committee receive and file the report and provide staff with any direction for future discussions. Sections of the Executive Director’s Report that have been updated or significantly changed from the previous meeting’s version are underlined.

Discussion

This report was prepared to summarize administrative matters not covered in other agenda items and to provide a general update on staff activities.

Presentations

10/14/2022 – The Executive Director provide a presentation to the Regional Water Quality Control Board to provide an update on the condition of the Los Osos Basin.

Funding and Financing Programs to Support Basin Plan Implementation

SGM Implementation Grant: Applications for Round 2 of the Sustainable Groundwater Management (SGM) Implementation Grant are anticipated to be due in October 2022. This grant program is administered by the California Department of Water Resources (DWR) to provide funding for projects that encourage sustainable management of groundwater resources that support Sustainable Groundwater Management Act (SGMA) and/or invest in groundwater recharge projects for surface water, stormwater, recycled water, and other conjunctive use projects. Round 1 funding was provided to Critically Overdrafted (COD) Basins and final awards were recently announced. Round 2 solicitation is anticipated in September 2022. Eligible applicants for this funding include Groundwater Sustainability Agencies or agencies within adjudicated basins that were adjudicated after January 1, 2015. BMC Staff is investigating the potential for the Los Osos Basin to be eligible for SGM Grant Funding.

Prop 1 GWGP: The Prop 1 GWGP Round 3 solicitation was released on July 6th, 2021 with Concept Proposals due September 7th, 2021. However, as indicated in the January 2018 BMC meeting, the State Board confirmed that seawater intrusion mitigation projects under Program C are eligible for low interest loans but are not currently eligible for grants under the Proposition 1 Groundwater Grant Program (GWGP). New wells in the upper and lower aquifer are viewed as aquifer management, not aquifer clean-up as defined by the State, therefore we will need to look for future funding rounds and

other opportunities. Aquifer clean-up projects (e.g. Community Nitrate Facility, Upper Aquifer Capture and Treatment) could be considered for pursuing grant funding through this program. Unfortunately, this is the 3rd and last round for this Program and they are only looking to fund implementation projects (i.e. projects that have design, CEQA and other planning components completed and are ready for construction), not planning projects.

IRWM: The Program A upper aquifer well at 8th Street was submitted by Los Osos CSD to the local IRWM process in 2019 as part of the Round 1, Prop 1 Implementation Grant cycle and was subsequently selected to be a part of the application for the current funding opportunity. The application for this grant was submitted in December 2019 and the Project was included in the Department of Water Resource's July 2020 Final Funding Award List for the full grant request (\$238,000). Prop 1, Round 2 Implementation grant cycle has been initiated and the Call for Projects opened on April 7th, 2022 and closed April 28th, 2022. The BMC did not submit any projects as it was determined that there were not projects that were sufficiently far enough along to be competitive for this grant opportunity.

Prop 1 SWGP: The concept of urban storm water recovery at 8th and El Moro was ranked in the County Stormwater Resource Plan. The Project is labeled as "Capture and Reuse of Storm Water" and listed as a Los Osos Community Services District project. The Stormwater Resource Plan can be found here: <https://www.slocounty.ca.gov/Departments/Public-Works/Committees-Programs/Stormwater-Resource-Plan.aspx>. The Project is additionally described in the following locations:

- It is **described** here in our SWRP Appendix 4B under "Capture and Reuse of Storm Water" at 9th and El Morro: <https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Stormwater-Resource-Plan/Documents/SWRP-Appendix-4-B-Identified-Project-and-Program-D.pdf>
- It is **ranked** here on our SWRP website on the **SWRP Project List** link under "Capture and Reuse of Storm Water": <https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Stormwater-Resource-Plan/Documents/SWRP-Program-Master-Project-Info-2020-04-16.pdf>
- It is also on the **IRWM Project list** under "Capture and Reuse of Storm Water": [https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Integrated-Regional-Water-Management-\(IRWM\)/Current-IRWM-Full-Project-List_20220322.pdf](https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Integrated-Regional-Water-Management-(IRWM)/Current-IRWM-Full-Project-List_20220322.pdf)

Grant funding may be available through the Prop 1 Storm Water Grant Program (SWGP). However, the application period for Round 2 of SWGP funding has closed. Information about the Storm Water Grant Program can be found here:

https://www.waterboards.ca.gov/water_issues/programs/grants_loans/swgp/prop1/

WRFP: The State Water Resource Control Board (SWRCB) increased the amount for Water Recycled Program Planning (WRFP) grants from \$75k to \$150k. This could provide a grant funding opportunity to advance Basin Plan initiatives, with a reduced cost to the community of Los Osos, through preparation of a Recycled Water Facilities Planning Study (RWFPS). Potential scope items for the RWFPS could include:

- Transient Groundwater Model Development
- Soil Aquifer Treatment (SAT) Assessment
- Broderson/Creek Discharge Scenario Analysis
- Stormwater and Perched Water Recovery Project – Feasibility Study
- Adaptive Management Groundwater Modeling
- RWFPS Report Development

Recent communication with the SWRCB Representatives confirmed that this funding program is still fully funded and WRFP grants are available. On 2/11/2022 the Los Osos Community Services District (Los Osos CSD) submitted an application for a WRFP grant to develop a transient model and analyze recycled water and supplemental water projects to improve the sustainability of the Los Osos Basin (WRFP Study) and is still waiting for notification. At its May 5th, 2022 Meeting the Los Osos CSD approved the RFP for the WRFP Study and is waiting on approval of the grant before releasing it. The LOCSO was recently contacted by the SWRCB representatives asking if they would like to resubmit their application for a larger grant amount. The SWRCB is increasing the grant award amount from \$150k to \$250k. Accessing this additional grant funding would provide the BMC with an opportunity to improve the quality of the model and further analyze recycled water and other supplemental water supply opportunities. LOCSO and BMC Staff submitted and updated grant application to request additional grant funding for the WRFP Study.

Status of BMC Initiatives

Sustainable Yield: At its October 27th, 2021 Meeting, the BMC unanimously approved a Sustainable Yield estimate of 2,380 AFY for Calendar Year 2022 and these actions will be documented in the 2021 Annual Report. Prior to the beginning of Calendar Year 2023, the BMC is tasked with establishing a Sustainable Yield estimate for 2023. At its October 19th, 2023 Meeting, the BMC unanimously approved retaining the current Sustainable Yield estimate of 2,380 AFY for CY 2023 for the following reasons: 1) No new infrastructure, not already considered in the 2022 Sustainable Yield Estimate, has been constructed; 2) estimates for the development of the Broderson Mound and long-term average rainfall were updated and incorporated into the CY 2022 Sustainable Yield Estimate and are not anticipated to change significantly on a year-over-year basis; 3) no significant hydrogeologic investigations have been conducted that would warrant an update to the steady-state groundwater model utilized to develop the Sustainable Yield Estimate.

Los Osos Basin Well Database: Cleath-Harris Geologists (CHG) is in the process of developing the Los Osos Basin Well Database and anticipates it being complete in December 2022.

Basin Metric Evaluation: Analysis of potential modifications to the Basin Metric's is currently on hold. Proposed modifications to the metrics were provided to BMC Party Staff for review. However, BMC

Party Staff requested that potential improvements to the existing BMC Monitoring Program (i.e. modifications to an existing wells or a new monitoring well) be evaluated prior to modifying the Basin Metrics. Recommendations regarding potential improvements to the Basin Monitoring Network will be brought to the BMC at a future meeting, followed by potential modifications to the Basin Metrics.

Transient Groundwater Model: At its October 27th, 2021 Meeting, the BMC authorized the preparation of a Water Recycling Funding Program Grant Application and to request access to the \$150,000 of funding that the County budgeted for a transient groundwater model for Los Osos. The Los Osos CSD will be the lead agency for the grant on behalf of the BMC. The grant application was submitted to the SWRCB by Los Osos CSD on 2/11/2022 for \$150k in grant funds and the County approved providing \$150k to the Los Osos CSD for a Transient Model for the Los Osos Basin. After receiving approval from the SWRCB, the Los Osos CSD will solicit proposals from consulting firms through an RFP process to procure the necessary services to develop the model and complete the WRF Study. See update under WRF Grant above.

Wellhead Survey: At its October 27th, 2021 Meeting, the BMC authorized Twin Cities Surveying to survey additional wells in Los Osos Basin and for BMC Staff to request that the County survey the wells in their monitoring program. Both Twin Cities Surveying and the County completed their wellhead surveys in November and December. BMC monitoring network wellhead elevations are now up to date.

Lower Aquifer Monitoring Evaluation: At its October 27th, 2021 Meeting, the BMC authorized CHG to evaluate the feasibility and cost of modifying existing wells or construction a new monitoring well(s) to improve monitoring of Zone E water quality. BMC Party Staff evaluated the potential to fund a new monitoring well in 2022, but there is not sufficient budget. BMC Party Staff will target including a new monitoring well in the Calendar Year 2023 Budget. At the September 21st, 2022 BMC Meeting the BMC authorized funding modifications to LA 13 to improve its ability to monitor seawater intrusion in Zone E and that work will be completed by then end of the year.

Program C Adaptive Management: At its April 20th, 2022 Meeting, the BMC approved CHG to evaluate the re-inclusion of the 3rd Well into Program C. Additional detail regarding the history of the 3rd Program C Well is available in the April 20th, 2022 BMC Agenda Packet. CHG is currently evaluating the anticipated increase in the Sustainable Yield that the 2nd and 3rd Program C Wells would provide utilizing the criteria for calculating the Sustainable Yield approved by the BMC at their October 27th, 2021 Meeting. Results from this evaluation will be presented to BMC Party Staff and then to the BMC at a future meeting.

Status of Basin Plan Implementation and Funding Plans

The BMC has requested an integrated funding plan for project implementation and BMC monitoring and administration. BMC Staff and BMC Party Staff have formed a Funding and Organizational Working Group to identify and evaluate potential future funding and organization structures for the BMC and implementation of the Basin Plan. Consistent with the Basin Plan, the Working Group is identifying and evaluating funding and organizational structures that will provide a long-term mechanism for funding

BMC Administration and Basin Plan Implementation costs and that allocate costs equitably amongst all who benefit from the Basin’s water resources.

The Working Group reviewed previously completed analysis on BMC funding and organization structures, documenting the different alternatives and identifying data/information gaps that may require outside technical support. At its October 27th, 2021 Meeting, the BMC approved a proposal from SCI Consulting Group to provide an updated funding options analysis and assessment evaluation. SCI has prepared a draft Technical Memorandum (TM), that includes their evaluation of funding alternatives and findings from the funding model. The draft TM was shared with the BMC at the July 27, 2022 Meeting and the BMC requested that Staff return with additional information on the BMC’s options for moving forward. BMC Staff worked with SCI to develop a Work Plan and Budget to assist the BMC in understanding the key decision points, timeline and costs for establishing a more formal organizational and funding structure. A roadmap for how the BMC could implement a special tax was provided to the BMC at the October 19th, 2022 Meeting and the BMC provided direction for the Executive Director to work with BMC Party Staff to further discuss different options for a JPA with or without a special tax, strategies to educate the community about the proposed tax and its benefits and bring additional information back the BMC at a future meeting.

JPA Formation: Staff level discussions continue to focus on the need for, and benefits of, forming a JPA, see table below, to assist with implementation of the Basin Plan.

Table 1. JPA Formation Considerations

Pros	Cons
• Common ownership of basin assets	• Complexity and community perception
• Ability to contract for services as an entity	• Potential for difficulty in formal proceedings - less nimble
• GSWC can participate as a director	• More difficult to exit/change if needed
• Could cover entire limits of basin for funding	
• If carefully done, incremental costs could be limited to insurance and up-front legal expenses	
• Ability to carry-over funds from one budget year to another	

As indicated in previous meetings, it was determined that GSWC could serve as an appointed JPA director without forming a separate Mutual Water Company entity, which would simplify the process.

Discussions with BMC Party Staff indicate that the BMC Parties would like to execute the Implementation Plan initiative to first develop a roadmap for the BMC and then evaluate the potential formation of a JPA or other governance structure once there is a more defined plan for future BMC initiatives.

BMC Legal Counsel – At the December 15, 2021 BMC Meeting, the BMC included in the authorization of the Calendar Year 2022 Budget \$20,000 for Legal Counsel Contingency to be included in Executive Director’s Budget. The BMC additionally authorized the Executive Director to utilize up to \$5,000 before requiring BMC approval and for the Executive Director to provide updates on legal counsel spending in the Executive Director’s Report. A Request for Qualifications (RFQ) was approved by the BMC at its April 20th, 2022 Meeting and subsequently released to solicit legal counsel representation for the BMC. BMC Staff received seven Statements of Qualifications (SOQs) and BMC Party Staff interviewed four legal firms. At the September 21st, 2022 BMC Meeting the BMC approved selection of RWG Law to provide contract legal services for the BMC.

Program B Implementation Process and Funding: The existing nitrate removal facility owned by GSWC is intended to serve existing development, so it is likely that a Program B facility intended for future development would be jointly owned by either a JPA or by one of the public agencies.

- Likely next steps for the implementation of Program B projects include:
 - Technical Studies to validate and update cost estimates
 - Siting Studies to identify project locations
 - AB 1600 analysis to evaluate funding options relative to future development in coordination with the Los Osos Community Plan
 - Environmental Review (CEQA)
 - Land Use Permitting (e.g. Coastal Development Permits, etc.)

Land Use Planning Process Update

Guide to Planning Information for Development in Los Osos:

This website is intended to provide planning information outlining what type of development is currently allowed within <https://www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Community-Engagement/Communities-Villages/Los-Osos.aspx>.

Topics covered include but are not limited to:

- Which types of permit applications are currently being accepted for processing
- Status of the building moratorium and waitlist for undeveloped parcels in the sewer service area (still in place)
- Status of the Communitywide Habitat Conservation Plan

Los Osos Retrofit-to-Build Program (Title 19 Water Offset Requirement) Update:

Maddaus Water Management Inc. is preparing a study to update water usage estimates for urban and rural residences sourcing water from the Los Osos Groundwater Basin, propose new water conservation measures for the retrofit-to-build program, and estimate remaining water savings potential for the community. They are currently processing data and working with County Planning staff on the first deliverable. Scheduling updates will be posted at:

<https://www.slocounty.ca.gov/Departments/Planning-Building/Grid-Items/Community->

[Engagement/Active-Planning-Projects/Los-Osos-Water-Offset-Study.aspx#:~:text=Los%20Osos%20Water%20Offset%20Study%20The%20County%20has,is%20anticipated%20to%20be%20completed%20in%20March%202022.](#)

Los Osos Community Plan:

The Los Osos Community Plan is being reviewed by the California Coastal Commission and a hearing date has not yet been scheduled. In the meantime, the County is meeting with BMC staff to discuss potential policy changes considering ongoing basin monitoring and Basin Plan program implementation efforts. On December 15, 2020, the County Board of Supervisors adopted the Los Osos Community Plan ("LOCP") update and Final Environmental Impact Report ("FEIR"). The LOCP policies are still subject to change based on California Coastal Commission review. The LOCP and FEIR considered by the Board on December 15 are available at: <https://www.slocounty.ca.gov/LosOsosPlan-1.aspx>.

Background

The Board authorized preparation of this update on December 11, 2012. A series of community outreach meetings to unveil the Community Plan were conducted in the Spring of 2015. The plan was prepared to be consistent and coordinated with the draft groundwater basin management plan and the draft Habitat Conservation Plan ("HCP"). The draft Environmental Impact Report was released on September 12, 2019; comments were due December 11, 2019. A Community Meeting on the Draft Environmental Impact Report for the LOCP, HCP, and associated Environmental Documents was held on October 28, 2019. The Final Environmental Impact Report and Public Hearing Draft were released on June 8, 2020. The Planning Commission held hearings on July 9, 2020, August 13, 2020, and October 8, 2020. At the October 8, 2020 hearing, the Planning Commission recommended approval of the Plan to the Board of Supervisors.

Coastal Zone Accessory Dwelling Unit (ADU) Ordinance:

On May 17, 2022, the County Board of Supervisors continued to a date certain the hearing to consider accepting the California Coastal Commission's suggested modifications to the Coastal ADU Ordinance, including not allowing ADUs within the Los Osos Groundwater Basin boundary and/or within the Los Osos Groundwater Basin Plan Area. At the August 9, 2022 hearing date, County Staff requested that the hearing for the Ordinance be continued and that request was approved. Coastal Commission's suggested modifications approved at their February 11, 2022 meeting are available at: <https://www.coastal.ca.gov/meetings/agenda/#/2022/2> (Agenda Item # 16a).

Los Osos Vacation Rental Ordinance:

On June 7, 2022, the County Board of Supervisors held a hearing and adopted a resolution to accept the California Coastal Commission's suggested modifications to the Los Osos Vacation Rental Ordinance. On July 14, 2022 the Coastal Commission certified the Los Osos Vacation Rental Ordinance, as part of the Local Coastal Plan.

The Los Osos Vacation Rental Ordinance includes a standard to encourage reducing water usage: "A minimum of one water conservation sign shall be posted in each restroom and kitchen of the dwelling.

Water conservation signs shall encourage occupants to reduce water usage by stating (a) the importance of conserving water in Los Osos and (b) ways in which occupants can reduce the amount of water used during the stay. Water conservation signs shall be created and posted utilizing County approved language.” Coastal’s suggested modifications approved at their February 11, 2022 meeting are available at: <https://www.coastal.ca.gov/meetings/agenda/#/2022/2> (Agenda Item # 16b).

Los Osos Wastewater Project Flow and Connection Update

The following table summarizes flows from the LOWRF based on the available data. Past flows have been revised. The plant has a complicated method of calculating effluent flows, which has been confusing and they are in the process of correcting.

LOWRF Wastewater and Recycled Water Flows

Year	Month	Influent	Broderson	Bayridge	Sea Pines	Giacomazzi	Construction Water	Ag Users	Discharge/ Recycled Water Delivery Total (AF)
2022	Jan	45	46	1.2	1.3	0.0	0.0	0.0	48
2022	Feb	41	34	1.3	5.8	0.0	0.0	0.1	41
2022	Mar	45	32	1.5	4.0	0.0	0.0	0.2	38
2022	Apr	43	38	1.4	4.7	0.0	0.0	0.2	44
2022	May	45	29	1.7	9.1	0.0	0.0	0.3	40
2022	Jun	43	27	1.6	11	0.0	0.3	0.3	40
2022	Jul	44	32	1.6	10.8	0	0.1	0.4	45
2022	Aug	45	32	1.8	7.7	0	0.0	0.4	42
2022	Sept	43	39	1.7	3.9	0	0.0	0.3	45
2022	Oct								
2022	Nov								
2022	Dec								
Total									

Enforcement: A list of properties that were not connected were transferred to County Code Enforcement and Notice of Violations were issued last year in Feb. 2019. That list was about 70 properties. As of 5/12/2021, the sewer service area has a 99.4% connection status with a total of 36 properties not yet connected. Of those, one is not required to connect because there is no structure (demolished), 18 have expired building permits, and the rest have an open Code Enforcement case.

The County has assigned staff in code enforcement to Los Osos. Expired permits did not receive a Code Enforcement case because those properties have their own noticing process through the Building Department which, if not corrected, could result in a Notice of Violation.

Recycled Water Connections: The County approved \$350,000 in funding from the American Rescue Plan Act of 2021 for connecting new users to the LOWRF Recycled Water System. Additional funding was approved for improvements at the LOWRF and the Broderson Leach field.

Water Conservation Update

Rebate Update: Average indoor water usage for 2019 was estimated to be 40 gpd per person and remains at that number currently.

The Sustainable Groundwater Management Act (SGMA)

SGMA Overview: SGMA took effect on January 1, 2015.¹ SGMA provides new authorities to local agencies with water supply, water management or land use responsibilities and requires various actions be taken in order to achieve sustainable groundwater management in high and medium priority groundwater basins. Los Osos Valley Groundwater Basin (Los Osos Basin) was subject to SGMA based on the 2014 Basin Prioritization by the California Department of Water Resources (DWR) that listed the Los Osos Basin as high priority and in critical conditions of overdraft.²

Basin Prioritization: On December 18, 2019, DWR released the SGMA 2019 Basin Prioritizations. Basins or subbasins reassess to low or very low priority basins or subbasins are not subject to SGMA regulations. A summary of DWR's Final SGMA Prioritizations for the Los Osos Area Subbasin and Warden Creek Subbasin are listed below:

- Los Osos Area Subbasin is listed as **very low** priority for SGMA³ and in critical conditions of overdraft⁴
- SGMA does not apply to the portions of Los Osos Basin that are adjudicated provided that certain requirements are met (Water Code §10720.8).
- Warden Creek Subbasin is listed as **very low** priority for SGMA³

For more information on DWR's basin boundary modification and prioritization process, please visit: <https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization>

Additional Attachments:

1. Updated Status of Basin Plan Programs

¹ On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of [AB 1739 \(Dickinson\)](#), [SB 1168 \(Pavley\)](#), and [SB 1319 \(Pavley\)](#), collectively known as SGMA

² SGMA mandates that all groundwater basins identified by DWR as high- or medium-priority by January 31, 2015, must have groundwater sustainability agencies established by June 30, 2017. The act also requires that all high- and medium-priority basins classified as being subject to critical conditions of overdraft in Bulletin 118, as of January 1, 2017, be covered by groundwater sustainability plans, or their equivalent, by January 31, 2020. Groundwater sustainability plans, or their equivalent, must be established for all other high- and medium-priority basins by January 31, 2022.

³ As noted by DWR, the priority for the subbasin has been set to very low (0 total priority points) as a result of conditions being met under sub-component C of the Draft SGMA 2019 Basin Prioritizations.

⁴ Critical conditions of overdraft have been identified in 21 groundwater basins as described in Bulletin 118 (Water Code Section 12924). Bulletin 118 (updates 2003) defines a groundwater basin subject to condition of critical overdraft as: "A basin is subject to critical conditions of overdraft when continuation of present water management practices would probably result in significant adverse overdraft-related environmental, social, or economic impacts."

Update on Status of Basin Plan Infrastructure Projects

Program Name	Project Name	Parties Involved	BMC Budgeted Amount	Funding Status	Anticipated Planning/Pre-Construction Cost	Anticipated Capital Cost	Status/Notes
Program A – Shift groundwater production from Lower Aquifer to Upper Aquifer	Water Systems Interconnection	LOCS D/ GSWC	NA	NA	NA	NA	Completed
	Upper Aquifer Well (8 th Street)	LOCS D	NA	Fully Funded	NA	\$307,000	The 8 th St. Upper Aquifer Well equipping is complete and the well has received permit approval from the Division of Drinking Water.
	South Bay Well Nitrate Removal	LOCS D	NA	NA	NA	NA	Completed
	Palisades Well Modifications	LOCS D	NA	NA	NA	NA	Completed
	Blending Project (Skyline Well)	GSWC	NA	NA	NA	NA	Completed
	Water Meters	S&T	NA	NA	NA	NA	Completed
Program B - Shift groundwater production from Lower Aquifer to Upper Aquifer	LOCS D Wells (Upper Aquifer)	LOCS D		Not Funded	TBD	BMP: \$2.7 mil	Project not initiated
	GSWC Wells (Upper Aquifer)	GSWC		Not Funded	TBD	BMP: \$3.2 mil	Project not initiated
	Community Nitrate Removal Facility	LOCS D/GSWC/S&T	TBD	Partial, GSWC portion funded	TBD	GSWC: \$1.23 mil	GSWC’s Program A Blending Project might be capable of expanding to be the first phase of the Program B Community Nitrate Removal Facility.
Program C - Shift production within the Lower Aquifer from the Western Area to the Central Area of the Basin	Expansion Well No. 1 (Los Olivos)	GSWC	NA	NA	NA	NA	Completed
	Expansion Well No. 2 (Lower Aquifer)	LOCS D		LOCS D	TBD	BMP: \$2.5 mil	The well construction and development activities are complete and the contractor will be demobilizing the week of October 17 th , 2022. A contract for the pipeline design phase has been awarded and design is anticipated to be completed by December 2022. Completion of all phases of the project is estimated to be June 2024.
	Expansion Well 3 (Lower Aquifer) and LOVR Water Main Upgrade	GSWC/LOCS D		Cooperative Funding	TBD	BMP: \$1.6 mil	This project has been deferred under Adaptive Management.
	LOVR Water Main Upgrade	GSWC		May be deferred	TBD	BMP: \$1.53 mil	Project may not be required, depending on the pumping capacity of the drilled Program C wells. It may be deferred to Program D.
	S&T/GSWC Interconnection	S&T/ GSWC		Pending	TBD	BMP: \$30,000	Currently on hold pending further evaluation of the project.

Program Name	Project Name	Parties Involved	BMC Budgeted Amount	Funding Status	Anticipated Planning/Pre-Construction Cost	Anticipated Capital Cost	Status/Notes
Program D - Shift production within the Lower Aquifer from the Western Area to the Eastern Area of the Basin							Currently being considered for deferment through Adaptative Management. BMC to review on an annual or semi-annual basis.
Program M – Groundwater Monitoring Plan	New Zone D/E lower aquifer monitoring well in Cuesta by the Sea	All Parties	NA	NA	NA	NA	Completed
Program U - Urban Water Reinvestment Program	Creek Discharge Program	All Parties				TBD	These activities are currently on hold.
	8 th and El Moro Urban Storm Water Recovery Project	All Parties				TBD	These activities are currently on hold.

TO: Los Osos Basin Management Committee

FROM: Dan Heimerl, Executive Director

DATE: November 16, 2022

SUBJECT: Item 9a – Calendar Year 2023 BMC Budget

Recommendation

1) approve the proposed Calendar Year 2023 BMC Budget; 2) approve Calendar Year 2023 BMC Executive Director and Hydrogeologist Consultant Proposals; or 3) provide alternate direction to staff.

Discussion

As outlined in the Basin Management Committee (BMC) Rules and Regulations, the BMC is directed to adopt an annual budget for each Calendar Year (CY).

To assist the BMC in adopting a budget for CY 2023, BMC Staff, in coordination with BMC Party Staff, prepared the Proposed Budget for CY 2023, included as Attachment1, for the BMC’s consideration. In addition to the Baseline Service (Budget Items 1-6), there are additional items described in the following table for consideration by the BMC for inclusion in the CY 2023 BMC Budget.

Potential CY 2023 BMC Budget Item	Anticipated Costs	Description
New "Skyline" Monitoring Well	\$85,000	Construction of a new monitoring well on Skyline Drive to replace the LA 10 (Rosina Well) in the Chloride Metric. The National Estuary Program budgeted \$75k in Fiscal Year 2023 (10/1/22 - 9/30/2023) to provide funding support to the BMC for the construction of a new Monitoring Well. \$160k is estimated to be sufficient budget to complete the project.
Los Osos Creek Stream Gage Rating Curve	\$17,000	Development of a rating curve for the Los Osos Creek Stream Gage to better quantify the amount of water flowing in Los Osos Creek. Currently there is no rating curve for the Los Osos Creek gage and an improved understanding of flow rates in the creek is an essential component for the development of the transient groundwater model. This budget will be utilized to complete stream flow surveys if sufficient rainfall is received in CY 2023.

The proposed budget would allow for the construction of a new monitoring well, development of a rating curve for the Los Osos Creek Stream Gage (key input for the Transient Model) and provide

sufficient match funding for the Water Recycling Funding Program Facilities Planning Study grant. BMC staff requests that the BMC review the proposed CY 2023 Budget and provide direction on how to proceed.

Historic BMC approved budgets are provided in the table below for reference.

Historic BMC Budget Summary

Calendar Year	Budget	Budget w/ Contingency	Notes
2016	\$286,000	\$314,600	\$120k for Funding measure including initial feasibility report, final report and Prop 218 process
2017	\$264,000	\$290,400	\$100k for Funding measure including Prop 218 process
2018	\$268,000	\$294,800	\$115k for Cuesta by Sea (Lupine) Monitoring Well
2019	\$319,700	\$335,685	\$115k for Cuesta by Sea (Lupine) Monitoring Well
2020	\$175,500	\$193,050	Baseline Budget Only
2021	\$285,500	\$314,050	Updated Sustainable Yield Estimate, Basin Metric Review, Funding & Organization Study, Implementation Initiative Evaluation
2022	\$280,500	\$308,550	BMC Legal Counsel, Transient Model Peer Review, Lower Aquifer Monitoring Improvements, LO Creek Stream Gage Rating Curve

Executive Director and Hydrogeologist Consultant Proposals

Proposals for providing BMC Executive Director and Hydrogeologist services for CY 2023 are provided as Attachments 2 – 4. It is recommended that the BMC, if it approves the Proposed CY 2023 BMC Budget or a corresponding portion of the budget, additionally approve the proposals for the CY 2023 Executive Director and Hydrogeologist services. Approval of these proposals will allow consultants to initiate work on January 1, 2023.

Attachments

1. Proposed Calendar Year 2023 BMC Budget
2. Confluence Engineering Solutions CY 2023 Executive Director Proposal
3. Cleath-Harris Geologist 2023 Groundwater Monitoring Proposal
4. Cleath-Harris Geologist 2022 Annual Monitoring Report Proposal



Confluence Engineering Solutions, Inc.

PO Box 7098

Los Osos, CA 93412

November 8th, 2022

To: Basin Management Committee

Subject: Proposal for Calendar Year 2022 Executive Director Professional Services

Confluence Engineering Solutions, Inc. (ConfluenceES) is pleased to provide the following proposal for providing Executive Director professional services for the Los Osos Basin Management Committee (BMC) for Calendar Year 2023.

Scope of Work

Task 1 BMC Administration

1.1 BMC Administration

- Perform BMC administrative tasks necessary for facilitate BMC activities, including but not limited to:
 - Coordinate with BMC Board Members, Stipulating Parties, and the public
 - Coordinate with San Luis Obispo County staff so that documents and agenda packages are published to the BMC website in a timely and accurate manner
- Prepare and provide monthly invoices and progress reports describing activities of the Executive Director

1.2 Financial Oversight

- Oversee financial operation of the BMC, including recommending an annual budget and processing invoices.
- Coordinate with the law office of Brownstein Hyatt Farber Schreck (BHFS) which performs the accounting function for the BMC, including the payment of approved invoices.

1.3 BMC Party Staff Meetings

- Conduct monthly BMC Party Staff Meetings with representatives of each of the parties to facilitate BMC activities.

1.4 BMC Representation

- Represent the BMC as directed to other entities, including DWR, RWQCB, and other agencies, as needed.

Task 2 BMC MEETINGS

2.1 Meeting Coordination

- In consultation with the BMC Chair, coordinate up to 10 public BMC meetings.
- Coordinate with Audio/Video Consultant to ensure that the BMC meeting venue and audio/visual services properly performed.

2.2 Agenda Preparation

- In consultation with the BMC Chair, prepared agenda packets for up to 10 public BMC meetings.

2.3 Meeting Attendance

- Function as staff (including clerk) during BMC public meetings, including providing appropriate technical input on questions from both Directors and the public.
- Oversee the BMC's compliance with the Brown Act, with input from legal counsel provided by the BMC parties.

2.4 Meeting Minutes

- Prepare action minutes for all public meetings.

Task 3 PROGRAM MANAGEMENT

3.1 Annual Report Management

- Provide program management for the BMC on the Annual Report, including management of scope, schedule and budget, collection and incorporation of BMC and other comments, and publishing of approved work products.
- Participate in coordination meetings with the Annual Report consultant to provide work direction, receive project updates, and review consultant interim work products and deliverables.
- File required information to DWR's website by the April 1st deadline.

3.2 BMC Project Management

- Provide program management for the BMC on other projects, including management of scope, schedule and budget, collection and incorporation of BMC and other comments, and publishing of approved work products.
- Participate in coordination meetings with BMC consultants to provide work direction, receive project updates, and review consultant interim work products and deliverables.

Fee Estimate

ConfluenceES proposes to provide the Executive Director services described above for Calendar Year 2023 on a time and materials basis with a not-to-exceed fee of \$70,000 at the rates outline in the table below.

Classification	Billing Rate (\$/hour)
Principal Engineer	\$200
Project Engineer	\$175
Associate Engineer	\$150
Engineering Assistant	\$125

Sincerely,



Daniel Heimel, PE, MS

President/Principal Engineer

ConfluenceES

Cleath-Harris Geologists, Inc.
75 Zaca Lane, Suite 110
San Luis Obispo, CA 93401
(805) 543-1413



November 8, 2022

Los Osos Basin Management Committee
c/o Mr. Daniel Heimel, P.E.
Confluence Engineering Solutions, Inc.
P.O. Box 7098
Los Osos, CA 93412

SUBJECT: Proposal for Los Osos Basin Plan 2023 Groundwater Monitoring.

Dear Mr. Heimel:

Cleath-Harris Geologists (CHG) proposes to perform hydrogeologic services related to groundwater monitoring for the Los Osos Basin Plan (LOBP). This proposal describes existing monitoring data collection and presents a scope of work, schedule, and estimated costs for monitoring.

BACKGROUND

The groundwater monitoring program in Chapter 7 of the LOBP included 73 monitoring well locations within the basin. Twenty locations have been added to the network (summary tables attached).

There are two existing, ongoing monitoring programs that historically overlapped with the LOBP monitoring program: the San Luis Obispo County Water Level Monitoring Program and the Los Osos Water Recycling Facility (LOWRF) Groundwater Monitoring Program. Beginning in winter 2016, the LOWRF monitoring schedule was shifted from spring and fall monitoring to summer and winter monitoring. As a result, data from the LOWRF monitoring program no longer coincides with the monitoring schedule adopted in the LOBP. A total of 22 network wells, including all five nitrate metric wells, were switched to the summer and winter monitoring schedule.

CHG plans to continue measuring water levels in April and October at those LOBP network wells that were shifted to summer and winter monitoring under the LOWRF monitoring program. Water quality testing, however, will not be duplicated in the schedule, and data from the LOWRF program in June and December 2022 will be used for reporting purposes.



SCOPE OF WORK

CHG will perform the following tasks for the LOBP Groundwater Monitoring Program:

- Conduct/coordinate semi-annual water level monitoring in April and October 2022 at up to 59 well locations.
- Download and process pressure transducer data from up to 12 well locations.
- Conduct/coordinate groundwater sampling in April 2022 from up to 15 wells for general minerals analyses.
- Conduct/coordinate groundwater sampling in October 2022 from up to 20 wells for general mineral analyses.
- Conduct groundwater sampling in October 2022 for up to three wells for CEC analyses.

Deliverables:

Tables with results of Lower Aquifer seawater intrusion monitoring will be provided upon completion of the April and October 2023 monitoring events. Data interpretation and reporting is not included in this scope of work, but will be performed during 2023 Annual Report preparations.

SCHEDULE

The scope of work will be completed per the Basin Plan monitoring schedule (April and October monitoring).

FEES AND CONDITIONS

CHG proposes to perform the above scope of work on an hourly rate plus expenses basis in accordance with the hourly rates schedule and attached terms of fees and conditions. Laboratory analytical services, pump equipment, and CEC sample shipping are estimated at \$14,000. The cost for hydrogeologic services related to water level monitoring, groundwater sampling, transducer downloading, and coordinating with private well owners is estimated to be \$34,500. The total estimated cost for the 2023 groundwater monitoring scope of work is estimated to be **\$48,500**.



SCHEDULE OF HOURLY RATES

Principal Hydrogeologist	\$184
Senior Hydrogeologist	\$173
Project Geologist	\$157
Environmental Scientist	\$140
GIS Specialist	\$140
Staff Geologist II	\$140
Staff Geologist I	\$125

EXPENSES

Mileage	\$0.70/mile
Other expenses at cost plus 10 percent handling	

AGREEMENT

If the above work scope and fees and conditions are acceptable, this proposal will serve as the basis for agreement.

Respectfully submitted,

CLEATH-HARRIS GEOLOGISTS, INC.

Spencer J. Harris, President

attachment



TERMS OF FEES AND CONDITIONS

1. Invoices will be submitted monthly. The invoice is due and payable upon receipt.
2. In order to defray carrying charges resulting from delayed payments, simple interest at the rate of ten percent (10%) per annum (but not to exceed the maximum rate allowed by law) will be added to the unpaid balance of each invoice. The interest period shall commence 30 days after date of original invoice and shall terminate upon date of payment. Payments will be first credited to interest and then to principle. No interest charge would be added during the initial 30 day period following date of invoice.
3. The fee for services will be based on current hourly rates for specific classifications and expenses. Hourly rates and expenses included in the attached schedule are reevaluated on January 1 and July 1 of each year.
4. Documents including tracings, maps, and other original documents as instruments of service are and shall remain properties of the consultant except where by law or precedent these documents become public property.
5. If any portion of the work is terminated by the client, then the provisions of this Schedule of Fees and Conditions in regard to compensation and payment shall apply insofar as possible to that portion of the work not terminated or abandoned. If said termination occurs prior to completion of any phase of the project, the fee for services performed during such phase shall be based on the consultant's reasonable estimate of the portion of such phase completed prior to said termination, plus a reasonable amount to reimburse consultant for termination costs.
6. If either party becomes involved in litigation arising out of this contract or the performance thereof, the court in such litigation shall award reasonable costs and expenses, including attorney's fees, to the party justly entitled thereto.
7. All of the terms, conditions and provisions hereof shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns, provided, however, that no assignment of the contract shall be made without written consent of the parties to the agreement.

**Los Osos Basin Plan
Monitoring Well Network 2023
FIRST WATER**

Program Well ID	Well Owner	Basin Plan Monitoring Code	County Water Level Program	LOWRF Groundwater Monitoring Program ¹	2023 Basin Plan Monitoring Program ²
FW1	PRIVATE	L			(no access)
FW2	LOCSD	L, G		L, G	L
FW3	LOCSD	L		L	L
FW4	LOCSD	L		L	L
FW5	LOCSD	L		L	L, CEC
FW6	LOCSD	TL, G, CEC		G	TL, CEC
FW7	LOCSD	L			L
FW8	LOCSD	L		L	L
FW9	LOCSD	L		L	L
FW10	LOCSD	TL, G		G	TL
FW11	LOCSD	L		L	L
FW12	LOCSD	L		L	L
FW13	LOCSD	L		L	L
FW14	PRIVATE	L		L	L
FW15	LOCSD	L, G		L,G	L
FW16	LOCSD	L		L	L
FW17	LOCSD	L, G		L,G	L
FW18	SLCUSD	L			L
FW19	LOCSD	L		L	L
FW20	LOCSD	L, G		L, G	L
FW21	LOCSD	L		L	L
FW22	PRIVATE	L, G		L, G	L
FW23	PRIVATE	L		L	L
FW24	PRIVATE	L	L		
FW25	PRIVATE	L	L		
FW26	PRIVATE	L, G, CEC			L, G, CEC
FW27	PRIVATE	TL			TL
FW28	PRIVATE	L, G	L		G
FW29	PRIVATE	(added in 2015)	L		
FW30	PRIVATE	(added in 2015)		L	
FW31	SLO CO.	(added in 2015)			L
FW32	PRIVATE	(added in 2017)			L
FW33	PRIVATE	(added in 2018)			L

L = WATER LEVEL

G = GENERAL MINERAL

CEC = CONSTITUENTS OF EMERGING CONCERN

TL = TRANSDUCER WATER LEVEL

LOCSD = Los Osos Community Services District

SLCUSD = San Luis Coastal Unified School District

SLO CO. = San Luis Obispo County

NOTES:

1 - Summer and winter monitoring schedule

2 - Spring and Fall water levels, water quality in Fall only

**Los Osos Basin Plan
Monitoring Well Network 2023
UPPER AQUIFER**

Program Well ID	Well Owner	Basin Plan Monitoring Code	County Water Level Program	LOWRF Groundwater Monitoring Program ¹	2023 Basin Plan Monitoring Program ²
UA1	SLO CO.	L	L		
UA2	SLO CO.	L	L		
UA3	GSWC	L, G			L, G
UA4	S&T	TL			TL
UA5	LOCSD	L		L	L
UA6	SLO CO.	L	L		
UA7	SLO CO.	L	L		
UA8	LOCSD	L			L
UA9	GSWC	L, G			L, G
UA10	LOCSD	TL			TL
UA11	PRIVATE	L		L	L
UA12	LOCSD	L		L	L
UA13	LOCSD	L, G			L, G
UA14	PRIVATE	L			L
UA15	PRIVATE	L			L
UA16	PRIVATE	(added in 2015)	L		
UA17	PRIVATE	(added in 2015)	L		
UA18	PRIVATE	(added in 2015)	L		
UA19	LOCSD	(added in 2019)			L

L = WATER LEVEL

G = GENERAL MINERAL

TL = TRANSDUCER WATER LEVEL

LOCSD = Los Osos Community Services District

SLO CO. = San Luis Obispo County

GSWC = Golden State Water Company

S&T = S&T Mutual Water Company

NOTES:

1 - Summer and winter monitoring schedule

2 - Spring and Fall water levels, water quality in Fall only

**Los Osos Basin Plan
Monitoring Well Network 2023
LOWER AQUIFER**

Program Well ID	Well Owner	Basin Plan Monitoring Code	County Water Level Program	2023 Basin Plan Monitoring Program ¹
LA1	SLO CO.	L	L	
LA2	SLO CO.	L	L	
LA3	SLO CO.	L	L	
LA4	PRIVATE	L, GL		L
LA5	S&T	L	L	
LA6	GSWC	L, G	L	TL
LA7	PRIVATE	TL		
LA8	S&T	L, G		L, G
LA9	GSWC	L		L, G
LA10	GSWC	L, G		L, G
LA11	SLO CO.	L, G		TL, G
LA12	LOCS D	L, G		L, G
LA13	LOCS D	TL		TL
LA14	SLO CO.	L, GL	L	TL
LA15	LOCS D	L, G		L, G
LA16	PRIVATE	L	L	TL
LA17	SLO CO.	L	L	
LA18	LOCS D	L, G		L, G
LA19	SLO CO.	L	L	TL
LA20	GSWC	L, G		L, G
LA21	LOCS D	L	L	
LA22	LOCS D	L	L	G
LA23	PRIVATE	L, G		no access
LA24	PRIVATE	L	L	
LA25	PRIVATE	L		L
LA26	PRIVATE	L	L	
LA27	PRIVATE	TL		L
LA28	PRIVATE	L, G		L
LA29	PRIVATE	L	L	
LA30	PRIVATE	L, G		L, G
LA31	PRIVATE	(added in 2015)	L	G
LA32	LOCS D	(added in 2015)	L	G
LA33	PRIVATE	(added in 2015)	L	
LA34	SLO CO.	(added in 2015)	L	
LA35	SLO CO.	(added in 2015)		L
LA36	PRIVATE	(added in 2015)		no access
LA37	SLO CO.	(added in 2017)		TL
LA38	PRIVATE	(added in 2017)		L
LA39	GSWC	(added in 2019)		L, G
LA40	LOCS D	(added in 2019)		L, G
LA41	LOCS D	(added in 2019)		L, G

L = WATER LEVEL

G = GENERAL MINERAL

GL = GEOPHYSICAL LOG (triennial)

TL = TRANSDUCER WATER LEVEL

LOCS D = Los Osos Community Services District

SLO CO. = San Luis Obispo County

GSWC = Golden State Water Company

S&T = S&T Mutual Water Company

1 - Water level and water quality both Spring and Fall

Cleath-Harris Geologists, Inc.
75 Zaca Lane, Suite 110
San Luis Obispo, CA 93401
(805) 543-1413



November 8, 2022

Los Osos Basin Management Committee
c/o Mr. Daniel Heimel, P.E.
Confluence Engineering Solutions, Inc.
P.O. Box 7098
Los Osos, CA 93412

SUBJECT: Proposal for preparing the 2022 Annual Monitoring Report for the Los Osos Groundwater Basin.

Dear Mr. Heimel:

Cleath-Harris Geologists (CHG) proposes to perform hydrogeologic services for completing the 2022 Annual Monitoring Report for the Los Osos Basin Plan (LOBP) Groundwater Monitoring Program, along with one additional management task. This proposal includes a scope of work, schedule, and estimated cost.

SCOPE OF WORK

2022 Annual Report

Annual Report tasks include:

- Update databases with 2022 groundwater level and quality data for LOBP monitoring network wells.
- Prepare the draft 2022 Annual Monitoring Report for Basin Management Committee (BMC) review. The report will include data reporting and interpretation for the period from January 1, 2022 through December 31, 2022. The report shall follow the 2021 Annual Monitoring Report format as a template, with updates for changed conditions.
- Preview Sustainable Yield₂₀₂₃ as adopted by the BMC.
- Receive BMC comments and incorporate into a final 2022 Annual Monitoring Report.
- Assist BMC with preparing CASGEM datasets.

Management Task 1: Sustainable Yield₂₀₂₄

The Interlocutory Stipulated Judgement (ISJ), adopted in 2015, includes requirements to the effect that the Basin Management Committee (BMC) shall annually establish the sustainable yield of the Basin, based on the conservation implemented and Basin Plan infrastructure then developed in the Basin and simulated in the model. The following tasks are proposed to comply with these requirement:



- In coordination with BMC Staff, evaluate Sustainable Yield₂₀₂₄ based on changes in LOBP infrastructure, groundwater inflow or outflow parameters, the understanding of hydrogeologic or geologic features in the basin, or other factors.
- Upon direction from BMC Staff, modify selected parameters from the previous Sustainable Yield₂₀₂₃ and, using the Basin model, estimate Sustainable Yield₂₀₂₄.
- Prepare a brief technical memorandum or similar materials presenting the Sustainable Yield₂₀₂₄ estimate for consideration and adoption by the BMC. If adopted, the Sustainable Yield₂₀₂₄ value would be previewed in the 2023 Annual Report.

SCHEDULE

The draft Annual Report will require approximately four months to complete. The final report would be available approximately 2-3 weeks following receipt of BMC comments.

The Sustainable Yield₂₀₂₄ task (Management Task 1) will be initiated after completion of the 2022 Annual Report. The schedule will be coordinated with BMC Staff to allow for evaluation and adoption Sustainable Yield₂₀₂₄ before January 2023.

FEES AND CONDITIONS

CHG proposes to perform the above scope of work on an hourly rate plus expenses basis in accordance with the hourly rates schedule and attached terms of fees and conditions. The estimated cost for hydrogeologic services to complete 2022 annual report tasks is estimated at \$61,500. Management Task 1 is estimated to cost \$3,500. The total estimated cost for 2022 Annual Report preparations and the additional management task is **\$65,000**.

SCHEDULE OF HOURLY RATES

Principal Hydrogeologist	\$184
Senior Hydrogeologist	\$173
Project Geologist	\$157
Environmental Scientist	\$140
GIS Specialist	\$140
Staff Geologist II	\$140
Staff Geologist I	\$125



EXPENSES

Mileage \$0.70/mile
Other expenses at cost plus 10 percent handling

AGREEMENT

If the above work scope and fees and conditions are acceptable, this proposal will serve as the basis for agreement.

Respectfully submitted,

CLEATH-HARRIS GEOLOGISTS, INC.

Spencer J. Harris, President

attachment



TERMS OF FEES AND CONDITIONS

1. Invoices will be submitted monthly. The invoice is due and payable upon receipt.
2. In order to defray carrying charges resulting from delayed payments, simple interest at the rate of ten percent (10%) per annum (but not to exceed the maximum rate allowed by law) will be added to the unpaid balance of each invoice. The interest period shall commence 30 days after date of original invoice and shall terminate upon date of payment. Payments will be first credited to interest and then to principle. No interest charge would be added during the initial 30 day period following date of invoice.
3. The fee for services will be based on current hourly rates for specific classifications and expenses. Hourly rates and expenses included in the attached schedule are reevaluated on January 1 and July 1 of each year.
4. Documents including tracings, maps, and other original documents as instruments of service are and shall remain properties of the consultant except where by law or precedent these documents become public property.
5. If any portion of the work is terminated by the client, then the provisions of this Schedule of Fees and Conditions in regard to compensation and payment shall apply insofar as possible to that portion of the work not terminated or abandoned. If said termination occurs prior to completion of any phase of the project, the fee for services performed during such phase shall be based on the consultant's reasonable estimate of the portion of such phase completed prior to said termination, plus a reasonable amount to reimburse consultant for termination costs.
6. If either party becomes involved in litigation arising out of this contract or the performance thereof, the court in such litigation shall award reasonable costs and expenses, including attorney's fees, to the party justly entitled thereto.
7. All of the terms, conditions and provisions hereof shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns, provided, however, that no assignment of the contract shall be made without written consent of the parties to the agreement.