

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, April 12, 2023** 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 February 8, 2023 meeting minutes
3. Officer Elections
4. Presentation of the Final East Fork Study and Consider Actions
5. Ongoing Updates
  - a. Mid-Higuera Bypass Project
  - b. Creek Maintenance
  - c. Arundo Removal
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, June 14, 2023 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

**Draft Meeting Minutes – Wednesday, February 8, 2023**

Meeting materials and video recordings can be viewed at: <https://www.slocounty.ca.gov/Zone9>

Members Attending:

Wayne Peterson, County At-Large (Chair)  
Christine Mulholland, City At-Large  
Michelle Shoresman, City Council  
Brian Nelson, City Staff (Vice-Chair)  
Jonathan Hall, County At-Large #1 (Alternate)

Non-Voting Members and Guests Attending:

Emily Francis, City Council (Alternate)  
Shelsie Moore, City Staff (Alternate)  
Freddy Otte, City of San Luis Obispo (Staff)  
Brendan Clark, County of San Luis Obispo (Secretary)  
May Thiri Kyaw, County of San Luis Obispo (Staff)  
Lucia Pohlman, City of San Luis Obispo  
Hal Hannula, City of San Luis Obispo  
Bob Hill, City of San Luis Obispo  
Troy Barnhart, County of San Luis Obispo  
Joey Steil, County of San Luis Obispo  
Reece Jansen, Son Care Foundation  
Kathy Borland, Resident  
Kim Sticker, Resident

**1. Introductions and roll call**

Chair calls the meeting to order at 1:30 PM and a quorum is established. Introduction of attendees.

**2. Approval of October 12, 2022 meeting minutes**

*Item start time ~ [00:02:00](#)*

W. Peterson introduces the item.

C. Mulholland comments on a typo in section 8.b of the draft minutes; the year of flooding at the intersection near the Prefumo Creek area occurred in 1995, not 1955. B. Clark confirms.

**Motion by: Christine Mulholland**

**Second by: Brian Nelson**

The Committee approves the October 12, 2022 meeting minutes, as amended (5-0-0)

### **3. Receive Presentation from County and City Staff on the Vegetative Maintenance Program**

*Item start time ~ [00:03:40](#)*

W. Peterson introduces the item and B. Clark, M. Kyaw, and F. Otte present on the Vegetative Maintenance Program and the recent work performed in the East Fork area.

W. Peterson comments on property owners performing upstream maintenance activities which caused excess debris and bridge blockages during the last storm, and the need to educate property owners on what they can and cannot do. Asks if property owners can reach out to staff for guidance on creek maintenance activities. F. Otte responds.

C. Mulholland comments on the great work that the California Conservation Corps performs throughout the county.

K. Sticker comments on how the creek maintenance activities performed by City and County staff, along with private vegetative management from goats, helped to prevent catastrophic flooding and loss, adding that this was the first year that she had a bridge washout on her property. Asks if annual creek maintenance activities will continue. F. Otte responds.

K. Borland comments on new developments being constructed throughout the City of SLO, how hardscapes can contribute to increased levels of runoff due to decreased ground percolation, and if the removal of debris from the waterways may contribute to excess creek flow downstream.

C. Mulholland comments that she has kept rain records from her backyard since 1987 and that there was more rain in 1995 with less hardscape during that period. Agrees that more hardscapes contribute to less percolation and that the local narrow creeks simply cannot handle the amount of water from historic storms with massive rainfall, making flooding inevitable. F. Otte responds.

W. Peterson comments on past City requirements for people living in flood plains to have protection devices installed on their buildings to protect against flooding, the need for property owners to have a plan on what to do when it rains, the limited creek capacity, utilizing flood plains for productive use, and the need to evaluate and build projects with controls to minimize damage caused by floods.

B. Nelson comments on property access, rights of entry, debris removal and how blockages can significantly decrease culvert capacity. F. Otte responds.

W. Peterson comments that in development, every developer is required to absorb and delay the increased peak flows coming off of the property, prolonging the duration of flow in creeks which can lead to increased erosion.

#### **4. Open Discussion Regarding Recent Storms and Flooding**

*Item start time ~ [00:31:19](#)*

W. Peterson introduces the item and T. Barnhart begins with a hydrologic brief and presentation on the January 9-10, 2023 storm event.

K. Borland asks why the Gas Company rain gauge is so low when compared to the others in the City. T. Barnhart responds.

W. Peterson comments that his tipping bucket gauge consistently reads more than the Gas Company gauge.

C. Mulholland comments that readings from her gauge often read higher than those at Cal Poly and the airport, which may be due to local topography and microclimates.

W. Peterson comments on the flooding at Laguna Lake during the January 2023 storm and how it was similar to the 1995 storm, adding that backflow from storm drains that feed the lake are responsible for flooding properties around the lake, rather than direct flooding caused by the lake; asks if installing gates could be an effective flood prevention measure.

B. Nelson comments on downstream debris cleanup to help water flow and prevent backflow.

C. Mulholland comments on the flooding caused by the 1995 storm in the Oceanaire area, how the backflow goes right up to the garages of homes, across the sidewalks, and up to four feet deep in certain areas. W. Peterson responds.

B. Clark presents on various flooding locations within Zone 9.

W. Peterson asks if someone can approach PG&E to see if it would be possible to move the Marsh Street stream gauge to their bridge. F. Otte responds.

The Committee discusses the direction of flow across the bridge of Buckley Road and Vachell lane, speculating if the cause is on East Fork side or the Avila Ranch side, the effects of changing elevation and how it slows the water flow.

W. Peterson comments on two significant dips on Buckley Road that are flooding and holding standing water and asks what the City can do to fix the road.

R. Jansen comments on a large amount of earth that has been raised up and is causing flood conditions and road problems to occur, concerns with how this is impacting drainage into the creek, how debris accumulated and their bridge was underwater for the first time during the last storm, and encourages the Committee to investigate the effects of the raised dirt in the area being developed. F. Otte responds.

K. Borland comments on neighborhood discussions relating to flood events that occurred for the first time this year and what caused these issues, one example being levy issues near

the Drakes farm property near the corner of Hoover; also comments on concerns surrounding a large amount of dirt dumped by heavy trucks and stockpiled near two driveways, one on Jespersen and the other further east. W. Peterson, C. Mulholland, B Clark, H. Hannula respond.

W. Peterson asks if the Avila Ranch developer will do any repairs on Buckley Road and comments on the ponding of water which is a safety concern that needs to be addressed. B. Hill and T. Barnhart respond.

K. Borland comments on the increased traffic on Buckley Road and the work being performed by the Preserve the SLO Life community organization. T. Barnhart responds.

C. Mulholland comments that the water was almost up to the same point in her backyard as the 1995 flood, high enough for fence lines to disappear and residents to kayak across neighboring properties.

K. Sticker comments on a on a Righetti Ranch levy that was reinforced with rocks over concerns that it might break and flood homes. B. Nelson responds.

J. Hall comments on the impacts of flooding in apple orchards and surrounding properties and the expansion of creek clearing activities near Monte Road. B. Clark responds.

## **5. Ongoing Updates**

*Item start time ~ [01:13:33](#)*

### **a. Mid-Higuera Bypass Project**

S. Moore comments that a letter was received from the Department of Fish and Wildlife indicating progress on getting a final permit; working on a final agreement with the Department of Water Resources to receive six million dollars in grant funds; the City is working with the County on a budget for the upcoming year to fund the rest of the project; anticipates receiving final plans by the end of year and starting construction 2024; still working on getting easements with property owners and getting the final grading design approved.

C Mulholland asks about the estimated total cost of the project. S. Moore, B. Nelson, and B. Clark respond.

### **b. Creek Maintenance**

F. Otte comments that there are five contractors working in SLO Creek from Prado to LOVR to remove accumulated debris and restore the floodplains; several storm related projects are currently being evaluated, including a shotcrete project for the area around San Luis Drive to help prevent erosion along a vertical wall, concrete grid control repair upstream of the Froom Ranch Way bridge, and others near Elks Lane and Mission Plaza.

### **c. Arundo Removal**

J. Hall comments that treatments were completed in October in the See Canyon area and hopes to treat the big population at Los Osos Valley Road this year.

C. Mulholland asks when arundo removal activities typically start. J. Hall responds.

d. East Fork Limited Study

B. Clark states that County staff provided comments to the consultant and expects a final draft soon.

e. Avila Drainage Study

B. Clark comments that the County is in the process of hiring a consultant to evaluate solutions to address flooding at the intersection of San Francisco and first Street; the Committee will be receiving ongoing updates as the project moves forward.

**6. Public comment**

None

**7. Future agenda items**

None

W. Peterson comments that the Committee may request future items by contacting himself or Committee Secretary, B. Clark.

**Meeting adjourned at approximately 2:55 PM**



**TO: Zone 9 Advisory Committee**  
**FROM: Brendan Clark, Supervising Water Resources Engineer, County Public Works**  
**DATE: April 12, 2023**  
**SUBJECT: Officer Elections**

**Discussion:**

ARTICLE IV: OFFICERS

SECTION 1: Officers of the Committee shall consist of the Chairman, Vice-Chairman and Secretary.

SECTION 2: The Chairman and Vice-Chairman of the Committee shall be selected from the members of the Committee by a vote of the members requiring a majority vote for election. The Secretary may be a non-member but shall be appointed by the Committee by a vote of the members requiring a majority vote for appointment.

~~SECTION 3: No elected officer of the Committee shall serve more than two (2) consecutive one-year terms in the same office.~~

SECTION 4: Vacated elected offices except Chairman shall be filled by election of the Committee. The Vice-Chairman shall assume the Chairmanship in the event of absence or resignation of the Chairman.



**TO: Zone 9 Advisory Committee**

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

**DATE: April 12, 2023**

**SUBJECT: Presentation of the Final East Fork Study**

Staff will be presenting on the final report, reviewing the purpose, findings, etc.

To view the Final East Fork Limited Study, please visit [www.slocounty.ca.gov/zone9](http://www.slocounty.ca.gov/zone9), navigate to "Forms and Documents", then "East Fork Limited Study".

Direct Link: [https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Flood-Control-Zones/Zone-9-San-Luis-Obispo-Creek/Projects-and-Studies/East-Fork-Limited-Study-\(2023\)/FINAL-East-Fork-Flood-Analysis-Report-February-202.pdf](https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Flood-Control-Zones/Zone-9-San-Luis-Obispo-Creek/Projects-and-Studies/East-Fork-Limited-Study-(2023)/FINAL-East-Fork-Flood-Analysis-Report-February-202.pdf)

**TO: Zone 9 Advisory Committee**

**FROM: Shelsie Moore, Supervising Civil Engineer, City of San Luis Obispo**  
**Kate Shea, Principal Environmental Specialist, County Public Works**

**DATE: April 12, 2023**

**SUBJECT: Mid-Higuera Bypass Project Updates**

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. Listed below are the current statuses with each agency:

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

A Draft Lake or Streambed Alteration Agreement (Agreement) was issued by CDFW on March 6, 2023. The Draft Agreement is currently under review by City and County staff. Staff must respond to the Draft Agreement within 90 days from receipt.

- Army Corps of Engineers (ACOE), Section 404

ACOE is in consultation with the USFWS and with NOAA's National Marine Fisheries Service (NMFS). Staff received a letter of clarification from the NMFS requesting additional information about the project design and impacts and mitigation efforts for steelhead. Staff has completed subsequent modeling and prepared a memo to address the questions posed in the letter of clarification.

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

This permit was issued 9/22/22.

The City is making progress on securing permanent easements and temporary construction easements. So far, the City with consultant services from Hamner, Jewell & Associates has presented three (3) offer packages for permanent and temporary construction easements for the Todd Property (306 Higuera), Madonna Property (284 Higuera), and Hayes Property (304 Higuera). Three (3) more offer packages have been drafted and are currently undergoing City review. Offers for properties only requiring temporary construction easements are currently being drafted by Hamner & Jewell. As of November of 2022, staff has received negotiating authority from City Council for all relevant properties adjacent to the project area needing easements.

Additionally, on March 14, 2023, the City entered into a funding agreement with the State Department of Water Resources (DWR) to provide an amount of \$6,078,707 to be used for construction of the project through the end of 2024.

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

- Topographic survey on Bianchi to capture development improvements (completed)
- Legal descriptions for property negotiations (completed)
- Utility letters and coordination (in progress, to be submitted to City for review by the middle of April)
- 95% PS&E revisions (in progress, to be delivered by the end of April)
- Right of entry and construction easement exhibits (Drafts complete, finals in progress)
- Building Permits: Grading and Demolition plan for building removal (95% PS&E packet to be submitted for first review in May, final approval is pending completion of easement agreement with Todd property)
- Final 100% contract documents (pending review of 95% PS&E and approval of building permit)

**TO: Zone 9 Advisory Committee**

**FROM: Freddy Otte, Biologist, City of San Luis Obispo**

**DATE: April 12, 2023**

**SUBJECT: Creek Maintenance Updates**

We have been very active this winter since December 12<sup>th</sup> when the first 2 large cypress trees fell into the creek immediately upstream of the Elks Lane Bridge. During the January 9<sup>th</sup> storm event, a third one fell in and mobilized downstream under the bridge and landed ultimately behind DMV. February storms and winds took the eucalyptus trees on the Elks Lodge side and 2 more cypress trees from the other side down and we had to deal with them before the Feb 24<sup>th</sup> storm event to ensure they did not mobilize and get hung up on the Elks Lane Bridge. The City is looking at flood control and erosion prevention projects along the Elks Lodge Property on San Luis Obispo Creek. This project is identified in the current Waterway Management Plan (WMP). The vertical eroding creek bank along San Luis Drive is currently being repaired since there was a large chunk of the bank that fell in the March storm. We had to install temporary rip rap at the toe of the slope while designs began in earnest to fix the creek bank and prevent future failure. This project is also identified in the current WMP. With flooding occurring at the Marsh Street Bridge, the City removed 11 trees immediately upstream of the bridge after the January 9<sup>th</sup> event to allow for greater capacity as the storms kept coming through. The gravel bar with the trees removed are a component of the Mid-Higuera Bypass Project set for construction in 2024 but needed to be removed on an emergency basis and the City had retained Rincon Environmental consultants to assist with the permitting of this and many of the other emergency projects the City is undertaking. With silt removal completed at the Prefumo Arm in September 2022, the amount of accumulated sediment in the arm this year is incredible. We are looking at surveying this section of Prefumo Creek and will be looking at a creek re-alignment project to help flush sediment through this reach and improve the drainage from Oceanaire which backed up due to the stormdrain outfalls being up to 2-feet below grade. This site is maintained every year. A large debris removal project was completed along the section of SLO Creek from Prado to LOVR and the City will be looking at a strategic restoration plan and potentially other activities to make improvements around the LOVR area.

**TO: Zone 9 Advisory Committee**

**FROM: Jon Hall, Land Conservancy**

**DATE: April 12, 2023**

**SUBJECT: Arundo Removal Updates**

We have received our Lake and Streambed Alteration Agreement for Arundo removal at the Los Osos Valley Road SLO Creek intersection. That is one of the last remaining large stands of Arundo in SLO Creek and will be a major focus of our control efforts this fall.