


TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: OCTOBER 20, 2022

**AGENDA ITEM
E-2
OCTOBER 26, 2022**

**AUTHORIZE CONTRACT AMENDMENT FOR ENGINEERING
SERVICES FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION
PROJECT WITH CANNON CORPORATION**

ITEM

Authorize Contract Amendment for engineering services for Blacklake Sewer System Consolidation Project in the amount of \$159,938 with Cannon Corporation [RECOMMEND AUTHORIZE CONTRACT AMENDMENT].

BACKGROUND

The Nipomo Community Services District ("District") worked with the Blacklake community to create an assessment district to fund the proposed Blacklake Sewer System Consolidation Project ("Project"). The Project involves the construction of a sanitary sewer lift station and force main to convey raw wastewater from the Blacklake Sewer Service Area to the Town Sewer Service Area for treatment at the District's Southland Wastewater Treatment Facility and decommissioning of the existing Blacklake Water Reclamation Facility.

At the time the assessment district was approved, the District had only conducted conceptual level planning and design work for the Project. A necessary step to implement the Project is to design the Project so that it can be bid for construction. At the August 26, 2020 Board meeting, the Board authorized staff to execute a contract with Cannon Corporation to provide the engineering services required to construct the Project.

Cannon has been working on the design of the Project over the course of the last two years and several additional tasks and project challenges have occurred resulting in the need for a contract amendment in order for the design to be finalized and the Project to be constructed:

- Additional project management due to a 15-month design schedule extension and additional coordination regarding California Red-Legged Frog (CRLF) mitigation requirements.
- Additional analysis and design resulting from flow monitoring to verify Blacklake Community sewage flows, lift station layout alternatives analysis, two separate bid packages vs. single contract, and an atypical pump station design (pumps in series configuration) due to lengthy force main and high head conditions.
- Additional bid assistance due to two separate contracts rather than one combined package (changed to allow specialized contractor to prime most of the work – pipeline vs. lift station – and to simplify permitting of the force main).

- Engineering Services During Construction – additional bid assistance due to two separate contracts rather than one combined package.

FISCAL IMPACT

The total Project budget is \$10,300,000. The Project budget includes \$850,000 for design. Funding is provided from Nipomo Community Services District Assessment District No. 2020-1 (Blacklake Sewer Consolidation) bond proceeds. A summary of design costs is as follows:

Original Cannon design services contract	\$594,612
Proposed Contract Amendment #1	\$159,938
Revised Contract Cost to Date	\$754,550

STRATEGIC PLAN

Goal 2. FACILITIES THAT ARE RELIABLE, ENVIRONMENTALLY SENSIBLE AND EFFICIENT.

Plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations.

A.2 Develop a pathway to complete needed upgrades and replacements for the Blacklake wastewater treatment plant.

B.1 NCSD shall maintain long-range infrastructure management, upgrade and replacement planning.

Goal 4. FINANCE.

Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs.

B.1 Evaluate, plan for and maintain finances that are adequate for all needs, stable, and reliable over the long-term.

B.5 Maintain adequate rates to fund future capital replacements

RECOMMENDATION

Staff recommends that the Board authorize staff to execute a contract amendment in the amount of \$159,938 with Cannon Corporation for engineering services for the Blacklake Sewer System Consolidation Project.

ATTACHMENTS

- A. Cannon Project Scope and Budget dated October 17, 2022

OCTOBER 26, 2022

ITEM E-2

ATTACHMENT A



October 17, 2022

Mr. Peter Sevcik, PE
Director of Engineering and Operations
Nipomo Community Services District
148 South Wilson Street
Nipomo, CA 93444

**PROJECT: BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT
REQUEST FOR CONTRACT AMENDMENT No. 1**

Dear Mr. Sevcik:

Over the course of the past two years of design development and engineering, there have been several additional tasks and project challenges that have occurred resulting in the need for this request for an amendment to our contract. These additional items are summarized and described below and further defined in monthly progress reports and meeting minutes over the course of the project. Each item below is categorized into the same Work Breakdown Structure (WBS) submitted with our original proposal.

- Task 1 – Project Management - additional project management due to a 15-month design schedule extension and additional coordination regarding California Red-Legged Frog mitigation requirements.
- Task 3 – Final Design - additional analysis and design resulting from additional flow monitoring to verify Blacklake Community sewage flows, additional lift station layout alternatives analysis, two separate bid packages vs. single contract, and an atypical pump station design (pumps in series configuration) due to lengthy force main and high head conditions.
- Task 4 – Bid Assistance – additional bid assistance due to two separate contracts rather than one combined package (changed to allow specialized contractor to prime most of the work – pipeline vs. lift station – and to simplify permitting of the force main).
- Task 5 – Engineering Services During Construction – additional bid assistance due to two separate contracts rather than one combined package.

Our proposed work plan is to incorporate the District's comments to the 95% Design and submit the Final Design Package (Plans, Specifications and Opinion of Probable Construction Cost) for the **Force Main** on or before September 23, 2022, for bidding purposes. Shortly thereafter, we will submit a 90% **Lift Station** Design Package for District review and comment. Upon receipt of District comments to the 90% Lift Station Package, we will incorporate comments and proceed to Final Design with an expected completion in March 2023.


The total additional fees required for design and engineering are summarized in the attached fee schedule. Should you have any immediate questions, please feel free to contact me to further discuss project details.

Sincerely,

A handwritten signature in blue ink, appearing to read "Larry P. Kraemer".

Larry P. Kraemer, P.E.
Director of Public Infrastructure Division
RCE #44813

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TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: OCTOBER 20, 2022

**AGENDA ITEM
E-3
OCTOBER 26, 2022**

**AUTHORIZE CONTRACT AMENDMENT #2
FOR CEQA COMPLIANCE SERVICES FOR
BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT
WITH SWCA ENVIRONMENTAL CONSULTANTS**

ITEM

Authorize Contract Amendment #2 for California Environmental Quality Act Compliance Services for Blacklake Sewer System Consolidation Project with SWCA Environmental Consultants in the amount of \$18,396 [RECOMMEND AUTHORIZE CONTRACT AMENDMENT #2].

BACKGROUND

The Nipomo Community Services District ("District") worked with the Blacklake community to create an assessment district to fund the proposed Blacklake Sewer System Consolidation Project ("Project"). The Project involves the construction of a sanitary sewer lift station and force main to convey raw wastewater from the Blacklake Sewer Service Area to the Town Sewer Service Area for treatment at the District's Southland Wastewater Treatment Facility and decommissioning of the existing Blacklake Water Reclamation Facility.

A necessary step to implement the Project is to complete an environmental review for the Project in compliance with the California Environmental Quality Act (CEQA). At the December 9, 2020 Board meeting, the Board authorized staff to execute a contract with SWCA to provide CEQA compliance services for the Project, including a Phase 1 Environmental Study Assessment related to hazardous material use/storage.

During the environmental evaluation of the Blacklake Sewer System Consolidation Project, SWCA discovered that there is a potential habitat for California red-legged frog (CRLF) in the wastewater discharge pond located offsite and adjacent to the District's Blacklake Water Reclamation Facility, on property owned by the Blacklake Golf Course. CRLF is federally listed under the Endangered Species Act as a threatened species throughout its range in California. As a result, SWCA recommended that the District obtain an Incidental Take Permit (ITP) for CRLF under Section 10 of the Federal Endangered Species Act (FESA) for the Project. At the November 10, 2021 Board meeting, the Board authorized Contract Amendment #1 for SWCA to initiate the permitting process with the U.S. Fish and Wildlife Service (USFWS).

SWCA assisted the District with consultation meetings with the USFWS to discuss viable mitigation options, developed CRLF mitigation strategies, and completed the Initial Study/Mitigated Negative Declaration (IS/MND) and draft HCP, based on the results of these consultations. SWCA submitted a draft version of the HCP to the USFWS for their review on September 29, 2022.

The scope of work for contract amendment #2 involves the completion of the HCP and Section 10 ITP through the USFWS process and completion of the MND, so that the District can begin construction of the project.

FISCAL IMPACT

The estimated Project cost is \$10,300,000. The Project budget includes \$116,240 for CEQA and permitting. Funding is provided from Nipomo Community Services District Assessment District No. 2020-1 (Blacklake Sewer Consolidation) bond proceeds. A summary of CEQA and permitting costs is as follows:

Original SWCA CEQA services contract	\$32,351
Contract Amendment #1	\$21,594
Proposed Contract Amendment #2	\$18,396
Revised Contract Cost to Date	\$72,341

STRATEGIC PLAN

Goal 2. FACILITIES THAT ARE RELIABLE, ENVIRONMENTALLY SENSIBLE AND EFFICIENT.

Plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations.

A.2 Develop a pathway to complete needed upgrades and replacements for the Blacklake wastewater treatment plant.

B.1 NCS D shall maintain long-range infrastructure management, upgrade and replacement planning.

Goal 4. FINANCE.

Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs.

B.1 Evaluate, plan for and maintain finances that are adequate for all needs, stable, and reliable over the long-term.

B.5 Maintain adequate rates to fund future capital replacements

RECOMMENDATION

Staff recommends that the Board authorize staff to execute Contract Amendment #2 in the amount of \$18,396 with SWCA Environmental Consultants for CEQA compliance services for the Blacklake Sewer System Consolidation Project.

ATTACHMENTS

A. SWCA Project Scope and Budget dated October 18, 2022

OCTOBER 26, 2022

ITEM E-3

ATTACHMENT A



ENVIRONMENTAL CONSULTANTS

Sound Science. Creative Solutions.®

1422 Monterey Street, B-C200
San Luis Obispo, California 93401
Tel 805.543.7095 Fax 805.543.2367
www.swca.com

October 18, 2022

Peter Sevcik, P.E.
Director of Engineering and Operations
Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444-0326
Submitted via email: psevcik@ncsd.ca.gov

Re: Blacklake Sewer System Consolidation Project – Change Order Request No. 2 for Completion of the Habitat Conservation Plan and Mitigated Negative Declaration

Dear Mr. Sevcik:

SWCA Environmental Consultants (SWCA) appreciates the opportunity to provide you with Change Order (CO) Request No. 2 for the Blacklake Sewer System Consolidation Project. The change order request includes a scope of work and cost estimate for finalization of the Habitat Conservation Plan (HCP) prepared to support consultation with the USFWS and application for an Incidental Take Permit (ITP) under Section 10 of the Federal Endangered Species Act (FESA) for California red-legged frog (CRLF) and finalization of the Mitigated Negative Declaration prepared for the project pursuant to the California Environmental Quality Act (CEQA).

The cost to complete these tasks, as described in the attached scope of work, is a time and materials, not-to-exceed total of **\$18,396**.

Thank you for providing us with the opportunity to work with you. Please contact me at (805) 539-2870 or ecreel@swca.com if you have any questions regarding this proposal.

Sincerely,

A handwritten signature in blue ink, appearing to read "Emily Creel".

Emily Creel
Principal Planning Team Lead

SCOPE OF WORK

SWCA is currently assisting the Nipomo Community Services District (District) with evaluation of the proposed Blacklake Sewer System Consolidation Project, which proposes to decommission existing wastewater treatment facilities and basins at the District's Blacklake Water Reclamation Facility and to re-convey wastewater flows from within the Blacklake Sewer System to the District's Southland Wastewater Treatment Facility. During the evaluation of the Blacklake Sewer System Consolidation Project, it was discovered that there is potential habitat for California red-legged frog (CRLF) in the wastewater discharge ponds located offsite and adjacent to the District's Blacklake Water Reclamation Facility, on property owned by the Blacklake Golf Course.

Through authorization of Change Order No. 1, SWCA staff facilitated consultation efforts with the U.S. Fish and Wildlife Service (USFWS) under Section 10 of the Federal Endangered Species Act (FESA) to obtain incidental take coverage for CRLF and completed an initial pre-application draft Habitat Conservation Plan (HCP) with placeholders for specific items that warrant additional discussion and stakeholder consultation, such as mechanisms for funding assurances and whether preservation of the freshwater pond located on the adjacent Blacklake Golf Course property would be feasible or not.

SWCA has assisted the District with additional consultation meetings with the USFWS to discuss viable mitigation options further and the development of CRLF mitigation strategies, and has completed the Initial Study/Mitigated Negative Declaration (IS/MND) and draft HCP based on the results of this additional consultation. SWCA submitted an application draft version of the HCP to the USFWS for their review on September 29, 2022. Upon receipt of comments from the USFWS, SWCA will revise and finalize the HCP and assist the District with securing an Incidental Take Permit from the USFWS for certain identified project activities. SWCA will also assist the District with finalization of the IS/MND prepared for the project.

TASK 1. COMPLETION OF HABITAT CONSERVATION PLAN

Application Draft HCP

SWCA will incorporate the feedback from the District and USFWS on the draft HCP to prepare a complete draft HCP approved by the USFWS for official application submittal through the ePermits website. SWCA will be available to meet with agency staff to discuss the document and answer questions. SWCA will work with the District and the USFWS to address the agency's comments and craft mutually agreeable revisions to the HCP. SWCA anticipates that as many as two interim revisions of the draft HCP may be necessary to achieve preliminary consensus between the District and the USFWS on the content of the document. With consensus on the content of the document, SWCA will assemble the complete application package and deliver the package to the USFWS for formal processing.

Final HCP

Despite the extensive coordination with the agencies during the draft phases of the HCP, SWCA anticipates that USFWS or the public may have additional comments on the application draft HCP. SWCA will be available to address any comments on the draft HCP that may arise during formal review by the USFWS and the 45-day public review. At this point in the process, we anticipate that additional substantive revisions to the application draft HCP will not be necessary. Based on any agency or public responses, SWCA will prepare a final HCP for final review and processing by the District and the USFWS. At this time, we will assist the District with completing the ITP application and will submit the application with the final HCP document.

USFWS charges a \$100.00 application fee for ITP applications. SWCA assumes that the District will pay the application fee directly to the USFWS.

TASK 2: COMPLETION OF MITIGATED NEGATIVE DECLARATION

Following consensus on the mitigation approach in the draft HCP, SWCA incorporated the general mitigation requirements into the Draft Initial Study/Mitigated Negative Declaration (IS/MND) and provided a tracked changes and clean version to District staff for review. The IS/MND was circulated for public review on September 2, 2022. The only public or agency comments received on the draft IS/MND were from the San Luis Obispo County Air Pollution Control District (APCD).

SWCA will prepare written responses in response to the APCD’s comments for the administrative record and to inform decision makers. SWCA will also make any necessary clarifications in the IS/MND as a result of the comments received. SWCA will provide a response to comments matrix, an administrative final IS/MND, and an administrative final MMRP for the District’s review. Upon receipt of District comments, SWCA will finalize the MND and MMRP for District approval.

SCHEDULE


SWCA is prepared to initiate this scope of work immediately after receiving notice to proceed from the District. SWCA anticipates that completion of the Section 10 process could take approximately 6 months to complete. This timeframe is just an estimate; we are willing to commit to the overall project schedule developed by the District to the greatest extent feasible.

COST ESTIMATE

Based on thoughtful consideration of the project requirements, and a thorough estimate of the attendant labor and direct costs, SWCA’s estimate for completion of the scope of work described above is a cost not-to-exceed (NTE) **\$18,396**. This total is based on the following subtotals, by task. SWCA will not proceed with any work in excess of the NTE budget without prior authorization to proceed.

Table 1. Cost Estimate – Change Order Request No. 2.

TASK	TOTAL \$
Task 1. Completion of Habitat Conservation Plan	\$15,588
Task 2. Completion of Mitigated Negative Declaration	\$2,808
TOTAL	\$18,396

TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: OCTOBER 20, 2022

**AGENDA ITEM
E-4
OCTOBER 26, 2022**

**AUTHORIZE STAFF TO BID BLACKLAKE SEWER SYSTEM
CONSOLIDATION PROJECT FORCE MAIN**

ITEM

Authorize staff to advertise Blacklake Sewer System Consolidation Project Force Main for bid [RECOMMEND AUTHORIZE STAFF TO BID BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT FORCE MAIN].

BACKGROUND

The Nipomo Community Services District ("District") worked with the Blacklake community to create an assessment district to fund the proposed Blacklake Sewer System Consolidation Project ("Project"). The Project involves the construction of a sanitary sewer lift station and force main to convey raw wastewater from the Blacklake Sewer Service Area to the Town Sewer Service Area for treatment at the District's Southland Wastewater Treatment Facility, and the decommissioning of the existing Blacklake Water Reclamation Facility.

During the California Environmental Quality Act (CEQA) evaluation of the Project, SWCA, the District's environmental consultant, discovered that there is a potential habitat for California red-legged frog (CRLF) in the wastewater discharge pond located offsite and adjacent to the District's Blacklake Water Reclamation Facility, on property owned by the Blacklake Golf Course. CRLF is federally listed under the Endangered Species Act as a threatened species throughout its range in California. As a result, SWCA recommended that the District obtain an Incidental Take Permit (ITP) for CRLF under Section 10 of the Federal Endangered Species Act (FESA) for the Project. The need to obtain the Section 10 ITP was initially expected to delay construction completion of the overall Project for 12 to 16 months.

In order to mitigate some of the delay in constructing the Project, staff split the Project into two construction projects – force main and lift station. The plan is for the construction of the force main to proceed as soon as the Initial Study/Mitigated Negative Declaration (IS/MND) is finalized and to begin lift station construction once the Section 10 ITP is obtained. The change will also allow specialized contractors to be prime on most of the work – pipeline versus lift station.

The force main portion of the Project work involves, but is not limited to, the construction of approximately 19,400 lineal feet of force main and 1600 lineal feet of gravity sewer line, as well as associated appurtenances. The design documents required to bid the Force Main Project are currently being finalized.

At the July 13, 2022 Board meeting, the Board adopted Resolution 2022-1635 that established a contractor pre-qualification policy for the force main portion of the Project. Pre-Qualification of

contractors will help ensure that the Project is constructed by reputable, experienced, and qualified contractors.

While staff is still reviewing the pre-qualification packages, staff expects that six general contractors and one horizontal directional drilling subcontractor will be pre-qualified to submit bids for the force main portion of the Project. The final procurement step, in accordance with the District's Purchasing Policy, is Board approval to solicit bids for the project.

FISCAL IMPACT

The total Project budget is \$10,300,000. The Engineer's Estimate for the force main portion of the Project is \$4.2 million. Funding is provided from Nipomo Community Services District Assessment District No. 2020-1 (Blacklake Sewer Consolidation) bond proceeds.

STRATEGIC PLAN

Goal 2. FACILITIES THAT ARE RELIABLE, ENVIRONMENTALLY SENSIBLE AND EFFICIENT.

Plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations.

A.2 Develop a pathway to complete needed upgrades and replacements for the Blacklake wastewater treatment plant.

B.1 NCSD shall maintain long-range infrastructure management, upgrade and replacement planning.

Goal 4. FINANCE.

Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs.

B.1 Evaluate, plan for and maintain finances that are adequate for all needs, stable, and reliable over the long-term.

B.5 Maintain adequate rates to fund future capital replacements

RECOMMENDATION

Staff recommends that the Board, by motion and roll call vote, authorize staff to solicit bids for the Blacklake Sewer System Consolidation Project Force Main.

ATTACHMENTS

None

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER

**AGENDA ITEM
E-5
OCTOBER 26, 2022**

DATE: OCTOBER 20, 2022

**CONSIDER PARTICIPATION IN SAN LUIS OBISPO COUNTY
DESALINATION PLANNING EFFORT**

ITEM

Consider adopting a resolution that expresses the Nipomo Community Services District's ("District") interest in being included in the County of San Luis Obispo's Desalination Executable Solution and Logistics plan and to be evaluated as a potential future partner in a regional desalination project. [RECOMMEND ADOPT RESOLUTION]

BACKGROUND

On October 18, 2022, the San Luis Obispo County Board of Supervisors ("County") authorized a resolution that directed their staff to develop the Desalination Executable Solution and Logistics Plan ("DESAL") in coordination with other participating water purveying agencies and stakeholders. Additionally, the resolution authorizes the County Director of Public Works to pursue grants to offset project costs and return to the Board of Supervisors for grant award approval.

The District received a letter from the County dated June 22, 2022, regarding their plan to pursue and develop a process to evaluate and ultimately determine if a regional desalination project is feasible. In the letter, the County states that they are looking for county-wide water agency partners to contribute their time as needed to develop the DESAL plan and to be included in the evaluation process. The County is not looking for funding of the plan's development at this time, but simply to know which water agencies are interested in being included in the evaluation process.

The aforementioned letter from the County also provides draft language for a resolution to be adopted by interested water agencies. There is a staff report from the DESAL Working Group and a timeline included in the letter that identifies the initial efforts path forward.

FISCAL IMPACT

The fiscal impact is limited to District staff time spent on participating in unspecified planning session with the County's DESAL planning group. No financial obligations or commitments are being sought at this time.

STRATEGIC PLAN

Goal 1. WATER SUPPLIES. Actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future.

B.2 Engage with other local and regional organizations to develop solutions to long-term water supply challenges such as providing emergency backup supplies, and ensuring long-term water supply reliability, etc.

Goal 4. FINANCE. Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs.

RECOMMENDATION

The ongoing efforts to find, evaluate, and secure water for the community of Nipomo now and in the future is one of the District's primary purposes. It is recommended that your Board of Directors consider the attached resolution and, if appropriate, adopt the resolution expressing the District's position on the matter of the County's DESAL plan.

ATTACHMENTS

- A. Resolution 2022-16XX, Approve Participation in DESAL Plan
- B. County of San Luis Obispo June 22, 2022 Letter
- C. October 18, 2022 County Agenda Item 19. Authorize Staff to Develop DESAL Plan

OCTOBER 26, 2022

ITEM E-5

ATTACHMENT A

RESOLUTION NO. 2022-XXXX

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING PARTICIPATION IN THE COUNTY OF SAN LUIS OBISPO
DESALINATION EXECUTABLE SOLUTION AND LOGISTICS PLAN**

WHEREAS, the future reliability of existing water supplies and infrastructure that depend on rainfall, such as groundwater and surface water reservoirs and streams, is uncertain due to changing hydrologic patterns, land use, environmental regulations, population growth and aging infrastructure; and

WHEREAS, adequate water for the people, economy and environment in Nipomo Community Services District ("District") and other San Luis Obispo County ("County") community is needed in perpetuity; and

WHEREAS, conflicts surrounding use of the limited existing water supplies are increasing, including limitations on groundwater use and transfers, limitations on surface water diversion and State policies that lead to water system consolidation mandates; and

WHEREAS, water use efficiency practices, low impact development, stormwater capture and recycled water have been implemented to help extend the limited water supplies but are not enough to overcome long term shortages or be relied upon to sustainably meet future additional needs and maintain a reasonable quality of life; and

WHEREAS, despite conservation efforts by the District and the County, which have reduced per capita consumption from 231 gallons per day to 146 gallons per day over the last 25 years, due to our County's isolated location and dependence on rainfall, the region remains highly vulnerable to water shortages; and

WHEREAS, water management entities are better positioned to develop and utilize water supply projects that will reduce dependence on groundwater and surface water and can thereby relieve competition with individual well owners and the environment for those water supplies; and

WHEREAS, due to proximity to the ocean, and future water supply quantity, quality and reliability needs, the 2019 San Luis Obispo County Integrated Regional Water Management Plan and 2012 Countywide Master Water Report identify desalination as a water resource management strategy to pursue; and

WHEREAS, while desalination can provide a local, reliable, and sustainable water supply for decades to come, desalination projects take a long time to plan for, permit and construct; and

WHEREAS, the San Luis Obispo County Flood Control and Water Conservation District intends to develop the DESAL Plan over the next several years via a public process that, when complete, will ultimately contain balanced recommendations related to responsibly advancing the implementation of a regional desalination project that will benefit the people, economy and environment in San Luis Obispo County.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the Nipomo Community Services District, San Luis Obispo County, California, as follows:

1. The Nipomo Community Services District wishes to be included in the development of the DESAL Plan and to be evaluated as a potential partner in such a regional desalination project in the future in order to inform our decision makers and constituents.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING PARTICIPATION IN THE COUNTY OF SAN LUIS OBISPO
DESALINATION EXECUTABLE SOLUTION AND LOGISTICS PLAN

2. The General Manager, or designee, of the Nipomo Community Services District is hereby authorized and directed to participate in the development of the DESAL Plan, and to bring forward related recommendations.

On the motion of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:

the foregoing resolution is hereby adopted this ____ day of _____ 2022.

ED EBY
President of the Board

ATTEST:

APPROVED AS TO FORM:

MARIO IGLESIAS
Secretary to the Board

CRAIG A. STEELE
District Legal Counsel

OCTOBER 26, 2022

ITEM E-5

ATTACHMENT B



COUNTY OF SAN LUIS OBISPO
Department of Public Works
John Diodati, Director

RECEIVED
JUN 24 2022
NIPOMO COMMUNITY
SERVICES DISTRICT

June 22, 2022

Mr. Mario Iglesias, General Manager
Nipomo Community Services District
148 South Wilson Street
Nipomo, CA 93444-0326

Subject: Upcoming request for Agency Resolution Approving Participation in the Development of a Desalination Executable Solution and Logistics (DESAL) Plan

Dear Mr. Iglesias:

On November 16, 2021, the County of San Luis Obispo (County) Board of Supervisors (Board) identified water resilience, including desalination specifically, as a top priority. Pursuant to this, in fall 2022, it is anticipated that the Board will consider directing staff to return with an approach and scope for moving forward on a path to a regional desalination project, starting with the development of a DESAL Plan.

A desalination project in the County could potentially benefit various agencies under current or future conditions, both directly and indirectly, by leveraging existing regional supply and infrastructure. Therefore, the DESAL Plan will be most robust if all agencies are willing to join for this exploratory effort to see what kind of value there may be for their agency. While the approach for developing a DESAL Plan will not require a cost share from agencies willing to be evaluated in it, it will require a formal planning participation commitment; supporting attachments, including a draft Resolution Approving Participation in the DESAL Plan, are enclosed for your agency's reference. This letter is to introduce the proposed approach and give agencies advance notice that our staff will likely request this, or a similar, resolution from your agency, in late 2022, if you wish to be considered in the DESAL Plan.

Ideally, at a minimum, the agencies that comprise the Countywide Water Action Team (CWAT), will adopt resolutions agreeing to participate in the DESAL Plan. The CWAT last met on May 24, 2022, to discuss this proposed approach and advised our staff to proceed and provide this letter to initiate participating agency internal efforts accordingly. Please see enclosed CWAT meeting material for more information and contact Angela Ford at (805) 781-5139 with any questions or comments.

Sincerely,

JOHN DIODATI
Director of Public Works

Enclosure: May 24, 2022 CWAT Meeting Material with Attachments

L:\Water Resources\2022\June\CWAT\CWAT_itr.docx.AF.sc

County of San Luis Obispo Department of Public Works

County Govt Center, Room 206 | San Luis Obispo, CA 93408 | (P) 805-781-5252 | (F) 805-781-1229

pwd@co.slo.ca.us | slocounty.ca.gov

To: Countywide Water Action Team (CWAT)
From: Desal Working Group
Date: May 24, 2022
Subject: Request to obtain governing body support to participate in the development of a DESAL Plan

Recommendation

Support moving forward on the proposed approach to developing a regional desalination project, including demonstrating commitment to participate in the Desalination Executable Solution and Logistics (DESAL) Plan phase by taking a resolution to your governing body, and provide feedback on what is needed for communicating about this with your organization.

Discussion

In October 2021, the CWAT reviewed the Desal Working Group's recommended approach to developing a regional desalination project. Feedback included concern that agencies would not be willing to participate if they were asked to share in the cost at an early planning stage. Therefore, the updated approach does not include a cost share for developing the DESAL Plan. However, the approach does still require a formal planning participation commitment and an updated draft Resolution of Participation in the DESAL Plan phase is attached (Attachment 1).

DESAL Plan Phase Approach

A wide range of conceptual alternatives (i.e., locations, partners/beneficiaries, sizes, etc.) will be included and evaluated in the DESAL Plan to inform decision makers, stakeholders and the public, and to document the ways a project could feasibly be implemented to meet a variety of needs and provide a variety of benefits. More information on why desalination is important for all to consider is included in Attachment 2.

Before moving forward with the overall approach, we will first request approval from the SLO County Flood Control and Water Conservation District (District) to proceed. To be evaluated in the DESAL Plan phase as to whether your agency might be a potential partner in the future, participants must have a resolution approved by their governing body or authorized representative. The District's Board staff report and the final version of the attached Resolution would be provided to agencies for their use when deciding whether to participate.

Once the willing participants have approved Resolutions agreeing to be evaluated in the DESAL Plan, District staff will take them, along with the approach and scope, to the District Board seeking direction to return with a consultant contract. Pending their approval, we will proceed with the consultant procurement process before returning to the Board one more time to approve the consultant contract for development of the DESAL Plan.

Desalination projects are controversial, and it will take significant time and effort to develop one. Transparency and trust among all stakeholders from the outset are critical. The District needs a clear commitment from agencies willing to be evaluated in the DESAL Plan prior to embarking on the effort. The attached draft Resolution is proposed as the key first step that local agencies, their elected officials and potential partners can use to signal intent to participate meaningfully in the evaluation of alternatives for, and selection of, a preferred regional desalination project.

Overall Approach

The Resolution includes key messages regarding the need for a regional desalination project, and Attachment 3 provides details on the path to get there. These details include a public process to:

1. develop a DESAL Plan that would vet concepts through an alternatives analysis, ranking and project selection process; and
2. establish project development agreement terms for the selected concept; and
3. develop the project to a point where it could be implemented.

In parallel with developing the DESAL Plan, the District will be updating the county-wide Master Water Report, which will complement this effort by identifying solutions that have already been implemented, and the water management strategies to meet remaining needs, including desalination.

We have learned a lot from the development of the State Water Project and the Nacimiento Water Project in our county and we will use those lessons learned to improve our approach to implementing a regional desalination project.

Attachments:

1. Draft Resolution
2. Desalination Considerations
3. Desalination Project example Timelines

Countywide Water Action Team (CWAT) Participants

Staff Representative	Entity
Aaron Floyd	SLO City
Mychal Boerman	SLO City
Bill Robeson	Arroyo Grande
Greg Ray	Grover Beach
Ben Fine	Pismo Beach
Will Clemens	Oceano CSD
John Neil	Atascadero MWC
Jeff Britz	Templeton CSD
Kirk Gonzalez	Paso Robles
Christopher Alakel	Paso Robles
Rob Livick	Morro Bay
Greg Kwolek	Morro Bay
Mario Iglesias	Nipomo CSD
Mark Zimmer	Golden State Water Co
Toby Moore	Golden State Water Co
Ron Munds	Los Osos CSD
Kelly Dodds	San Miguel CSD
Brad Hagemann	Avila Area Water Agencies

To: Countywide Water Action Team (CWAT)
From: Desal Working Group
Date: May 24, 2022
Subject: Request to obtain governing body support to participate in the development of a DESAL Plan

Recommendation

Support moving forward on the proposed approach to developing a regional desalination project, including demonstrating commitment to participate in the Desalination Executable Solution and Logistics (DESAL) Plan phase by taking a resolution to your governing body, and provide feedback on what is needed for communicating about this with your organization.

Discussion

In October 2021, the CWAT reviewed the Desal Working Group's recommended approach to developing a regional desalination project. Feedback included concern that agencies would not be willing to participate if they were asked to share in the cost at an early planning stage. Therefore, the updated approach does not include a cost share for developing the DESAL Plan. However, the approach does still require a formal planning participation commitment and an updated draft Resolution of Participation in the DESAL Plan phase is attached (Attachment 1).

DESAL Plan Phase Approach

A wide range of conceptual alternatives (i.e., locations, partners/beneficiaries, sizes, etc.) will be included and evaluated in the DESAL Plan to inform decision makers, stakeholders and the public, and to document the ways a project could feasibly be implemented to meet a variety of needs and provide a variety of benefits. More information on why desalination is important for all to consider is included in Attachment 2.

Before moving forward with the overall approach, we will first request approval from the SLO County Flood Control and Water Conservation District (District) to proceed. To be evaluated in the DESAL Plan phase as to whether your agency might be a potential partner in the future, participants must have a resolution approved by their governing body or authorized representative. The District's Board staff report and the final version of the attached Resolution would be provided to agencies for their use when deciding whether to participate.

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Desalination projects are controversial, and it will take significant time and effort to develop one. Transparency and trust among all stakeholders from the outset are critical. The District needs a clear commitment from agencies willing to be evaluated in the DESAL Plan prior to embarking on the effort. The attached draft Resolution is proposed as the key first step that local agencies, their elected officials and potential partners can use to signal intent to participate meaningfully in the evaluation of alternatives for, and selection of, a preferred regional desalination project.

• *Overall Approach*

The Resolution includes key messages regarding the need for a regional desalination project, and Attachment 3 provides details on the path to get there. These details include a public process to:

1. develop a DESAL Plan that would vet concepts through an alternatives analysis, ranking and project selection process; and
2. establish project development agreement terms for the selected concept; and
3. develop the project to a point where it could be implemented.

In parallel with developing the DESAL Plan, the District will be updating the county-wide Master Water Report, which will complement this effort by identifying solutions that have already been implemented, and the water management strategies to meet remaining needs, including desalination.

We have learned a lot from the development of the State Water Project and the Nacimiento Water Project in our county and we will use those lessons learned to improve our approach to implementing a regional desalination project.

Attachments:

1. Draft Resolution
2. Desalination Considerations
3. Desalination Project example Timelines

[INSERT HEADING]

_____ day _____, 20____

PRESENT:

ABSENT:

RESOLUTION NO. _____

**RESOLUTION APPROVING PARTICIPATION IN THE
DESALINATION EXECUTABLE SOLUTION AND LOGISTICS (DESAL) PLAN**

The following Resolution is hereby offered and read:

WHEREAS, the future reliability of existing water supplies and infrastructure that depend on rainfall, such as groundwater and surface water reservoirs and streams, is uncertain due to changing hydrologic patterns, land use, environmental regulations, population growth and aging infrastructure; and

WHEREAS, adequate water for the people, economy and environment in San Luis Obispo County is needed in perpetuity; and

WHEREAS, conflicts surrounding use of the limited existing water supplies are increasing, including limitations on groundwater use and transfers, limitations on surface water diversion and State policies that lead to water system consolidation mandates; and

WHEREAS, water use efficiency practices, low impact development, stormwater capture and recycled water have been implemented to help extend the limited water supplies but are not enough to overcome long term shortages or be relied upon to sustainably meet future additional needs and maintain a reasonable quality of life; and

WHEREAS, despite conservation efforts which have reduced per capita consumption from 231 gallons per day to 146 gallons per day over the last 25 years¹, due to our county's isolated location and dependence on rainfall, the region remains highly vulnerable to water shortages; and

WHEREAS, water management entities are better positioned to develop and utilize water supply projects that will reduce dependence on groundwater and surface water and can thereby relieve competition with individual well owners and the environment for those water supplies; and

WHEREAS, due to proximity to the ocean, and future water supply quantity, quality and reliability

¹ <https://www.ppic.org/publication/water-use-in-california/>

Attachment 1: Template Resolution Draft

needs, the 2019 San Luis Obispo County Integrated Regional Water Management Plan and 2012 Countywide Master Water Report identify desalination as a water resource management strategy to pursue; and

WHEREAS, while desalination can provide a local, reliable, and sustainable water supply for decades to come, desalination projects take a long time to plan for, permit and construct; and

WHEREAS, the San Luis Obispo County Flood Control and Water Conservation District intends to develop the DESAL Plan over the next several years via a public process that, when complete, will ultimately contain balanced recommendations related to responsibly advancing the implementation of a regional desalination project that will benefit the people, economy and environment in San Luis Obispo County.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the [INSERT NAME OF GOVERNING BODY] of [INSERT AGENCY/ORGANIZATION NAME HERE], that:

1. The [INSERT AGENCY/ORGANIZATION NAME HERE] wishes to be included in the development of the DESAL Plan and to be evaluated as a potential partner in such a regional desalination project in the future in order to inform our decision makers and constituents.
2. The [INSERT POSITION], or designee, of the [INSERT AGENCY/ORGANIZATION NAME HERE] is hereby authorized and directed to participate in the development of the DESAL Plan, and to bring forward related recommendations.

[INSERT OFFICIAL RESOLUTION LANGUAGE PER YOUR AGENCY/ORGANIZATION STANDARDS]

Attachment 2.1: Desal Considerations – Why Desal?

As described in the Governor’s March 28, 2022, Executive Order (N-7-22), California is in a state of emergency due to extreme and expanding drought conditions. California is in the third year of a drought and has been setting records for both heat and dryness over the past year. Research has shown that the past two decades rank as the driest 22-year period in 1,200 years, surpassing the severity of megadroughts that were previously considered worst-case scenarios¹. With rising temperatures, erratic rain patterns, and the fact that almost all water supply sources are impacted by climate (e.g., surface water supplies, imported supplies, groundwater basins), existing supplies throughout the County have and will decrease accordingly.

While supply availability declines, potential future scenarios indicate an increase in water stress and demand due to changing hydrologic behavior and projected regulations (e.g., enforcement of groundwater/surface water interaction regulations, increasing environmental flow requirements, decreasing availability and reliability of existing water supplies, enforcement of housing mandates, increased water quality requirements, etc.).

Lack of water has severe impacts on communities, the environment, the economy, agriculture, etc. and desal is the only climate-independent, almost inexhaustible water resource.

¹ <https://www.mercurynews.com/2022/02/14/current-drought-is-worst-in-1200-years-in-california-and-the-american-west-new-study-shows/>; <https://www.nature.com/articles/s41558-022-01290-z.epdf>

Attachment 2.2: Desal Location Opportunities

The San Luis Obispo County Desalination Opportunities Summary Report², developed in 2015 at the direction of the Board of Supervisors during the previous drought (2012 – 2016), identified opportunities and challenges of desalination as a water supply for San Luis Obispo County. The Report described the following potential opportunities for locating a desalination project in San Luis Obispo County and would be a starting point for vetting which are most feasible:

- i. Expansion of the Morro Bay Desalination Facility
- ii. Expansion of the Cambria Emergency Water Supply (EWS) Project
- iii. Expansion of the Diablo Canyon Power Plant (DCPP) desalination facility
- iv. Co-location at the South SLO County Wastewater Treatment Plant
- v. Co-location at the Nipomo Mesa Refinery
- vi. Co-location at the Morro Bay Power Plant
- vii. New facility at the Estero Marine Terminal

² <https://agenda.slocounty.ca.gov/IIIP/sanluisobispo/file/getfile/49174>

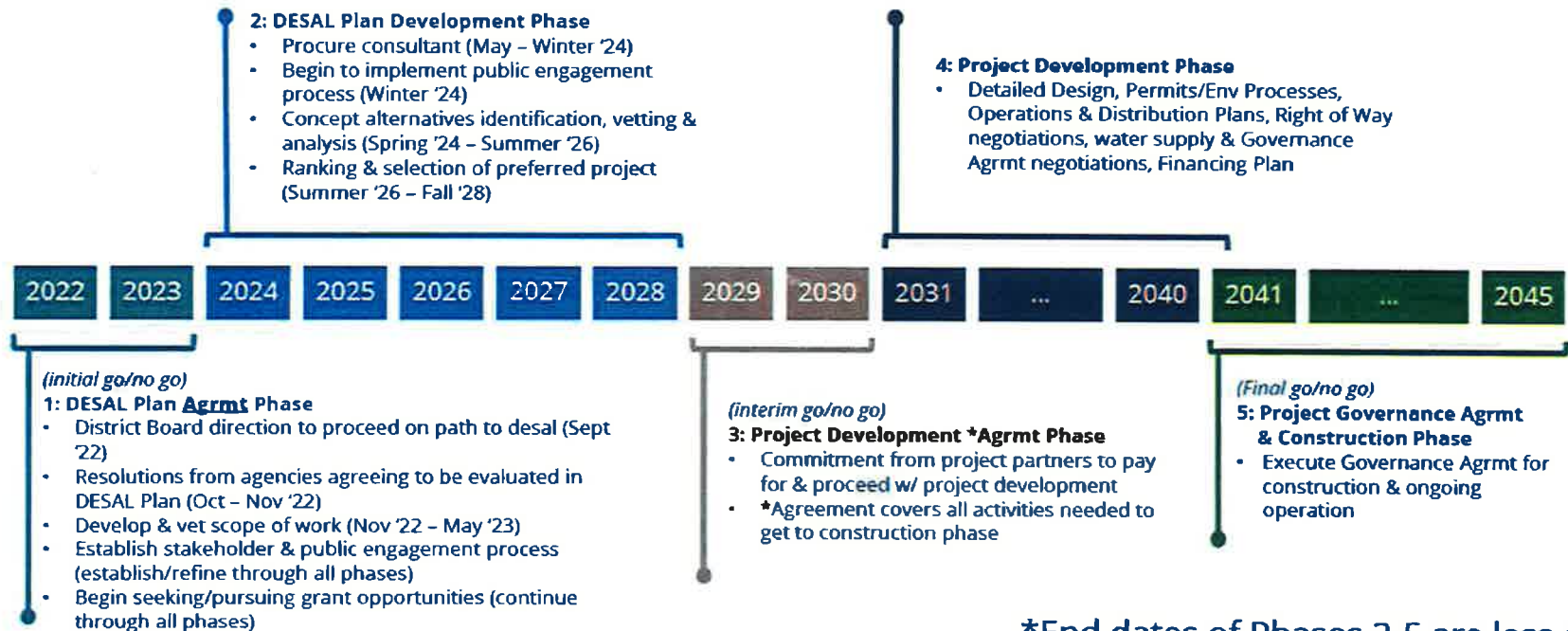
Attachment 2.3: Desal Partnership Opportunities

A desalination project in San Luis Obispo County could potentially benefit various agencies, both directly and indirectly, by leveraging existing regional supply and infrastructure. For example, in the future, if more water is needed in the North County to help the Paso Basin GSAs address the groundwater/surface water sustainability indicators or other issues, and the City of San Luis Obispo needs a source of supply that is not rainfall dependent, there could be a mutually beneficial opportunity for an exchange of Salinas and/or Nacimiento allocations for help with a desalination project. Similarly, if more water is needed in the South County due to decreased yield from the Arroyo Grande Creek watershed, and Santa Barbara County or other State Water contractors are needing additional State Water reliability, there could be a mutually beneficial opportunity for an exchange of State Water allocation for help with a desalination project.

These are just a couple of the many potential alternatives that could be explored; however, it should be noted that concepts will be limited to the agencies that are willing to be considered in the DESAL Plan development. Therefore, the DESAL Plan will be most robust if all agencies are willing to join for this exploratory effort to see what kind of value there may be for their agency.

Attachment 3.1: DESAL Plan Timeline (Phases 1-5)

Desalination Executable Solution And Logistics Plan DESAL Plan*



*End dates of Phases 2-5 are less certain



Attachment 2.4: Desalination Challenges

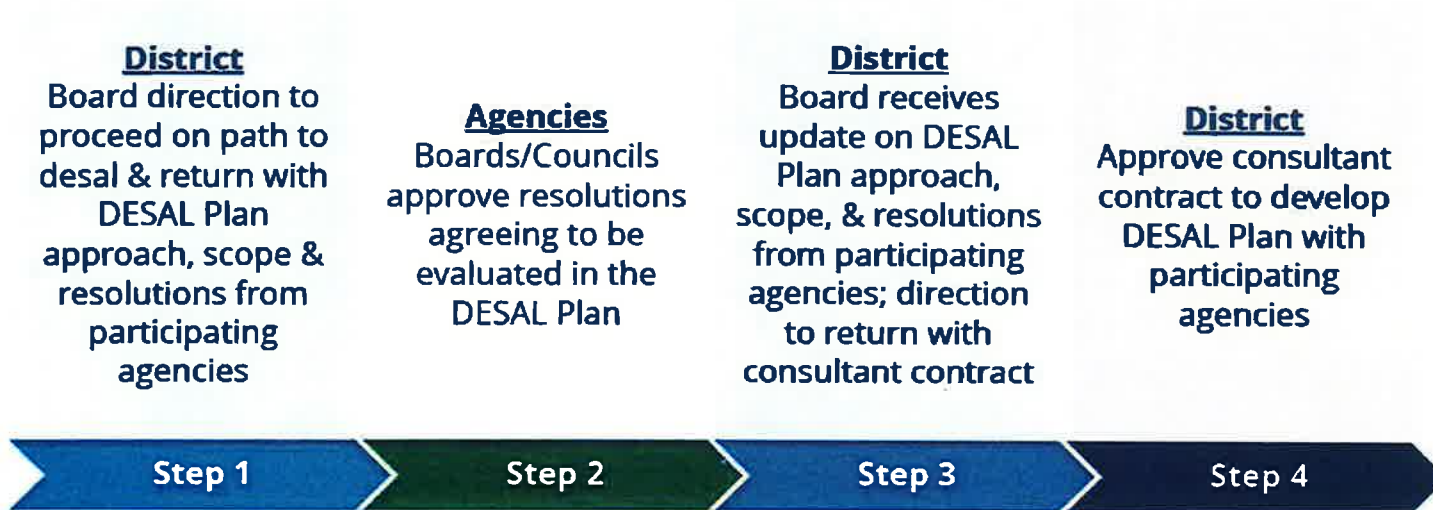
The San Luis Obispo County Desalination Opportunities Summary Report, and various case studies, also identify major implementation issues associated with desalination, including but not limited to: permitting and regulatory framework; energy use and sources; climate change; funding; intakes and ocean and freshwater ecosystems; concentrate (brine) management; subsurface extraction; planning and growth; political and social appetite.

Though these challenges are significant, many are not unique to desalination; the pros and cons of a desal project will be weighed against other options in a thorough cost/benefit analysis. That said, while other options (e.g., water use efficiency/conservation practices, low impact development, stormwater capture and recycled water) have been, and will continue to be, implemented to help extend the limited available water supplies, they are not enough to reliably overcome long and/or short-term shortages. Therefore, it is envisioned that desalination would be just one of many tools used to help meet water needs in San Luis Obispo County into the future.

Elsewhere in California, and throughout the world, desalination plants are operating to help improve resilience and serve the needs of various stakeholders, including beneficial use for drinking water, agriculture, and the environment. Lessons learned from failed and successful desalination projects can be leveraged in local efforts. For example, the application for the Poseidon - Huntington Beach Desalination Project was denied by the California Coastal Commission on May 12, 2022, for many reasons, including issues related to adverse effects associated with water quality, marine life, sea level rise, etc. Knowing these issues, and seeing how Poseidon Water navigates these challenges, will help refine an approach for local desalination since many of the issues may also be applicable to the County.

Attachment 3.2: DESAL Plan Timeline (Phase 1)

Desalination Executable Solution And Logistics Plan **DESAL Plan**



*4-Step process for
Phase 1: DESAL Plan Agreement Phase*



OCTOBER 26, 2022

ITEM E-5

ATTACHMENT C



**COUNTY OF SAN LUIS OBISPO
BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 10/18/2022	(3) CONTACT/PHONE Angela Ford, Supervising Water Resources Engineer (805)781-5139	
(4) SUBJECT Submittal of a resolution authorizing staff to proceed with developing the Desalination Executable Solution and Logistics Plan in coordination with other participating water-purveying agencies and stakeholders and authorizing the Director of Public Works, or designee, to pursue grants to offset project costs and return to the Board of Supervisors for grant award approval. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board, acting as the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District (District) to adopt the attached resolution authorizing staff to proceed with developing the Desalination Executable Solution and Logistics (DESAL) Plan in coordination with other participating water-purveying agencies and stakeholders and authorizing the Director of Public Works, or designee, to pursue grants to offset project costs and return to the Board of Supervisors for grant award approval.			
(6) FUNDING SOURCE(S) SLO County Flood Control and Water Conservation District	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input checked="" type="checkbox"/> Board Business (Time Est. 30 min)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date 11/16/22, #35; 8/25/15, #16	
(17) ADMINISTRATIVE OFFICE REVIEW Zachary A. Lute			
(18) SUPERVISOR DISTRICT(S) All Districts			

Reference: 22.125



COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Public Works
Angela Ford, Supervising Water Resources Engineer

VIA: Courtney Howard, Water Resources Division Manager
Kate Ballantyne, Deputy Director of Public Works

DATE: 10/18/2022

SUBJECT: Submittal of a resolution authorizing staff to proceed with developing the Desalination Executable Solution and Logistics Plan in coordination with other participating water-purveying agencies and stakeholders and authorizing the Director of Public Works, or designee, to pursue grants to offset project costs and return to the Board of Supervisors for grant award approval. All Districts.

RECOMMENDATION

It is recommended that the Board, acting as the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District (District) to adopt the attached resolution authorizing staff to proceed with developing the Desalination Executable Solution and Logistics (DESAL) Plan in coordination with other participating water-purveying agencies and stakeholders and authorizing the Director of Public Works, or designee, to pursue grants to offset project costs and return to the Board of Supervisors for grant award approval.

DISCUSSION

Water is critical to the health and well-being of the people, economy, and environment and the District has an important role in ensuring our county's water supplies are adequate and able to respond to, and accommodate, change while continuing to meet the many various needs. In the county, existing conditions and future projections indicate that water security is decreasing as demands increase and available supplies and their reliability decrease. Over the past decade, the Board has expressed interest in desalination as a water supply opportunity and, on November 16, 2021, as the statewide drought continues, the Board identified water resilience and desalination as a top priority.

Water Supplies, Demand and Outlook

On March 16, 2021, the Board received a presentation on the various water supply efforts in the county, including conservation, stormwater capture, Nacimiento Water Project optimization, Lopez Water Project spillway raise and optimization, Salinas Dam transfer and spillway raise, State Water Project and Water Management Tools, recycled water, produced water from oil extraction operations, cloudseeding, and regional resiliency. While many of these efforts are in the planning and/or implementation phases and will help extend the county's water supply, they are not enough to overcome long-term shortages or be relied upon to sustainably meet future needs. Competition for existing water supplies (particularly those that depend on precipitation) in the county, and across the state, is anticipated to increase with new regulations related to groundwater/surface water interactions and minimum sustainability thresholds, water quality, environmental flow, and housing directives. Relying on water sourced from precipitation from a different region is challenging due to the county's relative geographic isolation, energy and right of way requirements, and the fluctuating supply availability year to year. A new, drought proof, local water supply will be necessary to sustain the county long-term.

Desalination is the longest-term and most resilient strategy since it leverages a renewable, almost inexhaustible resource that would not be diminished by insufficient rainfall or water conservation efforts. Desalination is a drought proof solution for current and projected water supply imbalances caused by strained alternative supplies, increased demand and could be scalable such that its capacity could be expanded as future needs increase.

DESAL Plan

Recognizing that a desalination project will take time to plan for, permit, and construct, it is recommended that the Board authorize staff to begin planning now. County staff has coordinated with the Countywide Water Action Team (CWAT), an informal working group of staff from entities across the county with water supply planning responsibilities, to develop a five-phase approach to developing a DESAL Plan and project. All phases, including an anticipated schedule for Phase 1, are described in the following table:

Phase 1: DESAL Plan Agreement Phase
<ul style="list-style-type: none">• District Board direction to proceed on path to desalination (Today's recommended action)• Get resolutions from agencies agreeing to be evaluated in DESAL Plan (Fall '22)• Develop and vet scope of work with participating agencies (Winter '22/Spring '23)• Establish stakeholder and public engagement process (implement through all phases)• Seek/pursue grant opportunities (continue through all phases)• Review scope of work/engagement process with the Board/direction to proceed (Summer '23)
Phase 2: DESAL Plan Development Phase
<ul style="list-style-type: none">• District procure consultant• Implement public engagement process• Identify project concept alternatives, vet, and analyze• Rank and select preferred project
Phase 3: Project Development Agreement Phase
<ul style="list-style-type: none">• Commitment from project partners to pay for and proceed with project development and all efforts necessary to get to construction phase
Phase 4: Project Development Phase
<ul style="list-style-type: none">• Detailed project design, permits and environmental processes, operations and distribution plans, right of way negotiations, water supply and Governance Agreement negotiations, Financing plan
Phase 5: Project Governance Agreement and Construction Phase
<ul style="list-style-type: none">• Execute Governance agreement for construction and ongoing maintenance

Stakeholder engagement

Stakeholder outreach and early engagement are critical to the success of a desalination project for many reasons. One reason is that it takes time to build a broad coalition and public buy-in, both of which are necessary to obtain future permits. This was exhibited recently when Poseidon, in Huntington Beach, had a regional desalination project denied by the California Coastal Commission, in part, because there was not sufficient evidence of local community need/acceptance. Another reason for early engagement is to ensure comprehensive understanding of existing infrastructure deficiencies and opportunities from the outset, informing the widest range of conceptual alternatives for consideration.

To address this need, on June 7, 2022, the Board approved working with stakeholders to update the Countywide Master Water Report. This effort will compliment desalination project planning efforts by providing up-to-date information on supply/demand imbalances and information on short-term water supply strategies such as conservation, recycled water, and groundwater management. It is important to first optimize the use of existing water supplies and there are other separate efforts currently underway to explore and develop those options. However, since they may only be sustainable short-term, it is important to pursue a long-term solution for water supply, such as desalination.

The key stakeholders in a desalination project are water-purveying agencies because they are tasked with supplying water to customers and potentially investing in such a project. The regional infrastructure and/or regional supply associated with these agencies may also be needed both directly and indirectly to make a project feasible. It follows that the DESAL plan, and any resulting project, will be most robust if there is wide interest and involvement from the local water-purveying agencies and their communities. Therefore, a first step is asking those water-purveying agencies to adopt resolutions agreeing to be evaluated and participate in development of the DESAL Plan. Staff would then work with designated staff from those agencies to draft a publicly vetted scope of work for developing the DESAL Plan and approach for involving the full spectrum of stakeholders, from regulatory agencies to the general public.

OTHER AGENCY INVOLVEMENT/IMPACT

Throughout development of the DESAL Plan, local stakeholder engagement and public involvement is anticipated to be facilitated by public meetings of the Water Resources Advisory Committee, where regular updates and opportunities for input will be provided.

In addition to local stakeholders, the outreach/coordination/permitting requirements and the practical realities of developing a successful DESAL Plan will require involvement with many other entities across the state. Other likely entities include, but aren't limited to, the State Water Resources Control Board (SWRCB), California Coastal Commission (CCC), California Department of Fish and Wildlife, Central Coast Regional Water Quality Control Board, and National Marine Fisheries Service.

Additionally, it should be noted that on August 11, 2022, Governor Newsom released a publication called California's Water Supply Strategy that discusses how the "...State will help streamline and expedite permitting to provide clarity and to further desalination projects. By June 2023, the SWRCB, CCC, the Department of Water Resources, and other state entities (State Land Commission) will develop criteria for siting of desalination facilities along the coast and recommend new standards to facilitate approval." ¹

¹ <https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Water-Resilience/CA-Water-Supply-Strategy.pdf>

FINANCIAL CONSIDERATIONS

For FY 2022-23 one of the Board's priorities listed Water Resiliency of which included desalination as a water resource management strategy to pursue. Efforts for preliminary desalination planning were included in the District's FY 2022-23 budget. Staff will return to the Board at a future date with a proposed scope of work for a consultant and the estimated costs associated with DESAL Plan development, including consultant costs, Board/Committee processes, outreach and engagement, to request authorization to proceed with consultant procurement.

Grants will be pursued to offset project costs throughout DESAL Plan development and implementation.

RESULTS

Approval of the resolution will authorize staff to proceed with developing the DESAL Plan in coordination with other participating entities, direct staff to begin stakeholder engagement, and authorize the Director of Public Works, or designee, to pursue grants to offset project costs and return to the Board for grant award approval.

ATTACHMENTS

- 1 Resolution Authorizing Staff to Proceed with Developing the Desalination Executable Solution and Logistics (Desal) Plan in Coordination with Other Participating Agencies and Stakeholders and Authorizing the Director of Public Works, or Designee, to Pursue Grants to Offset Project Costs and Return to the Board of Supervisors for Grant award Approval
- 2 PowerPoint Presentation

File: 890.30.01

Reference: 22.125

L:\Water Resources\2022\October\DESAL Plan\22.125 brd ltr.docx.AF.sd

TO: BOARD OF DIRECTORS
 FROM: MARIO IGLESIAS
 GENERAL MANAGER
 DATE: OCTOBER 21, 2022

**AGENDA ITEM
 F
 OCTOBER 26, 2022**

GENERAL MANAGER'S REPORT

ITEM

Standing report to your Honorable Board -- *Period covered by this report is October 9, 2022 through October 22, 2022.*

DISTRICT BUSINESS

Administrative

The District encourages residents to provide reports of any observed water waste. The District also keeps an accounting of leak adjustments as a measure of non-revenue water lost to leaks, as well as tracking late fee waivers. The table below provides September and Calendar Year-to-date data for these items.

OFFICE ACTIVITIES

	Sept 22	Jan 22 - Sept 22
Reports of Water Waste	0	1
Leak Adjustments	1	16
Leak Adjustment Amount	\$558	\$6,092
Late Fee Waivers	2	24
Late Fee Waiver Adjustment Amount	\$48	\$806

Water Resources

Table 1. Total Production Acre Feet (AF)

	Sept - 22	Jul 22 - Sept 22
Groundwater Production	71.0	259.9
Supplemental Water Imported	<u>103.9</u>	<u>312.7</u>
Total Production	174.9	572.6

NCSD GW Reduction

Table 2. NCSD GW Production (NCSD GW Well Production plus Purveyor Credit)

	Sept -22	Jul 21 – Sept 22
NCSD GW Well Production	71.0	259.9
Purveyor Customer Credit (33.3% of Import Water)	<u>34.6</u>	<u>104.2</u>
NCSD Total Calculated GW Production	105.6	364.1
Average GW Production for 2009-2013	<u>264.7</u>	<u>840.6</u>
NCSD Percentage of GW Reduction	60%	57%

2022 Fiscal Year Groundwater Pumping Forecast

Table 3 projects the District's groundwater pumping reduction for the 2022-23 Fiscal Year. Under the current Stage 4 of the NMMA Water Shortage Response Stages, the District's targeted groundwater pumping reduction goal is to pump no more than 1,266 AFY (50% of 2009-2013 average District GW Pumping). The three months of 2022 actual production for the fiscal year are combined with historic production from October 2021 through June 2021 to provide a projected estimate year end status.

Table 3. Projected Groundwater Pumping

	Sep-21	Year-to-Date	Target	Over/(Under)	AcFt
		Jul-Jun 2023			
NCSO GW Well Production	71.0	836.1			
Purveyor Customer Credit (33.3% of Import Water)	34.6	373.6			
NCSO Total Calculated GW Production	105.6	1,209.7	1,266.7	57	
Average GW Production for 2009-2013	264.7	2,533.4	2,533.4		
NCSO Percentage of GW Reduction	60%	52.2%	50.0%		

Table 4 compares groundwater pumping for the same periods in 2022 and 2021.

Table 4. FY 2022 vs. FY 2021 Groundwater Pumping

	Sep-22	Jul 22 - Sept 22	Sep-21	Jul 21 - Sept 21
	NCSO GW Well Production	71.0	259.9	89.7
Purveyor Customer Credit (33.3% of Import Water)	34.6	104.2	31.4	97.2
NCSO Total Calculated GW Production	105.6	364.1	121.0	399.2
Average GW Production for 2009-2013	264.7	840.6	264.7	840.6
NCSO Percentage of GW Reduction	60%	57%	54%	53%

Rainfall Gauge

(Reported in inches)	Nipomo East (Dana Hills Reservoirs)	Nipomo South (Southland Plant)
September 2022 Total	0.94	1.36
July-2022 through Sept-2022 (Season Total)	2.17	1.36
Oct 1, through Oct 21, 2022	0.00	0.00
Total Rainfall to date	2.17	1.36
County Reported Avg. Ann. Year Rainfall ¹	18.00	14.00
2006 - 2020 Avg. Ann. Year Rainfall ¹	15.39	13.30
2006 - 2020 Median Ann. Rainfall ¹	12.64	11.30

Note:

1. Data from County website

Connection Report

WATER	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22
Water Connections - Total	4500	4500	4500	4501	4501	4501	4501	4505	4505			
New Water Connections	4	0	0	1	0	0	0	4	0			
SEWER CONNECTIONS												
Sewer Town connections	2730	2730	2730	2731	2731	2731	2731	2735	2735			
Galaxy and PSSH at Orchard and Division Sewer connections billed to the County	481	481	481	481	482	482	482	482	482			
Subtotal	3211	3211	3211	3212	3213	3213	3213	3217	3217	0	0	0
BLACKLAKE	559	559	559	559	559	559	559	559	559			
Sewer Connections - Total	3770	3770	3770	3771	3772	3772	3772	3776	3776	0	0	0
New Sewer Connections Town and Blacklake	4	0	0	1	0	0	1	3	0			
New Sewer Connections Galaxy	0	0	0	0	1	0	0	0	0			

The Connection Report as of October 21, 2022

Safety Program

No Reportable Safety Issues

All-Staff Quarterly Safety Meeting Scheduled for December 16, 2022

Supplemental Water Capacity Accounting

Summary Since January 25, 2008

	Number of Equivalent Meters	AFY
Supplemental Water Available for Allocation	947	500.0
Supplemental Water Reserved (Will Serve Letter Issued)	138	-72.9
Subtotal Net Supplemental Water Available for Allocation	809	427.1
Supplemental Water Assigned (Intent-to-Serve Issued)	164.6	-86.9
Total Remaining Supplemental Water Available for Allocation	644	340.3

Updated October 21, 2022

Other Items

- COVID19 NCSD Response Plan Update [Attachment A]
- Dana Reserve – Schedule [Attachment B]
- SLO County Board of Supervisor Meeting Agenda, Oct. 18, 2022 [Attachment C]

Meetings (September 12 through September 23)

Meetings Attended (telephonically or in person):

- Oct 10, Staff Mtg. - Admin Supervisor Mtg.
- Oct 10, Public Service Presentation - RAMS
- Oct 11, Eng/Admin Coordination Mtg.
- Oct 11, RWG Board Prep Meeting
- Oct 11, SLO County CEO Meeting
- Oct 11, RWG Planning Meeting
- Oct 12, Rotary
- Oct 12, NCSD Regular Board Meeting

- Oct 12, After-Board Exec. Team Meeting
- Oct 13, Street Cleanup Member Meeting; Site Review
- Oct 14, Staff Mtg. - Cust. Service Specialist
- Oct 14, NCSD Board Officer Meeting
- Oct 14, City of Santa Maria – Utility Manager’s Meeting
- Oct 17, Staff Mtg. - Admin Supervisor Mtg.
- Oct 17, NCSD Management Team Meeting
- Oct 17, NMMA-TG Manager’s Meeting
- Oct 18, SLO County Board of Supervisors Meeting
- Oct 19, Rotary
- Oct 21, Staff Mtg. - Cust. Service Specialist

Meetings Scheduled (September 25 through October 1):

Upcoming Meetings (telephonically or in person):

- Oct 24, Staff Mtg. - Admin Supervisor Mtg.
- Oct 25, County Planning – Pre-app Meeting
- Oct 25, Eng/Admin Coordination Mtg.
- Oct 26, Rotary
- Oct 26, NCSD Regular Board Meeting
- Oct 26, After-Board Exec. Team Meeting
- Oct 27, Executive Team – Code Book Review
- Oct 28, Staff Mtg. - Cust. Service Specialist
- Oct 28, NCSD Board Officer Meeting

Upcoming Water Resource and Other Meetings

Upcoming Standing Meetings:

- NMMA-TG: November 1st (Tuesday) @ 10:00 AM, Zoom Meeting
- RWMG: No Meeting Scheduled for November
- WRAC: No Meeting Scheduled for November
- NMMA Manager’s Meeting: November 14th (Monday) @ 9:00 AM, Zoom Meeting
- NCSD Board Officer Meeting: October 28th (Friday) @ 10:00 am, NCSD Conf. Rm.

RECOMMENDATION

Staff seeks direction and input from your Board

ATTACHMENTS

- A. COVID19 - NCSD Response Plan (Updated)
- B. Dana Reserve Schedule (Updated)
- C. SLO County Board of Supervisor Meeting Agenda, Oct. 18, 2022

OCTOBER 26, 2022

ITEM F

ATTACHMENT A

Date: October 26, 2022 Board Meeting
Response Activities to COVID19 Health Emergency
Prepared by: Mario Iglesias, General Manager

DISTRICT RESPONSE TO COVID-19, Updated October 21, 2022

New Actions

Governor Gavin Newsom announced that the COVID-19 State of Emergency will end on February 28, 2023. It is anticipated that San Luis Obispo County will follow suite shortly thereafter, and that would provide a setting for the Nipomo Community Services District to end its Emergency Declaration issued in Resolution 2020-1550.

Personnel on Quarantine (No Change from September 28 Report)

Office Personnel: 0
Operational Personnel: 0
Vaccine Update: No Change

Ongoing Actions

1. Testing available for Employees to test (Voluntary)
2. Following SLO Co. Masking guidelines (Voluntary)
3. Following Cal/OSHA guidelines

Previous Actions

1. For the Month of September, District Staff Tested 44 times (all negative results)
2. Mask Mandate Requirement Update – As of September 1, 2021, masks must be worn indoors at public facilities.
3. COVID19 Rapid Test Kits secured from SLO County at no cost to provide weekly work-place testing.
4. NCSO Board Passes Resolution Declaring Emergency in District [Res. 2020-1550, Mar. 24, 2020]
5. Admin Office Closed to the Public
 - a. Meetings are virtual – Conference Calls
6. Discontinued: Split staff into two teams
 - a. See schedule on Response Plan
7. Received directions for FEMA Public Assistance – Cost Tracking Guidance
8. Governor's Executive Order – No Water Turn-offs
 - a. District instituted this policy as well as a No Late Fee – No Penalty Fees
9. Wipe-down between shifts
10. Each operator in separate designated vehicle.
11. Received additional PPE. Administration Staff will be on normal schedule 8-4:30 starting Monday May 18th
12. Operations Staff are on normal 7:00 am to 3:30 pm work schedule as of Monday, May 4th. County opened up construction sites.
13. Expanded Customer Service Work to include site visits for investigations (high bills, meter issues) week of May 11
14. Trailers for quarantine have been returned – May 1
15. District to begin wastewater sampling in conjunction with County effort to determine presence of COVID19 in communities – May 11
16. Temporary Admin Support Workers brought back to Office (Provider incentivized due to PPP Funds) – June 1

Date: October 26, 2022 Board Meeting
Response Activities to COVID19 Health Emergency
Prepared by: Mario Iglesias, General Manager

17. Lobby Modifications: Glass is equipped with speaker plates to allow the communication between customer and clerk without opening the sliding window.
18. Board Meetings open to the public.
19. County Offices Continued Closed with Appointments provided to some departments as needed.
20. June 18, 2020, Governor Order issued requiring face masks be worn in public places. District management purchased disposable face masks for staff, Board Members, and any public that attends District Board Meetings and lack a face mask.
21. The customer counter window modifications at the office are completed.
22. Capital Improvement Projects continue to be impacted and schedules for completion continue to be pushed back due to material delivery delays.
23. Administrative Office open to public – April 19, 2021
24. Mask Mandate in SLO County (reinstated on September 1st) will be lifted when:
 - a. The county reaches the yellow, “moderate” level of COVID-19 community transmission, as defined by the Centers for Disease Control and Prevention (CDC), and stay there for at least 10 days, and
 - b. Public Health Officer Dr. Penny Borenstein determines that COVID-19 hospitalizations are low and stable and area hospitals are able to meet the needs of patients.
25. County Health provided COVID19 Rapid Test that will get us through January 2022. NCSO requesting additional tests for February and March. The District has sufficient tests to sustain routine testing practices through January 2022.
26. February 16, 2022, Indoor Mask Mandate Lifted in San Luis Obispo County for vaccinated individuals.

Mask Mandate Status:

- Effective March 1, 2022, the requirement that unvaccinated individuals mask in indoor public settings will move to a strong recommendation that all persons, regardless of vaccine status, continue indoor masking.
- Universal masking shall remain required in specified high-risk settings.
- After March 11, 2022, the universal masking requirement for K-12 and Childcare settings will terminate. CDPH strongly recommends that individuals in these settings continue to mask in indoor settings when the universal masking requirement lifts.

September 23, 2023: Masks in California are required when:

Taking effect Friday (September 23, 2022) is the end of state-ordered mandatory masking in jails and prisons, homeless shelters, and emergency and cooling centers located in counties with a low COVID-19 community level, as defined by the U.S. Centers for Disease Control and Prevention.

OCTOBER 26, 2022

ITEM F

ATTACHMENT B

DANA RESERVE REVIEW SCHEDULE (AS OF 10/21/2022)

Date	Description	Comment
April 24, 2022	NCS D Review "Utility" Section of EIR	
June 16, 2022	Release of EIR	Extended from May 16, 2022
July 14, 2022	SLO County Planning Comm. Study Session	Zoom Meeting
July 21, 2022	LAFCO Study Session	County Lead Agency (9:00 am)
Aug. 1, 2022 ¹	Close Public Comment - DEIR	Was June 20, 2022 (Mario on Vaca)
Sept. 2022	Consider Ad-hoc Comm. (Annexation Agr.)	Establish January 2023
Q-1 2023	County Board of Supervisors	Accept EIR
Q-1 2023	LAFCO Inquiry of NCS D (Service Provisions) ¹	
Q-2 2023	NCS D Board	Annexation Application
Q-2 2023	LAFCO Review	

The above schedule is suggested and drawn from conversations with staff from the County, LAFCO, and the Developer. This schedule is a rough outline and is subject to change over time.

Notes:

1. Developer shifted to an annexation process that focuses first on LAFCO application and second the District's application process. Under this format, LAFCO will be the agency that coordinates communication between the Developer and NCS D.

Developer mailed letter September 20, 2022 to residents in Nipomo directing their attention to District website and the three reports addressing utilities – focus on explaining water situation.

RWG submitted comments on the Dana Reserve Specific Plan DEIR, August 1, 2022, to the County of San Luis Obispo supervision planner, Jennifer Guetschow.

OCTOBER 26, 2022

ITEM F

ATTACHMENT C



BOARD OF SUPERVISORS AGENDA

John Peschong *Vice-Chairperson, District One*

Bruce Gibson *Chairperson, District Two*

Dawn Ortiz-Legg *District Three*

Lynn Compton *District Four*

Debbie Arnold *District Five*

Wade Horton County Administrator

AGENDA

Tuesday, October 18, 2022

County Government Center

Board of Supervisors Chambers

1055 Monterey Street | San Luis Obispo, CA 93408

Tuesday, October 18, 2022

CONSENT AGENDA

9:00 AM

REVIEW AND APPROVAL

PRESENTATIONS

PUBLIC COMMENT PERIOD

BOARD BUSINESS

NOON RECESS – ADJOURN TO THE MADONNA INN

FOR LUNCH WITH THE CATTLEMAN'S ASSOCIATION

AFTERNOON SESSION

2:00 PM

CLOSED SESSION

REPORT ON CLOSED SESSION

ADJOURNMENT

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: www.slocounty.ca.gov. Packets are also available at the County Government Center and may be viewed on-line at the Atascadero, Arroyo Grande, Paso Robles, Nipomo, Morro Bay, SLO City/County Libraries and the SLO Law Library.
- All persons desiring to speak on any Board item, including the Consent agenda, Closed Session or during the general public comment period are asked to fill out a "Board Appearance Request Form" and submit to the Clerk of the Board *prior* to the start of the Board item. Each individual speaker is limited to a MAXIMUM of three (3) minutes.
- Person(s) who wish to submit written correspondence to the Board of Supervisors regarding an agenda item may send it to Boardofsups@co.slo.ca.us. Please indicate in the subject line the agenda item number (e.g. Item No. 9) on which you are commenting. All correspondence is distributed to each Board of Supervisor and will become part of the official record of the board meeting.
- In compliance with the Americans with Disabilities Act (ADA), the meeting room is equipped to accommodate persons with visual, audio or mobility impairments. Person(s) requiring accommodation should notify the Clerk of the Board's Office 72 hours prior to the meeting at (805) 781-5011.
- Please refer to the information brochure located in the back and outside of the Board Chambers for additional information regarding accommodations under the Americans with Disabilities Act, supplemental correspondence, and general rules of procedure.

9:00 FLAG SALUTE

CONSENT AGENDA – REVIEW AND APPROVAL

The items listed on this portion of the agenda are scheduled for consideration as a group. The staff recommendations will be approved as outlined within the staff report. Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Items Set for Hearing:

- 1 Request to 1) introduce an ordinance extending the declaration of a shelter crisis by one year and extending the County's local standards and procedures for the design, site development, and operation of emergency homeless shelters at public facilities; and 2) authorize the use of Alternative Publication Procedures for the subject ordinance. Hearing set for November 1, 2022. All Districts.

Consent Agenda - Airports Items:

- 2 Request to authorize a budget adjustment in the amount of \$65,000 to purchase and equip two (2) replacement maintenance vehicles for use at the San Luis Obispo County Regional Airport and Oceano Airport, by 4/5 vote. All Districts.

Consent Agenda - Board of Supervisors Items:

- 3 Request to approve the reappointment of Blake Ponek as a regular member to the Assessment Appeals Board. All Districts.
- 4 Request to approve an agreement with South County Performing Arts Association dba Clark Center for the Performing Arts, Inc. allocating a total of \$2,500 from Districts Three and Four Community Project Funds - Fund Center #106 to be used for expenses associated with the Stone Soup Music Festival that was held on August 27th & 28th, 2022. Districts 3 & 4.

Consent Agenda - Central Services Items:

- 5 Request to 1) approve a lease with NKT Properties, LLC et al on behalf of the Department of Social Services, the new Homeless Services Division for approximately 5000 square feet of improved office space located in San Luis Obispo, CA, through October 31, 2027, in the amount of \$116,280, with options to extend through October 31, 2032; and 2) authorize a budget adjustment, in the amount of \$80,433 for the proposed lease space rent to FC 180, by 4/5 vote. District 3.

Consent Agenda - Library Items:

- 6 Request to waive the terms of the Contracting for Services Policy (CSP) and authorize the Purchasing Agent to approve an increase of \$200,000 to the Fiscal Year (FY) 2022-23 limit-blanket purchase order of \$78,000 for Midwest Tape PO #25013670, for a new amount not to exceed \$278,000, by 4/5 vote. All Districts.

Consent Agenda - Planning & Building Items:

- 7 Request to adopt the resolution approving and authorizing the submittal of the Permanent Local Housing Allocation (PLHA) Application on behalf of the City of Pismo Beach to the California Housing and Community Development (HCD) and delegate the Planning and Building Director or the Director of Social Services as the authorized representative to file the application and execute agreements and any future amendments pertaining to the grant and subrecipients of the grant. All Districts.

Consent Agenda - Probation Items:

- 8 Request to 1) approve an amendment to the Fixed Asset list for (FC) 139 – Probation to purchase and train one (1) Police Service Dog – Detection to implement the Canine Program that was approved in the FY 2022-23 budget and 2) authorize a corresponding budget adjustment in the amount of \$19,000 by 4/5 vote. All districts.

Consent Agenda - Public Works Items: Board Sitting as Flood Control District:

- 9 Submittal of a resolution to 1) approve and authorize the Chairperson to execute a water transfer agreement between the Central Coast Water Authority (CCWA) and the San Luis Obispo County Flood Control and Water Conservation District to transfer 1,000 acre-feet of State Water Project (SWP) water in response to emergency conditions; 2) authorize the Director of Public Works to execute the Department of Water Resources' water transfer letter agreement that permits the transfer to CCWA; and 3) adopt proposed guidelines for emergency SWP water allocations and 4) authorize the Director of Public Works to administer the emergency SWP water allocations and develop short-term SWP water transfers in response to local water supply emergencies. All Districts.
- 10 Request to 1) waive the request for proposal process and approve and sign a sole source renewal contract for professional services with North American Weather Consultants Inc., in an amount not to exceed \$342,625 per year for three years, through the 2022-25 winter seasons, for the Winter Cloud Seeding Program for the Lopez Lake Watershed; and 2) authorize the Director of Public Works, or designee, to approve and sign amendment(s) to the contract in an amount not to exceed a contingency of \$35,000 per year; and amendment(s) to extend the contract up to three additional years, through the 2028 winter season, in an amount approved by the Board in the annual budget process. Districts 3 and 4.

Consent Agenda - Sheriff - Coroner Items:

- 11 Request to 1) approve a budget adjustment of \$100,000 for FC 136-Sheriff-Coroner from the California Department of Health Care Services (DHCS) for expenditures related to the implementation of California Advancing and Innovating Medi-Cal (CalAIM) requirements within confinement facilities by a 4/5 vote; 2) authorize the Sheriff-Coroner to sign documents related to acceptance of these funds. All Districts.

Consent Agenda - Social Services Items:

- 12 Request to adopt a resolution authorizing: 1) submittal of a grant application to the U.S. Department of Housing and Urban Development (HUD) in the amount of

\$1,699,098 for the Continuum of Care Supplemental to Address Unsheltered and Rural Homelessness Grant Program Competition; and 2) the Director of the Department of Social Services, or designee, to execute agreements, and any necessary amendments thereto, needed to participate in or implement the grant if approved by HUD. All Districts.

- 13 Request to 1) approve the reallocation of California Emergency Solutions Grant – Coronavirus Round 2 (ESG-CV2) funding to the Housing Authority of San Luis Obispo for renovations to the Paso Homekey Emergency Shelter site in the amount of \$206,025 from amounts that were previously awarded by the Board to the Salvation Army (\$186,317) and Transitions Mental Health Association (\$19,708); 2) approve modification of the ESG-CV2 funding awarded to the El Camino Homeless Organization in the amount of \$48,766 from Rapid Rehousing to Emergency Shelter activities and \$7,569 from Rapid Rehousing to Street Outreach activities; 3) approve modifications of the ESG-CV Round 1 funding awarded to 5 Cities Homeless Coalition (5CHC) in the amount of \$49,369 from Homeless Prevention to Emergency Shelter activities and \$5,364 from Homeless Prevention to Rapid Rehousing activities; and 4) approve modification of the ESG-CV2 funding awarded to 5CHC in the amount of \$198,000 from Rapid Rehousing to Street Outreach activities and \$385,800 from Rapid Rehousing to Emergency Shelter activities. All Districts.

Consent Agenda - Veterans Services Items:

- 14 Request to approve an agreement with California Polytechnic State University allocating a total of \$20,000 from Veterans Services Outreach Trust Fund - Fund Center #186 to be used for expenses associated with the relocation and furnishing of the Center for Military Connected Students in 2022. District 1. District 5.

Presentations:

- 15 Submittal of a resolution proclaiming the week of October 23 through October 29, 2022, as "Childhood Lead Poisoning Prevention Week" in San Luis Obispo County. All Districts.
- 16 Resolution recognizing San Luis Obispo County Farm Bureau on the occasion of its 100th Anniversary. All Districts.

Public Comment Period:

- 17 The general public comment period is intended to provide an opportunity for members of the public to address the Board on matters within the Board's purview that are not scheduled on the current agenda. Individuals interested in speaking are asked to fill out a "Board Appearance Request Form" and submit to the Clerk of the Board prior to general public comment. When recognized by the Chair, each individual speaker may address the Board and is limited to a MAXIMUM of three (3) minutes or a reasonable period of time as determined by the Board Chairperson.

Board Business:

- 18 Request to receive and file an update on State Legislative activities by Paul Yoder and Karen Lange, of Shaw Yoder Antwih Schmelzer & Lange (SYASL). All Districts.

Board Business - Public Works - Board Sitting as Flood Control District

19

Submittal of a resolution authorizing staff to proceed with developing the Desalination Executable Solution and Logistics Plan in coordination with other participating water-purveying agencies and stakeholders and authorizing the Director of Public Works, or designee, to pursue grants to offset project costs and return to the Board of Supervisors for grant award approval. All Districts.

20

Submittal of a resolution authorizing San Luis Obispo County Flood Control and Water Conservation District to execute and implement an agreement with the California Department of Water Resources (DWR) for funding of Delta Conveyance Project preliminary planning and design costs for calendar years 2023 and 2024 in an amount not to exceed \$1,295,173. All Districts.

INTRODUCTION OF THE CATTLEMAN OF THE YEAR BY THE CATTLEMAN'S ASSOCIATION**ADJOURNMENT FOR LUNCHEON AT THE MADONNA INN**Closed Session Items:

21

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; and (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Two.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.); (3) SLO County Citizens for Good Government, Inc., Gomez, Maruska, Villa v. County of Luis Obispo Board of Supervisors, San Luis Obispo County Superior Court, Case No. 22CVP-0007.

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (4) SLO Prosecutors' Association (SLOPA); (5) SLO County Employees Association—Trades and Crafts (SLOCEA-T&C); (6) Deputy County Counsels' Association (DCCA); (7) Sheriffs' Management; (8) SLO County Probation Managers' Peace Officers' Association (SLOCPPOA); (9) Deputy Sheriff's Association (DSA); (10) District Attorney Investigators' Association (DAIA); (11) SLO County Probation Managers' Peace Officers' Association (SLOCPMPOA); (12) SLO County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (13) Unrepresented Management and Confidential Employees; (14) Sworn Deputy Sheriffs' Association (SDSA); and (15) United Domestic Workers of America (UDWA).

REPORT ON CLOSED SESSION

ND Report of Environmental Documents Available for Review (Courtesy Notice)

The San Luis Obispo County Department of Planning and Building compiles a report, referred to as a "Courtesy Notice", that summarizes the most recent determinations made by the County's Environmental Coordinator.

The purpose of this report is to notify the public of pending actions, which may affect the environment of San Luis Obispo County. You are invited to participate in this process by reviewing these reports and the documents referenced therein, and providing comments on the recommendations of the Environmental Coordinator.

Courtesy Notices and Environmental Documents can be accessed any of the following ways:

- <https://www.slocounty.ca.gov/CourtesyNotice.aspx>
- In person at the Department of Planning and Building (address below)
- By direct request at (805) 781-5600

Your comments/responses should be in writing and should be delivered to:

**Environmental Coordinator, Department of Planning and Building
976 Osos Street, Room 300
San Luis Obispo, CA
93408-2040**

For more information about the environmental review process, please visit:
<http://www.slocounty.ca.gov/EnvironmentalReview.aspx>