

# LOS OSOS GROUNDWATER BASIN, BASIN MANAGEMENT COMMITTEE

## NOTICE OF MEETING

**NOTICE IS HEREBY GIVEN** that the Los Osos Groundwater Basin, Basin Management Committee Board of Directors will hold a **Board Meeting** at **1:30 P.M.** on **Wednesday, March 16, 2016** at the South Bay Community Center, 2180 Palisades Ave, Los Osos, CA, 93402.

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

*NOTE: The Basin Management Committee reserves the right to limit each speaker to three (3) minutes per subject or topic. In compliance with the Americans with Disabilities Act, all possible accommodations will be made for individuals with disabilities so they may attend and participate in meetings.*

## BASIN MANAGEMENT COMMITTEE BOARD OF DIRECTORS AGENDA

**Wednesday, February 17, 2016**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **BOARD MEMBER COMMENTS.** Board members may make brief comments, provide project status updates, or communicate with other directors, staff, or the public regarding non-agenda topics.
5. **CONSENT AGENDA**

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 However, any Director may request that any item be withdrawn from the Consent Agenda and moved to the "Action Items" portion of the Agenda to permit discussion or to change the recommended course of action.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

- a. **Approval of Minutes from February 17, 2016 Meeting.**

## 6. **EXECUTIVE DIRECTOR'S REPORT**

## 7. **ACTION ITEMS**

- a. **Administrative Draft – Los Osos Creek Discharge**

Recommendation: Receive additional information assembled by staff concerning the feasibility of creek discharge, and provide direction to staff regarding next steps.

- b. **BMC Participation in the Integrated Regional Water Management (IRWM) Planning Process**

Recommendation: Receive information from staff, consider participation alternatives, and provide additional direction.

## **8. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA**

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

## **9. ADJOURNMENT**

**BASIN MANAGEMENT COMMITTEE BOARD OF DIRECTORS  
Item 5a - DRAFT Minutes of the Meeting of February 17, 2016**

AGENDA ITEM	DISCUSSION OR ACTION
<p><b>1. CALL TO ORDER</b></p> <p><b>2. PLEDGE OF ALLEGIANCE</b></p> <p><b>3. ROLL CALL</b></p>	<p>Marshall Ochylski, serving as the Chair, called the meeting to order at 1:30 p.m. and led the Pledge of Allegiance.</p> <p>Ray Dienzo, acting Clerk, called roll to begin the meeting. Director Bruce Gibson, Director Marshall Ochylski, Director Bill Garfinkel, and Director Mark Zimmer were present.</p>
<p><b>4. BOARD MEMBER COMMENTS</b></p>	<p>Director Zimmer provided an update on Golden State Water’s current two key projects. The water company is bringing ion exchange treatment to one of their plant site facilities. They have entered into a contract and the equipment is being manufactured off site; they are currently going through the permitting process.</p> <p>Director Garfinkel requested that, on the next agenda, the committee discuss forming a JPA in order to obtain the necessary legal status to apply for Proposition 1 and other state grants. Mr. Garfinkel also suggested signing the memorandum to join the Regional Water Management Committee.</p> <p>Chair Ochylski informed the Board that the Chromium levels were not exceeded in any of the water delivered to their customers. Mr. Ochylski also expressed concerns by the LOCSD board for the BMC budget approval and discussed the issues to be resolved, namely in kind services and legal consults.</p>
<p><b>5. CONSENT AGENDA</b></p> <p><b>5a. APPROVAL OF MINUTES FROM January 5, 2016 meeting</b></p>	<p><u>Public comment</u></p> <p>Keith Wimer expressed concern over the inaccurate representation of his comments on items not on the agenda regarding conservation; requested more detailed minutes to include BMC member comments and video recording of meetings.</p> <p>Lynette Tornatzky requested a correction in the spelling of Karen Venditti’s last name.</p> <p>Richard Margetson requested corrections be made with respect to his comments from the previous meeting.</p> <p>It was clarified that the requests for corrections would be met, and comments on the previous minutes would be corrected as discussed.</p> <p><b>A motion was made by Director Gibson to approve the consent agenda. The motion was seconded by Director Zimmer and carried with the following vote:</b>  <b>Ayes: Directors Zimmer, Gibson, Ochylski</b>  <b>Nays: None</b>  <b>Abstain: Director Garfinkel</b>  <b>Absent: None</b></p>

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<p><b>6. EXECUTIVE DIRECTOR'S REPORT</b></p>	<p>Rob Miller, interim Executive Director, gave a brief summary on the responses provided for the Sierra Club's inquiries. He discussed the potential outcomes if infrastructure programs are unable to stop seawater intrusion, stating that the judgment requires parties to evaluate the effectiveness of the plan periodically and implement measures to mitigate seawater intrusion. Such measures may include mandatory reductions in pumping and responses to physical conditions. Mr. Miller encouraged members to read through the responses to the Sierra Club.</p> <p>Mr. Miller also briefly discussed the County's growth management ordinance process, which goes to the Board of Supervisors on May 17, 2016, and provided an update on the zone of benefit process. Mr. Miller announced that they are currently evaluating three proposals from prospective grant consultants and intend to bring back a recommendation at the next meeting. He additionally noted that meeting postings are to be improved and audio of the meetings is available online.</p> <p>Member Gibson inquired about the zone of benefit proposal timeline and progress, to which Executive Director Miller provided clarification.</p> <p>Member Zimmer commented on the audio quality and responses to the Sierra Club's questions. Member Ochylski inquired about the components of the annual report, and Mr. Miller stated that the initial report would primarily consist of background and policy information.</p> <p><u>Public comment</u></p> <p>Keith Wimer - the Sierra Club is not yet prepared to announce its position and listed their key points of agreement, as well as continuing concern.</p> <p>Lou Tornatzky requested that the chapter of the Sierra Club be identified and presented with the questions.</p> <p>Patrick McGibney expressed his concern over the need for more public participation and discussed conservation measures.</p> <p>Karen Venditti expressed her concern over the lack of mandatory monitoring for agricultural and private wells.</p> <p>Lynette Tornatzky commented on the potential issues that may arise in trying to get video recordings of meetings to reach the public; homes need Charter cable to get the video.</p> <p>Richard Margetson expressed his interest in having video recordings of meetings and proposed that community donations could be used to make up for the lack of funds in the budget to pay for these recordings.</p> <p>Director Gibson made a point of clarification on the Proposition 84 Grant.</p> <p><b>A motion was made by Director Gibson to receive and file the report. The motion was seconded by Director Garfinkel and carried with the following vote: Ayes: Directors Zimmer, Gibson, Ochylski, Garfinkel Nays: None Abstain: None Absent: None</b></p>
<p><b><u>ACTION ITEMS</u></b></p> <p><b>7a. Review and Approve Proposal for Hydrogeologic Services</b></p>	<p>Mr. Miller discussed the technical aspects of the annual report. The report is to include a compilation of the available data for 2015, such as the analysis of seawater intrusion, information regarding the groundwater available in storage, and the groundwater contours. He also discussed the costs associated with putting together the report and the timeline of budget approval.</p> <p>A question was posed regarding the costs in subsequent years and responded that the costs would be projected to go down.</p> <p><u>Public Comment</u></p> <p>Keith Wimer inquired about additional monitoring to fill gaps, and Executive Director Miller agreed that this is a high priority issue that may find funding on the county level.</p> <p>Lou Tornatzky expressed his support for the proposal as well as his concern over the costs in subsequent years.</p>

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<p><b>7b. Recommendation for Proposed Basin Boundary Modification Request For Los Osos Groundwater Basin</b></p>	<p>A motion was made by Director Zimmer to approve the proposal for hydrogeologic services. The motion was seconded by Director Gibson and carried with the following vote: <b>Ayes:</b> Directors Zimmer, Gibson, Ochylski, Garfinkel <b>Nays:</b> None <b>Abstain:</b> <b>Absent:</b> None</p> <p>Carolyn Berg, County Public Works Water Resources Division, provided a brief update since the last discussion and discussed the proposed approach moving forward. The County staff has explored a basin boundary modification and conducted the necessary public processes. The County held a public workshop to discuss the draft technical memorandum and has received initial feedback from DWR. Ms. Berg called the BMC's attention to two major items: (1) When the state is considering basin boundary modifications, it is their responsibility and to their discretion to decide what basins and sub-basins are modified and whether or not certain requests might create new sub-basins; (2) There are slight differences from the final court order plan area, and the County is proposing to seek a basin boundary modification request supported by scientific data, but ask DWR to consider the request within the context of the adjudication.</p> <p>Member Ochylski asked for clarification regarding parcels, to which Carolyn Berg responded and added details on the timeline to send the request to the County Board of Supervisors.</p> <p><u>Public Comment</u></p> <p>Lou Tornatzky expressed his support and asked for further details on the timeline for approval. Ms. Berg explained the process and deadlines and stated that the decision should be delivered by the end of the year.</p> <p>A motion was made by Director Gibson to approve the recommendation. The motion was seconded by Director Garfinkel and carried with the following vote: <b>Ayes:</b> Directors Zimmer, Gibson, Ochylski, Garfinkel <b>Nays:</b> None <b>Abstain:</b> <b>Absent:</b> None</p>
<p><b>7c. Administrative Draft – Los Osos Creek Discharge</b></p>	<p>Executive Director Rob Miller briefly reviewed the technical aspects of the Los Osos Creek Discharge project. Regulation can follow one of two paths: (1) a method of disposal as part of a wastewater project, or (2) a method of groundwater recharge and replenishment project. The regulation of each of these methods differ under Title 22, and is dependent on travel time, dilution water, and credit in soil for removal of contaminants.</p> <p>Concerns over cost and annual yield, as well as the next steps in the process were discussed. A proposal and recommendation will be brought to the next meeting.</p> <p><u>Public Comment</u></p> <p>Jeff Edwards expressed his support for the project, posed some questions and made recommendations.</p> <p>Lou Tornatzky expressed his support for the project. He suggested the BMC also look into grant opportunities to fund the project.</p> <p>Keith Wimer expressed support and suggested the use of blended water as well as the treatment of the project as a replenishment project to ensure that the water reach the wells.</p> <p>Karen Venditti expressed her preference for the creek discharge program over the previously proposed dry farm discharge project. She also commented on concern for costs associated with treating the water.</p> <p>Lynette Tornatzky commented on emerging contaminants.</p> <p>A motion was made by Director Garfinkel to revisit the item on the next meeting's agenda. The motion was seconded by Director Gibson and carried with the following vote: <b>Ayes:</b> Directors Zimmer, Gibson, Ochylski, Garfinkel <b>Nays:</b> None <b>Abstain:</b> <b>Absent:</b> None</p>

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<b>8. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA</b>	<p>Linde Owen requested the cessation of drawing from the basin for outdoor water use. She suggested a long term method to reuse septic tanks or imported water from effluent or upper aquifer. She also urged for no more growth of the water systems' distribution of water.</p> <p>Keith Wimer voiced the Sierra Club and LOSG's commitment to conservation and reuse programs and expressed discontent for the County's efforts with regards to conservation. He requested that the BMC pursue a discussion of conservation and how it can be maximized in the near future as an action item on the agenda for the next meeting.</p> <p>Karen Venditti offered to volunteer for outreach to Los Osos community members regarding the costs associated with repurposing septic tanks. She also expressed concern over the lack of mandatory monitoring of wells.</p> <p>Richard Margetson commented on the water allocations for dry land farmers.</p>
<b>9. ADJOURNMENT</b>	Request for spending versus budget figures at next meeting on March 16, 2016.

**TO: Los Osos Basin Management Committee**

**FROM: Rob Miller, Interim Executive Director**

**DATE: March 10, 2016**

**SUBJECT: Item 6 – Executive Director’s Report**

### **Recommendations**

Staff recommends that the Committee receive and file the report, and provide staff with any direction for future discussions.

### **Discussion**

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

#### Public Information and Process

As a follow up to the February meeting, staff would like to clarify that the cost to retain AGP to produce a video recording of the meetings is estimated at \$2,000 per year more than the current service arrangement, which is limited to an audio recording. It also appears that facility rent expenses will be approximately \$2,000 under budget for 2016, and therefore adequate funding exists if video recording is desired. Once receiving further direction from the Committee, staff will make the requested arrangements. In any event, audio recordings of the meetings will continue to be posted on the BMC website:

<http://www.slocountywater.org/site/Water%20Resources/LosOsos/>

#### BMC budget update

As a follow up to the February BMC meeting, both LOCSD and S&T Mutual have approved the previously adopted BMC budget. The County and GSWC approved the budget prior to the February meeting. LOCSD has estimated the budget that will be expended through the end of June, 2016, which corresponds with the close of their fiscal year. Expenditures for the remainder of the calendar year will be considered in the 2016/17 LOCSD budget. Beginning with the April meeting, staff plans to provide the following information as part of a standing consent item:

- Invoice register for payments processed over the past month
- Updated budget to actual for calendar year 2016

#### Grant Consultant Selection

Staff has reviewed three proposals for grant assistance services for the BMC. All three of the consultants are highly qualified for the work required. Staff has selected Water System

Consulting for initial negotiations of scope and fee, which will be brought back to the BMC at a future meeting for approval prior to proceeding.

#### Status of Zone of Benefit Analysis

County staff issued a request for quotations from three qualified firms to review the financing of administrative costs for the BMC, and also to review alternatives for funding basin plan programs. The due date for consultant submissions is March 15, 2016, and the County will then select a consultant and provide an update to the BMC in April.

#### Annual Report Submittal to Department of Water Resources (DWR)

DWR recently released guidelines and an on-line tool for entering groundwater basin related data for calendar year 2015. Adjudicated basins are expected to enter data by April 1, 2016. Given that the BMC's annual report will not be complete until the end of June as required by the approved Judgment, not all of the data may be available by April 1. Staff will work with the applicable BMC legal counsels for input prior to making the April 1 submission.



**TO: Los Osos Basin Management Committee**

**FROM: Rob Miller, Interim Executive Director**

**DATE: March 10, 2016**

**SUBJECT: Item 7a – Administrative Draft – Los Osos Creek Discharge**

### **Recommendation**

Staff recommends that the Committee receive additional information as a follow up from February BMC meeting, and discuss next steps for a future agenda item.

### **Discussion**

In the February, 2016 BMC meeting, the issue of subsurface travel time was raised as an important factor relating to the cost and feasibility of a seasonal creek discharge of recycled water from the Los Osos Wastewater Project. According to the draft study prepared by MKN Associates, a travel time of over 2 years could provide flexibility in project classification, including the discharge of tertiary recycled water without additional treatment. Staff has performed an initial review of the travel time question and reached the following preliminary conclusions:

- Figure 1 (attached) displays the location of two private wells (one domestic, one irrigation) that are located within 1,000 feet of the proposed discharge. The travel time to these wells is estimated at approximately 8 months.
- If an alternative source of water is provided to the owner of the wells, the travel time to the next downstream well is estimated to be more than 2 years.

Initial discussions with the underlying property owner could be conducted as a follow up to this item. Ultimately, travel time is determined via tracer injection and well testing, though the approximate calculations provided above are expected to be sufficient for initial feasibility. After discussing this additional information with the BMC, staff intends to provide final direction to MKN for completion of the study, including written next steps.

### **Financial Considerations**

The next steps contemplated above do not require a BMC budget amendment. Any additional studies would be considered by the BMC prior to initiation.

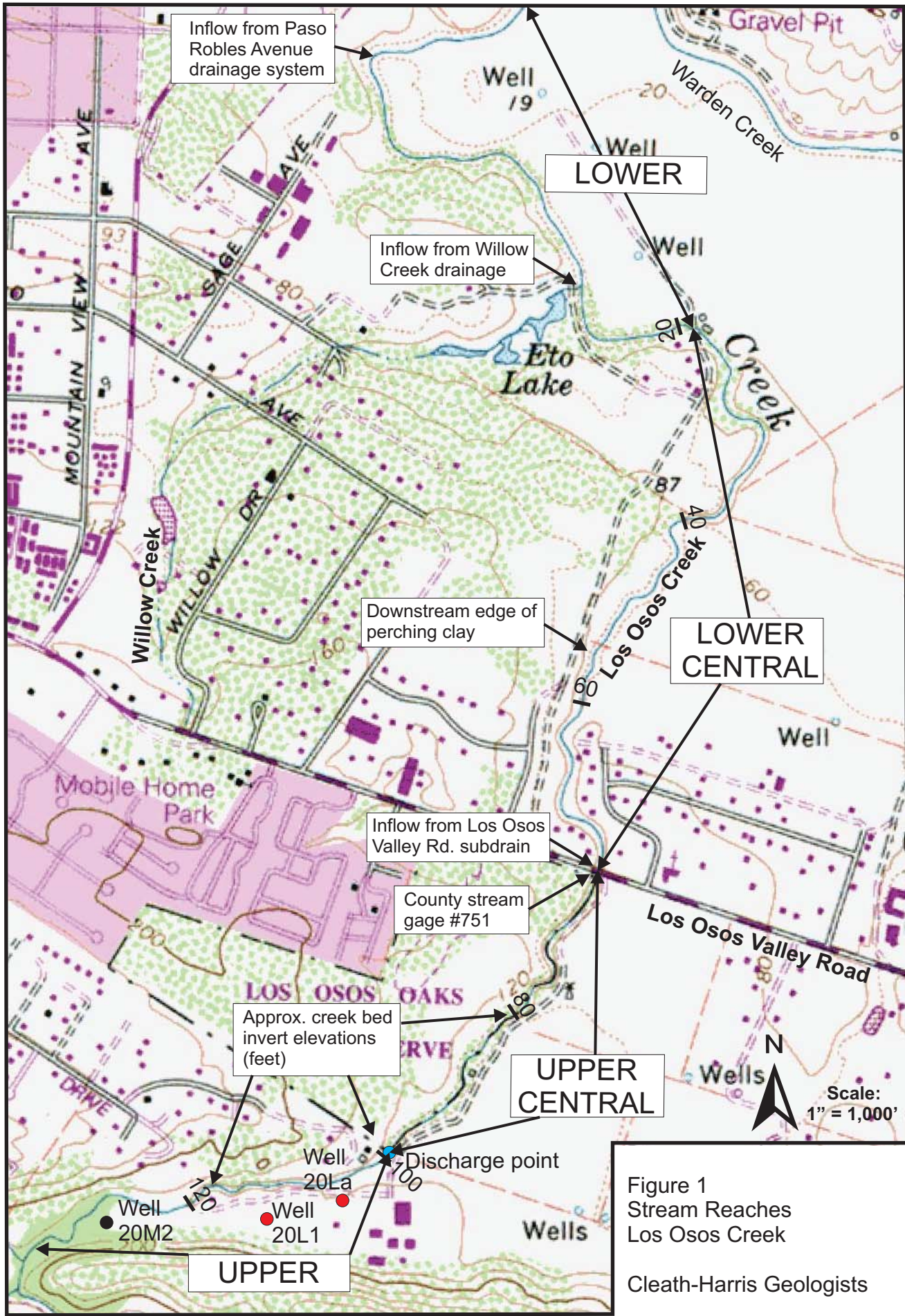


Figure 1  
 Stream Reaches  
 Los Osos Creek  
 Cleath-Harris Geologists

**TO: Los Osos Basin Management Committee**

**FROM: Rob Miller, Interim Executive Director**

**DATE: March 10, 2016**

**SUBJECT: Item 7b: BMC Participation in the Integrated Regional Water Management (IRWM) Planning Process**

### **Recommendation**

Receive information from staff, consider participation alternatives, and provide additional direction.

### **Discussion**

The Integrated Regional Water Management (IRWM) planning process is an important component for the pursuit of water project funding throughout California. Interested entities generally participate in one of the following roles:

- Regional Water Management Group (decision making body of program, develop IRWM Plan and implement it),
- Implementation Affiliate (can submit projects, participate in process/public meetings, but not decision making body), or
- Interested Stakeholders (participate in process/public meetings)

Currently, the County, LOCSD, and S&T MWC serve as Regional Water Management Group participants. County staff will be on hand during the meeting to discuss the participation options for the BMC as an entity. After receiving BMC input, staff will bring this item back at a subsequent meeting for action if necessary.

### **Financial Considerations**

There are no financial considerations at this time.