



**Nacimiento Project Commission
 Meeting and Agenda
 Thursday, February 23, 2012 – 4:00 pm
 Templeton Community Services District Offices**

- I. Call to Order
 - a. Call to Order, Roll Call, and Flag Salute
 - b. Nomination and Election of Commission Officers
- II. Public Comment
 This is the opportunity for members of the public to address the Commission on items that are not on the agenda, subject to a three minute time limit.
- III. Meeting Notes from November 17, 2011
 (RECOMMEND APPROVAL)
- IV. COMMISSION INFORMATION ITEMS – written reports with brief verbal overview by staff or consultant. No action is required.
 - a. Project Management Report
 - b. Project Budget
 - c. Recreation Report and Watershed Sanitary Survey Status
 - d. Energy Demand Response Program Status Report
- V. PRESENTATIONS – no action required.
 - a. FY 2012/13 Nacimiento Water Operating Fund Draft Budget
- VI. COMMISSION ACTION ITEMS
 (No Subsequent Board of Supervisors Action Required)
 - a. No Items
- VII. COMMISSION ACTION ITEMS
 (Board of Supervisors Action is Subsequently Required)
 - a. Update on Dreissenid Mussel Prevention Program and Recommendation to Approve TJ Cross Contract in the Amount of \$106,000
- VIII. FUTURE AGENDA ITEMS DESIRED BY COMMISSION

Commissioners
Grigger Jones, Chair, Atascadero MWC

John Hamon, Vice Chair, City of El Paso de Robles

Judy Dietch, Templeton CSD

Andrew Carter, City of San Luis Obispo

Frank Mecham, SLO County Flood Control & Water Conservation District

**Next Commission meeting scheduled for
 Thursday, April 19, 2012, at 4:00 pm at
 Templeton Community Services District Offices**



Nacimiento Project Commission
February 23, 2012

Agenda Item I.b – Nomination and Election of Commission Officers
(Commission Action – No Board of Supervisors Action Subsequently Required)

TO: Nacimiento Project Commission

FROM: Dean Benedix, P.E., Utilities Division Manager

DATE: February 23, 2012

In accordance with the Commission’s adopted Rules of Procedure, the Commission is to elect a Chair and Vice-Chair at the first meeting of each year. Terms of office are for one year.

Appointed Commissioners for 2012 by each Participant and the District are:

San Luis Obispo County Flood Control & Water Conservation District (also representing CSA 10A)	Frank Mecham
City of el Paso de Robles	John Hamon Duane Picanco, Alternate Commissioner
City of San Luis Obispo	Andrew Carter John Ashbaugh, Alternate Commissioner
Atascadero Mutual Water Company	Grigger Jones John Neil, Alternate Commissioner
Templeton Community Services District	Judith Dietch John Gannon, Alternate Commissioner

During calendar year 2011, Director Grigger Jones served as Committee Chair and Director John Hamon served as Vice-Chair. Nominations and elections for 2012 will be held at the February 23, 2012, Commission meeting.

Nacimiento Project Commission
February 23, 2012
Agenda Item III – Meeting Notes from November 17, 2011

I. Call to Order, Roll Call and Flag Salute

Chairman Jones convened the meeting at 4:05 p.m.

Commissioners Present: Chairman Grigger Jones, Atascadero Mutual Water Company
Vice-Chairman John Hamon, City of Paso Robles
Judith Dietch, Templeton Community Services District
Frank Mecham, San Luis Obispo County Flood Control and Water Conservation District

Commissioners Absent: Andrew Carter, City of San Luis Obispo

II. Public Comment

There was no public comment.

III. Meeting Notes from August 25, 2011

Commissioner Mecham moved to approve the meeting notes from the August 25, 2011, Commission Meeting, and Commissioner Hamon seconded the motion. Motion passed unanimously.

IV. Commission Information Items

John Hollenbeck, Nacimiento Project Manager, provided the Commission with the following discussion:

Agenda Item IV.a – Project Management Report

Project Status Update Mr. Hollenbeck advised that the claim by the Spec 2 contractor, Mountain Cascade Inc., was denied and notice of the denial was sent to the contractor.

Operations Report Nothing new was discussed beyond that presented in the agenda packet.

Outside Agency Issues Monterey County Water Resources Agency – Public Works Director Paavo Ogren advised that the Invoice Settlement Agreement was fully executed between the Agency and District at the November 15, 2011, Board meeting. The outcome is log boom reimbursement of one-half the construction cost, or the

full \$450,000, will be made to the reimbursed to the Project Participants.

New Participants – Mr. Hollenbeck advised that a phone call was recently received inquiring on the cost for a New Participant who would participate through the City of Paso Robles for 60 acre-feet, whereas Mr. Dean Benedix, Public Works Utilities Manager, received a similar phone call for 71 acre-feet. Public Works is awaiting for a written request for an estimate.

Fiber Optic MOU with GSA IT – Mr. Hollenbeck advised that progress on this matter is once again being made. Commissioner Mecham asked that a high priority on this issue be established.

Potential Customer – Fiber Optic Strand Use by Federal Government – Mr. Hollenbeck advised that draft terms and conditions are being established and will be presented to the Director of Public Works for consideration.

Invasive Species
Prevention

Prevention Program – Mr. Hollenbeck highlighted the preliminary outcome of the 2011 water craft inspection program, mentioning that the program went very well, and that an amendment to TJ Cross’ professional services contract is being considered by Utility Division staff for the 2012 recreation season.

State of Emergency - Mr. Ogren commented on the resolution that will be presented to the District’s Board of Supervisors on November 22, 2011, and that the District will have an informational display at the upcoming California State Association of Counties (CSAC) conference (week of Nov. 28) regarding invasive aquatic mussels.

Nacimiento Reservoir
Status

Nothing new was discussed beyond that presented in the agenda packet.

Hydroelectric Power –
Unit T-11

Mr. Hollenbeck advised that this item is a low priority item currently due to other workload, and that once advanced, more details will be presented to the Commission.

Accolades Presented by
American Society of
Civil Engineers (ASCE)

Mr. Hollenbeck displayed the two awards that were received from the Los Angeles Section of ASCE. The both the Project and Mr. Hollenbeck (individually) will be considered for accolades at the ASCE Region 9 meeting on February 28, 2011, in Sacramento. Nationally, the Project will be considered for the ASCE Outstanding Civil Engineering Achievement Award at the ASCE Outstanding Project and Leadership Gala in Alexander, Virginia, on March 22, 2012. Commissioners Jones and Mecham expressed an interest to attend.



Civil Engineering
Magazine

Nothing new was discussed beyond that presented in the agenda packet.

Agenda Item IV.b – Project Budget

The Public Works Finance Division issued a modified “Operation and Maintenance” update shortly after the agenda packet was e-mailed to the Commissioners. Mr. Hollenbeck provided a copy of the revised documents to the Commissioners.

V. Presentations

No presentations were scheduled nor made at the meeting.

VI. Commission Action Items (No Subsequent Board of Supervisors Action Required)

The Commission reviewed the following agenda items and took the noted action on each:

Agenda Item VI.a – 2012 Meeting Calendar

Mr. Hollenbeck briefly described the item. There was no public comment and no Commission discussion. Commissioner Hamon moved to approve the 2012 Meeting Calendar, and Commissioner Mecham seconded the motion. The motion unanimously passed.

Agenda Item VI.b – Surplus Water Declaration for Water Year 2012

Mr. Hollenbeck briefly described the item, and passed out the Water Delivery Amounts and Schedule table in 11x17 format to make it easier to read. There was no public comment and no Commission discussion. Commissioner Dietch moved to approve the Surplus Water Declaration for Water Year 2012, and Commissioner Hamon seconded the motion. The motion unanimously passed.

Agenda Item VI.c – Surplus Water Pricing

Mr. Hollenbeck briefly described the item. Mr. Hollenbeck advised that Exhibit B contained two errors. The first bullet incorrectly lists “District Allocation”, whereas it should read “Nacimiento Reservoir Water” in accordance with the Water Delivery Entitlement Contract (WDEC). The third bullet incorrectly lists “Participant Allocation” whereas it should read “Nacimiento Project Water” in accordance with the WDEC. There was no public comment and no Commission discussion. Commissioner Mecham moved to approve the Surplus

Water Pricing, and Commissioner Hamon seconded the motion. The motion unanimously passed.

Agenda Item VI.d –
Amendment to Commission
By-Laws

Mr. Hollenbeck briefly described the item. There was no public comment and no Commission discussion. Commissioner Mecham moved to approve the Amendment to Commission By-Laws, and Commissioner Hamon seconded the motion. The motion unanimously passed.

Agenda Item VI.e –
Amendment to Commission
Rules of Procedures

Mr. Hollenbeck briefly described the item. There was no public comment and no Commission discussion. Commissioner Dietch moved to approve the Amendment to Commission Rules of Procedures, and Commissioner Mccheam seconded the motion. The motion unanimously passed.

VII. Commission Action Items (Board of Supervisor Action is Subsequently Required)

No presentations were scheduled nor made at the meeting.

VIII. Future Agenda Items Desired by Commission

No presentations were scheduled nor made at the meeting.

Commissioner Jones adjourned the meeting at 4:40 p.m.

*Submitted by John R. Hollenbeck, P.E.
Nacimiento Project Manager*



Nacimiento Project Commission
February 23, 2012
Agenda Item IV.a– Project Management Report
(Information Only – No Action Required)

PROJECT UPDATES

Project Status Update

The Spec 3 (Pipeline North) and the Spec 5 (Pipeline South) contracts remain open. A summary of each construction contract recent activities are as follows:

- Spec 2 (Facilities) – The District considers this construction contract to be closed; however, as previously reported the contractor is displeased with withholdings made to their last payment resulting from liquidated damages and nonconforming work. The contractor submitted a Government Code Claim received by the District on October 3, 2011. The District is working with counsel to address the claim.
- Spec 3 (Pipeline North) – The District and the contractor have not been able to reach final settlement. The contractor filed a Complaint with Superior Court on September 29, 2011. The District is progressing forward with defense of the Complaint.
- Spec 5 (Pipeline South) – The District is progressing forward with defense of the Complaint filed by the contractor.

Jacobs Engineering Group Inc (JEG): The District continues to look to Jacobs Engineering Group for several outstanding deliverables.

Operations Report

- Began calibration checks on pump station, turnout, and tank level pressure and level transducers. This is to ensure devices are within acceptable ranges by the manufacturer, and to ensure system accuracy of levels and pressures.
- Refilled Camp Roberts Tank in preparation for pump tests at Santa Ysabel Pump Station.
- Investigation on Santa Ysabel Pump Station RTD Temperature motor faults on pumps 1 and 2 is being continued, and the issues look to be resolved in the upcoming month.

Outside Agency Issues

Monterey County Water Resources Agency: Paavo Ogren continues to represent the District at the monthly Reservoir Operations Committee meetings.

New Participants: Nothing noteworthy to report this period.

Fiber Optic MOU with GSA IT: Nothing noteworthy to report.

Potential Customer – Fiber Optic Strand Use by Federal Government: Nothing noteworthy to report.



Invasive Species Prevention

Prevention Program. District Staff continues to coordinate with representatives of Monterey County Parks Department, Monterey County Water Resources Agency, and the Nacimiento Regional Water Management Advisory Committee to develop and improve the Invasive Mussel Prevention Program, which includes considering ways to address the concerns of resident boaters and private communities. Please refer to Agenda Item VII.a which presents a discussion on program efforts and a multi-year strategy for sustaining the program as they relate to the TJ Cross Engineers Inc., and asks for support of the TJ Cross Engineers, Inc. Amendment No. 4.

Nacimiento Reservoir Status

Reservoir status as reported by MCWRA is 69-percent full, or 260,893 acre-feet, as of February 15, 2012. MCWRA releases are reported as 60 cfs.

Hydroelectric Power – Unit T11

Aaron Floyd with the City of San Luis Obispo called to talk with the Nacimiento Project Manager about a PG&E program for conducting the feasibility study associated with a hydroelectric energy recovery unit at Unit T-11. The program, funded by PG&E, may pay for the study and the construction. More details are needed to understand the program, and a future presentation(s) to the TSG will be scheduled. The advantage of energy recovery at a turnout is that it will generate revenue to partially offset the Variable Energy Costs. Any energy recovery revenue is expected to be credited to the Participants in the similar fashion as the Variable Energy Costs: that policy, however, would be presented to your Commission at a future meeting.

* * *



Nacimiento Project Commission
February 23, 2012
Agenda Item IV.b – Quarterly Project Budget Update
(Information Only – No Action Required)

TO: Nacimiento Project Commission

FROM: Wendy Hall, Administrative Services Manager

VIA: Dean Benedix, Utilities Division Manager
Nacimiento Technical Support Group

SUBJECT: Quarterly Project Budget Update

DATE: February 23, 2012

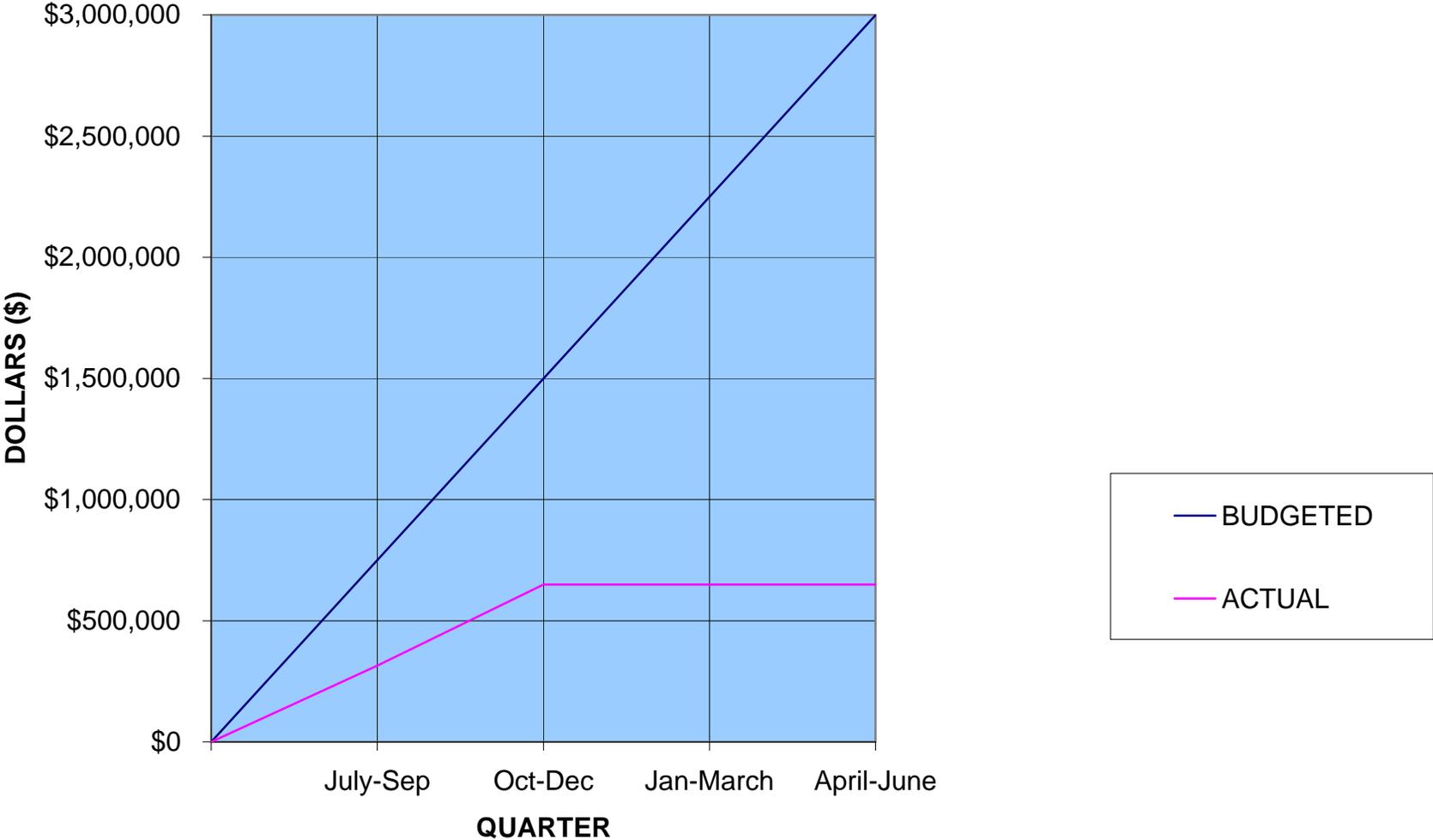
Figures depicting the Quarterly Project Budget are provided for your information. If you have any questions please feel free to contact me at either (805) 781-5295 or via e-mail at: whall@co.slo.ca.us.



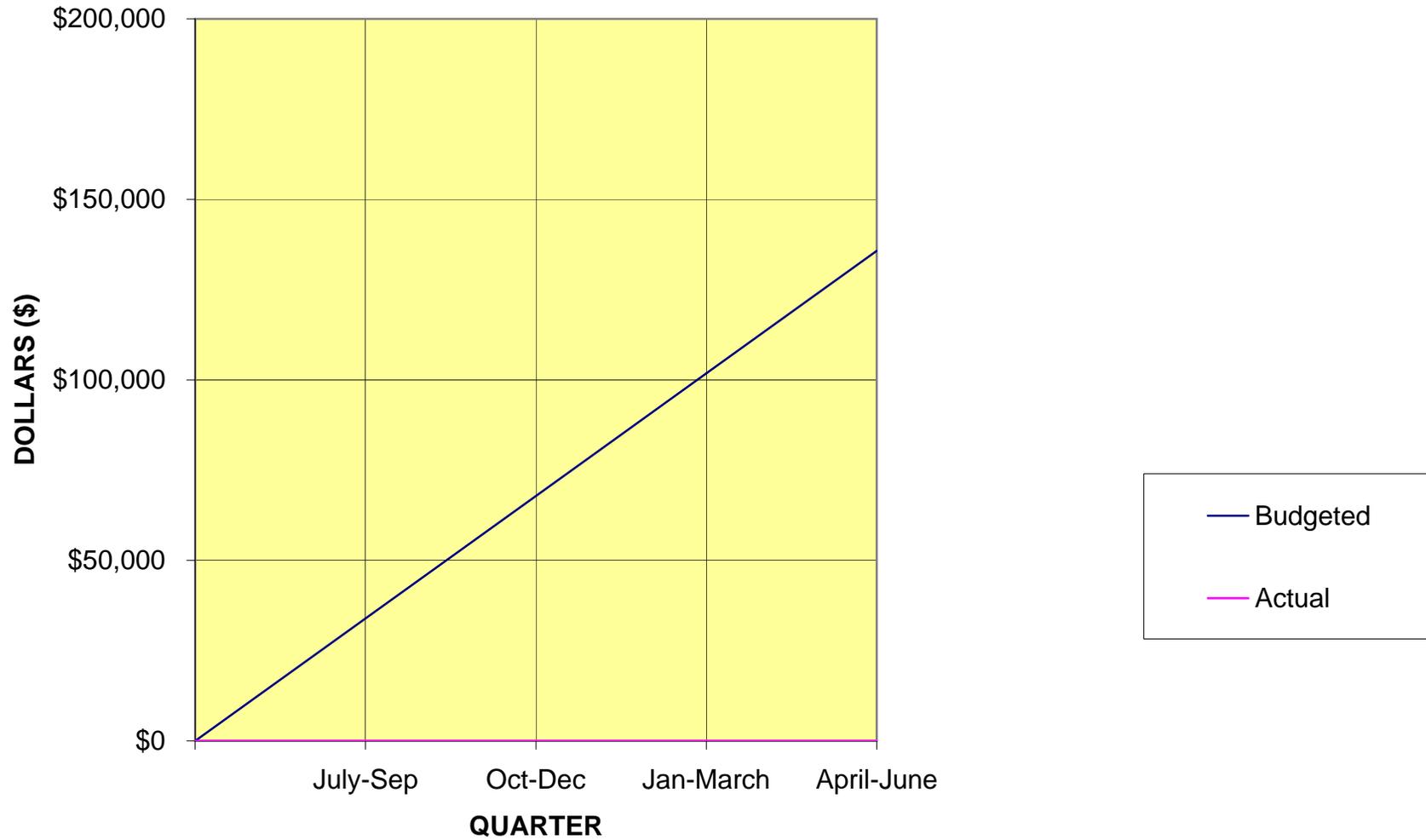
Nacimiento Water Operating Fund
Operation and Maintenance
FY 2011-2012

		Budget	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total	S/L Projection	Variance
	WBS Element	FY 2011-12	July-Sep	Oct-Dec	Jan-March	April-June		thru Year End	
Routine Operation and Maintenance									
Master Water Contract	300420.01.03	\$227,480	\$0.00	\$0.00			\$0.00	\$0.00	\$227,480.00
Variable Energy Costs	300420.03	\$456,627	\$117,951.89	\$94,415.77			\$212,367.66	\$424,735.32	\$31,891.68
Water Conservation Management	300420.04	\$3,068	\$0.00	\$0.00				\$0.00	\$3,068.00
Water Quality Analysis	300420.05	\$211,345	\$31,057.60	\$38,092.40			\$69,150.00	\$138,300.00	\$73,045.00
Water Quality Support	300420.06	\$177,908	\$18,028.90	\$32,099.18			\$50,128.08	\$100,256.16	\$77,651.73
Regulatory Agency/Department of Public Health	300420.02	\$37,325	\$0.00	\$0.00			\$0.00	\$0.00	\$37,325.00
Invasive Species/Quagga Mussels	300420.09.02/.06.01	\$278,419	\$37,975.43	\$37,618.62			\$75,594.05	\$151,188.10	\$127,230.90
Environmental Mitigation	300420.09.01	\$14,400	\$34.38	\$39.19			\$73.57	\$147.14	\$14,252.86
Utilities Operations and Office Engineering	300420.07	\$393,197	\$10,654.40	\$25,743.05			\$36,397.45	\$72,794.90	\$320,402.10
Lakeside Contracts	300420.01.05	\$31,507	\$0.00	\$0.00			\$0.00	\$0.00	\$31,507.00
Water Rights	300420.01.04	\$101,205	\$0.00	\$0.00			\$0.00	\$0.00	\$101,205.00
General Accounting	300420.01	\$228,633	\$10,151.80	\$14,836.23			\$24,988.03		
County wide Overhead	300420.01.01	\$39,353	\$11,920.00	\$11,920.00			\$23,840.00		
Contributions to ISF/New Equipment	300420.01.02	\$0	\$0.00	\$0.00			\$0.00		
General Units	300420.10	\$70,647	\$1,459.71	\$3,211.55			\$4,671.26		
Unit A	300420.10.A	\$160,691	\$26,471.88	\$38,057.45			\$64,529.33		
Unit A1	300420.10.A1	\$35,243	\$2,774.09	\$2,821.26			\$5,595.35		
Unit B	300420.10.B	\$123,805	\$9,856.64	\$11,191.33			\$21,047.97		
Unit C	300420.10.C	\$24,626	\$1,143.06	\$1,690.85			\$2,833.91		
Unit C1	300420.10.C1	\$22,558	\$5,262.18	\$1,271.93			\$6,534.11		
Unit D	300420.10.D	\$16,108	\$390.42	\$611.01			\$1,001.43		
Unit E	300420.10.E	\$16,109	\$677.30	\$321.68			\$998.98		
Unit F	300420.10.F	\$16,108	\$1,951.55	\$974.35			\$2,925.90		
Unit F1	300420.10.F1	\$17,548	\$1,295.78	\$774.56			\$2,070.34		
Unit F2	300420.10.F2	\$95,836	\$10,724.17	\$10,360.35			\$21,084.52		
Unit G	300420.10.G	\$19,248	\$1,385.40	\$342.91			\$1,728.31		
Unit G1	300420.10.G1	\$19,248	\$418.64	\$736.79			\$1,155.43		
Unit G2	300420.10.G2	\$63,468	\$2,094.95	\$821.10			\$2,916.05		
Unit H	300420.10.H	\$3,845	\$139.54	\$128.06			\$267.60		
Unit H1	300420.10.H1	\$44,214	\$583.36	\$738.20			\$1,321.56		
Unit T-2	300420.10.T2	\$9,944	\$378.66	\$1,072.69			\$1,451.35		
Unit T-4	300420.10.T4	\$13,485	\$1,112.85	\$1,683.38			\$2,796.23		
Unit T-6	300420.10.T6	\$12,642	\$6,716.02	\$1,100.75			\$7,816.77		
Unit T-11/11a	300420.10.T11/T11a	\$13,061	\$2,068.27	\$2,386.67			\$4,454.94		
						Unit Sub Total		\$412,058.74	\$654,361.26
Total Routine Operation and Maintenance		\$2,998,901	\$314,678.87	\$335,061.31	\$0.00	\$0.00	\$649,740.18	\$1,299,480.36	\$1,699,420.53
Non-Routine O&M									
Urban Water Management Plan		\$65,779	\$0.00	\$0.00			\$0.00	\$0.00	\$65,779.00
Misc. Fiber Optic Repair		\$51,700	\$0.00	\$0.00			\$0.00	\$0.00	\$51,700.00
Booster Station Upgrade		\$18,267	\$0.00	\$0.00			\$0.00	\$0.00	\$18,267.00
Total Non-Routine Operation and Maintenance		\$135,746	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$135,746.00
Capital Outlay									
Prior District Costs		\$0	\$0.00	\$0.00			\$0.00	\$0.00	\$0.00
Capital Replacement Contingency		\$103,400	\$0.00	\$0.00			\$0.00	\$0.00	\$103,400.00
Control Power Transformer for a -SG-1, Unit A	300458	\$19,646	\$0.00	\$0.00			\$0.00	\$0.00	\$19,646.00
Fiber Optic Pullbox Modification	300459	\$183,018	\$25,159.15	\$5,560.57			\$30,719.72	\$61,439.44	\$121,578.56
Capital Reserve/Equipment Replacement		\$490,000	\$0.00	\$0.00			\$0.00	\$0.00	\$490,000.00
Operating Reserves		\$39,500	\$0.00	\$0.00			\$0.00	\$0.00	\$39,500.00
Total Capital Outlay		\$835,564	\$25,159.15	\$5,560.57	\$0.00	\$0.00	\$30,719.72	\$61,439.44	\$774,124.56
Grand Total		\$3,970,211	\$339,838	\$340,622	\$0	\$0	\$680,460	\$1,360,920	\$2,609,291

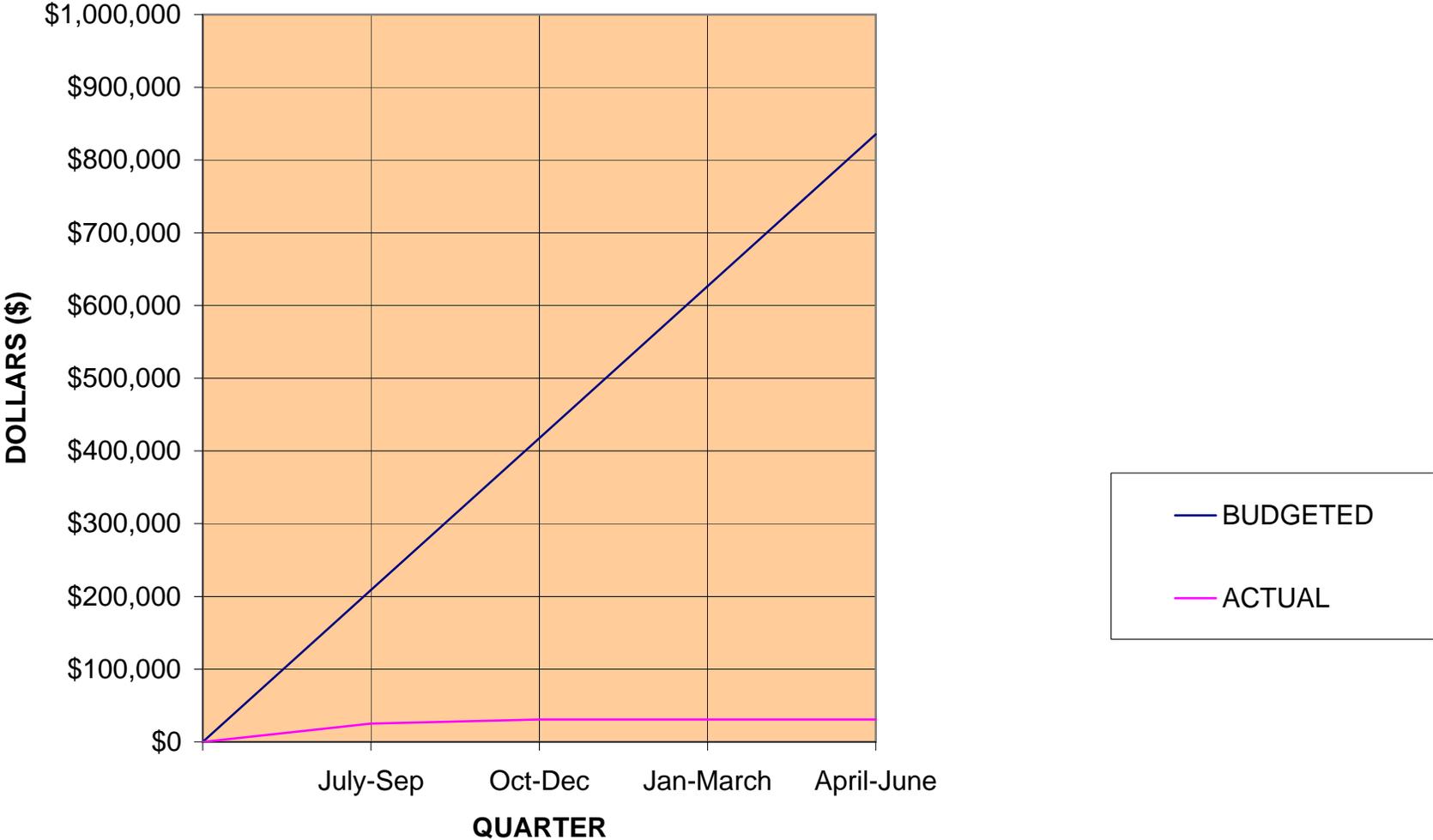
Total Routine Operations and Maintenance



Total Non-Routine Operations and Maintenance



Total Capital Outlay



Nacimiento Project Commission
February 23, 2012

Agenda Item IV.c – Recreation Report and Watershed Sanitary Survey Status
(Information Only – No Action Required)





SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 •

(805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us

TO: Nacimiento Project Commission

FROM: Lisa Wallender, Water Systems Chemist

**VIA: Dean Benedix, Utilities Division Manager
Nacimiento Technical Support Group**

SUBJECT: Recreation Report and Watershed Sanitary Survey Status

DATE: February 23, 2012

Background.

On October 21, 2010 the California Department of Public Health (CDPH) issued a Domestic Water Supply Permit to the Nacimiento Water Project. This permit includes a requirement to:

- Conduct a watershed sanitary survey of the Nacimiento Watershed every five years beginning in 2011
- Submit a report of the watershed sanitary survey to CDPH
- Update the Recreation Report (first written in 2002) with the watershed sanitary survey every five years

These requirements derive from the following statutes and regulations

- Federal Interim Enhanced Surface Water Treatment Rule, 63 FR 69478 – 69521, December 16, 1998, Vol. 63, No. 241
- California Code of Regulations Title 22, Division 4, Chapter 17, Article 7, Section 64665
- California Health and Safety Code Division 104, Part 10, Chapter 5, Article 1, Section 115830

Status

- The watershed sanitary survey research is complete.
- The report of the survey is in progress; completion is expected in summer 2012.



- The Recreation Report Update is complete and was submitted to CDPH in January 2012. The Introduction and Background sections from the Update are attached.

Discussion

The NWP Recreation Report Update has been posted to the District's website, at http://www.slocounty.ca.gov/PW/NacWP/General_Project_Information/reports.htm

This report contains more information than a typical update, for the following reasons:

- Several major changes have occurred since the initial report was written in 2002. These are listed in the introduction.
- Many other changes have occurred since 2002 also (e.g. upgrades to sewer systems), which were not listed in the introduction but were incorporated into the body of the report.
- More external resources have become available since 2002. Most significantly, many helpful contacts have been developed with various entities around lake. Consequently, a much larger body of pertinent information was available for this update than for the initial report.
- More internal resources have become available since 2002, especially mapping capabilities.
- This report was developed in conjunction with the initial watershed sanitary survey. Many maps that were developed for the WSS were available to be used in the rec report update, and so were incorporated. Only a few figures were developed specifically for the update

Subsequent updates should be significantly more streamlined.



Nacimiento Water Project Recreation Report Update 2011

Submitted to

California Department of Public Health
Division of Drinking Water and Environmental Management
Drinking Water Program District 06 – Santa Barbara
January 2012

Prepared by

County of San Luis Obispo
Flood Control and Water Conservation District
Department of Public Works and Transportation
Water Quality Laboratory



1 INTRODUCTION

Nacimiento Reservoir, also known as Lake Nacimiento, is located in northern San Luis Obispo County. The reservoir was created when the Nacimiento Dam was built in 1957 by the Monterey County Flood Control and Water Conservation District (now Monterey County Water Resources Agency). The dam and the reservoir continue to be owned and operated by the Monterey County Water Resources Agency (MCWRA). The reservoir has a capacity of 377,900 acre feet, a surface area of 5,727 acres at spillway crest elevation, and 165 miles of shoreline. Water is collected from a 208,060 acre (325 square mile) watershed.

The San Luis Obispo County Flood Control and Water Conservation District (District) has an entitlement for 17,500 acre feet per year (AFY) of water from the reservoir. Of this amount, the District's recently built Nacimiento Water Project (NWP) will be able to deliver up to 15,750 AFY of raw water from the reservoir to water purveyors in San Luis Obispo County. Currently five agencies have subscribed to the project for a total delivery entitlement of 9,655 AFY. Construction of the project began in 2007 and was completed in 2010.

The District's Domestic Water Supply Permit for the NWP was issued by the California Department of Public Health (CDPH) on October 21, 2010 (permit no. 04-06-10P-006), and deliveries to participants began in January 2011. In order to avoid duplication of effort and expense, many source water monitoring and reporting requirements for Nacimiento water are included in the District's permit rather than in the individual participating agencies' permits. These requirements include providing an initial watershed sanitary survey, providing an update of the Nacimiento Reservoir Recreation Report (written in 2002), and conducting monthly recreation area inspections. This report is the first update to the 2002 Recreation Report.

Extensive recreational use and supporting facilities have developed around the reservoir. The largest of these is Lake Nacimiento Resort. The resort property is owned by the MCWRA, and the facilities are operated for public use by the Monterey County Parks Department (MCPD). Additionally, several private communities surround the lake, which provide recreational opportunities for their residents and visitors; the largest two are Heritage Ranch and Oak Shores. The primary access for all of these facilities is Nacimiento Lake Drive (SLO County Road G-14), which runs from Paso Robles to Nacimiento Reservoir and across the Nacimiento Dam, then northerly to Monterey County.

Several major changes have occurred since the initial Recreation Report was written in 2002, including the following:

- October 2007 - Transfer of public recreation area (Lake Nacimiento Resort) management responsibility from a private party to Monterey County Parks Department
- June 2008 - Installation of new log boom at the dam
- May 2010 - Entire section of San Luis Obispo County code that covers recreational activities at Lake Nacimiento was rewritten and adopted by the San Luis Obispo County Board of Supervisors
- December 2010 - Completion of the Nacimiento Water Project
- Change in population of largest lakeside community (Village of Heritage Ranch) from a majority of seasonal residents to a majority of year-round residents



2 BACKGROUND

Water Rights Permit Number 10137 for the use of Nacimiento Reservoir, issued by the State Water Rights Board to the MCFC&WCD in 1964, is for the purpose of irrigation, domestic, municipal, industrial and recreational uses. The Monterey County Water Resources Agency (MCWRA; formerly MCFC&WCD) operates the reservoir for all of these uses.

California Code of Regulations Section 115841 (adopted by the California Legislature in 1997 as Assembly Bill 1460) specifically authorizes continued recreational use of Nacimiento Reservoir, including bodily contact. It also stipulates that any agency that removes water from the reservoir for domestic use meet certain requirements for treatment and/or discharge into the ground.

The California Department of Public Health (CDPH) developed a draft document titled *Guidelines for Evaluating Applications for Recreational Use Permits at Domestic Water Supply Reservoirs* in November 2000. This document provides guidance for managers of domestic supply reservoirs which have existing or proposed recreational uses, and was the basis for the District's 2002 Nacimiento Reservoir Recreation Report.

The purpose of the Nacimiento Reservoir Recreation Report is to describe recreational use of Nacimiento Reservoir with regard to its potential ability to impact the quality of the water as used for domestic supply. The report includes a description of the reservoir and watershed, recreational activities and facilities, and water quality control measures.

Resources used to prepare this Recreation Report update include information provided by public agencies and private entities that operate facilities around the reservoir and from publicly available documents. References are listed at the end.



Nacimiento Project Commission
February 23, 2012
Agenda Item IV.d – Energy Demand Response Programs Status
(Information Only – No Action Required)





SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 •
(805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us

TO: Nacimiento Project Commission

FROM: Scott Duffield, Utilities Division Project Engineer

**VIA: Dean Benedix, Utilities Division Manager
Nacimiento Technical Support Group**

SUBJECT: Energy Demand Response Programs

DATE: February 23, 2012

Background.

During the May 12, 2011, TSG meeting, the District and Participants discussed the possible participation in a Demand Response (DR) Program. In order to gain an understanding of how the Project might participate in such a program, the District requested that Participants submit responses to an Electrical Demand Response Questionnaire - responses were received from the City of San Luis Obispo and Atascadero Mutual Water Company. The District has met with both EnerNOC and PG&E to better understand DR programs available to the Project.

EnerNOC DR Program: The EnerNOC (a third party aggregator to PG&E) DR Program compensates electricity users for reducing consumption when demand for electricity is high and system reliability is at risk. The Program is meant to help alleviate the potential for blackouts and brownouts by providing the utility with a resource to call upon in situations of system stress and high energy prices.

PG&E DR Program: PG&E's DR programs are designed to enable customers to contribute to energy load reduction during times of peak demand, and most programs offer financial incentives for load reduction during times of peak demand. The "PeakChoice Best Effort" program could be aligned with EnerNOC's DR Program, should Participants choose to participate in both.

During the July 14, 2011, TSG meeting, attendees discussed the possible Demand Response Programs and various notification periods presented by District Staff. Participants opted for EnerNOC's 3-Hour Notification Program, but noted that this is not a high priority



item—sign up when the District can. There was not enough time for the program to be implemented in the 2011 program-year.

Status

- District has not had resources to further evaluate these programs.
- The TSG supports non-participation in a Demand Response Program for calendar year 2012
- District staff will evaluate various programs once resources are available
- Robert Blumenfeld with EnerNOC indicated the process should be started no later than January of the program-year
- The District Board of Supervisors will have to consider and execute EnerNOC's DR Program documents prior to enlisting the Project in EnerNOC's DR Program



**Nacimiento Project Commission
February 23, 2012**

**Agenda Item V.a – FY 2012/13 Nacimiento Water Operating Fund Draft Budget
(Presentation– No Action)**

TO: Nacimiento Project Commission
FROM: Will Clemens, Public Works Administrator
VIA: Dean Benedix, Utilities Division Manager
DATE: February 23, 2012

The 2012/13 Proposed Operating Budget is presented to your Commission and hardcopies will be distributed at this meeting. Operations and Maintenance expenditures (excluding energy costs) are decreasing by approximately 14%. As the District reviews operating history, the budget is being refined and efforts are continuing to look for areas of savings and possible reductions. The areas that the District will look at during this budget process and discuss with the TSG and finance officers are as follows:

- Water Quality Lab Efforts
- Conversion of Nacimiento Water Project Manager to Utility Operations Staff
- Environmental Mitigation Efforts
- Operator and Office Engineering Efforts

The District will adhere to the following schedule through adoption of the proposed Project budget:

- | | |
|-------------------|---|
| February 23, 2012 | Present proposed FY 2012/13 budget to Commission |
| March 8, 2012 | Convene meeting of TSG and Finance Committee to review the proposed budget and discuss Participant comments |
| April 12, 2012 | Return to TSG with any revisions to proposed budget |
| April 19, 2012 | Special meeting of Commission to approve budget per Article 4(C) of the delivery entitlement contracts |
| Early May 2012 | Include FY 2012/13 Nacimiento Water Operations and Maintenance budget in Board of Supervisor's overall budget for consideration |
| June 2012 | Board of Supervisors Budget Hearing |

We encourage you to work with your agency staff throughout the process and as the schedule indicates, we will bring the proposed budget back to your Commission for approval on April 19, 2012.

* * *



Nacimiento Project Commission
February 23, 2012
Agenda Item VII.a – TJ Cross Contract Amendment
(Commission Action – Subsequent Board Action Required)

TO: Nacimiento Project Commission
FROM: Carolyn Berg, Utilities Division Staff Engineer
VIA: Dean Benedix, P.E., Utilities Division Manager
Paavo Ogren, Director, Department of Public Works
Nacimiento Technical Support Group
DATE: February 23, 2012

Recommendation

It is our recommendation that the Nacimiento Project Commission support the attached Amendment No. 4 to the Agreement for Consulting Services within the Nacimiento Operations Fund with TJ Cross Engineers, Inc., in the amount of \$106,000 and extending the service period to December 31, 2012.

Discussion

Background. For nearly four years, the District, Participants, and other stakeholders have been working to implement a Dreissenid Mussel Prevention Program at Lake Nacimiento. District Staff has provided your Commission with quarterly progress reports, notably May 27, 2010 and May 26, 2011 which delivered details on that boating season's program. This agenda item provides a prevention program status update and seeks approval of the TJ Cross Engineers, Inc. amendment.

In January 2011, under the Commission's direction, the District commissioned a reconnaissance-level engineering study to forecast the impact of an invasive species infestation at Lake Nacimiento on the Nacimiento Water Project (Project) facilities (*Operational Impact of Mussel Infestation*, TJ Cross Engineers, October 2011). The study indicated that an infestation could impose additional operation and maintenance costs of \$10-million to \$54-million over a 16-year period, depending upon the mussel control method chosen. A potential infestation poses a critical fiscal issue to Participants.

Inner Agency Coordination Towards Prevention. Invasive Dreissenid Mussels cause substantial operational and budgetary impacts to water delivery/ storage systems, and irreparable damage to aquatic ecosystems – a fate the Participants and District endeavor to avoid. Over the past four years, the County of San Luis Obispo, supported by TJ Cross Engineers, Inc. (TJ Cross), has been working with several agencies including representatives from Monterey County Parks Department (MCPD), Monterey County Water Resources Agency (MCWRA), the Nacimiento Regional Water Management Advisory Committee (NRWMAC), lakeside communities, and others to create a collaborative Invasive Mussel Prevention Program (Program) at Lakes Nacimiento and San Antonio.



TJ Cross Engineers's Role. TJ Cross has provided project engineering and management services for the Project since 2004. TJ Cross, via Ms. Halley and Ms. Dickerson, has been instrumental in the Program planning, implementation, and management. As a past Utilities Division Manager, Ms. Halley offers a unique understanding of County government and an intimate knowledge of the lake and local agencies. Both understand the challenging Program history and have successfully developed positive working relationships with local elected officials, private communities and landowners, stakeholders (including private ramp program coordinators and 200 volunteer inspectors), NRWMAC, and Monterey County staff and officials. TJ Cross helped to implement the active Program that has been in place since May 2010 and has moved from a voluntary self-certification program to a mandatory inspection program – an evolving effort. Lake Nacimiento's 165 mile shore line houses two public ramps operated by Monterey County and numerous ramps operated by private communities/ landowners. TJ Cross's efforts are necessary to move this program from its currently evolving state into a sustainable, long-term program.

The District originally entered into an Agreement with TJ Cross in February 2005 to assist with the implementation of the Project. Amendment No. 4 seeks to extend the firm's contract to continue Program planning and implementation through 2012. The Amendment is presented as **Attachment A**. Allowing TJ Cross to continue it's role assisting the District to plan, implement, and manage the Program in its initial years of operation will ensure that the Program does not lose momentum and therefore, does not put the lake and system at undue risk. The amendment scope of services (Attachment A, page 3 of 7) allows Ms. Dickerson to provide critical support to the District by providing day-to-day communications with 30+ private launch ramp coordinators and nearly 200 volunteer screeners/ inspectors, and by providing education courses to lakeside residents. It also allows Ms. Halley to support the multi-year strategic planning and inner agency coordination with Monterey County, NRWMAC, and other agencies, which will help to transition this program into a sustainable, District-operated, long-term program, driven through local efforts.

***Please note that Attachments B through F are included as historical documents for Mussel Prevention Program efforts to-date, but are not part of the TJ Cross amendment. The attachments highlight the general complex nature of this prevention program.*

2012 Prevention Program and Beyond. As discussed, this year-round Program continues to develop and improve. The 2012 Program (Memorial Day 2012 to Memorial Day 2013) draft work plan is included as **Attachment B**. 2012 Program efforts are listed below to provide the Commission with an understanding of the District and TJ Cross's future work efforts.

- Work with MCPD, MCWRA, NRWMAC, and the private communities to address Program concerns over the future boating seasons such as:
 - Balancing strict Program enforcement with recognition that resident boaters and transient boaters pose a different level of risk. Options currently being considered by Staff are:
 - Maintain 2011 Program requirements; or
 - Extend 14-day inspection certification expiration for boaters; and/or
 - Resident Vessel Program (see **Attachment D**), which allows for resident boaters to be handled differently than transient boaters.

- Identify any remaining private landowners with lake access not currently participating in the Program. Coordinate with landowners to implement a local program for its boating traffic.
- Maintain the volunteer screener/ inspectors and general enthusiastic efforts of the lakeside communities by finding ways to address their concerns.
- Develop 2012 Program inspector training and/or resident education course curricula and conduct various trainings.
- Coordinate with private communities and landowners to prepare for 2012 Program and ensure local programs meet Program requirements.
- Increase public education and outreach, including additional presentations to local boards/councils, interviews with media, coordination with transient competition fisherman groups, and website maintenance.
- Consider the multi-year program and coordinate with partnering agencies to find viable options for sustaining the Program long-term in an efficient and effective manner.

Past Program Milestones. The extensive work effort to implement the current prevention/ mandatory inspection Program included the following major milestones, which are further summarized by way of the agenda item attachments:

- Designed and implemented a public outreach and education program
- Identified launch ramps and coordinated with private lakeside communities/ landowners to implement inspections and local programs
- Developed inspection protocols and training curriculum
- Adopted ordinance related to recreational boating and restricting lake access relative to mussel prevention
 - Requires vessel inspection/ certification; imposes \$2,000 fine for violators
- Developed and advocated legislative platforms, in coordination with members of Monterey County Board of Supervisors (see **Attachments E and F**).
- Began developing a multi-year strategy (see **Attachment C**)

District staff acknowledges that the recommended contract amendment for TJ Cross should have been brought to the Commission in November 2011 in advance of 2012 Program development and multi-year strategic planning. Support of this amendment and subsequent approval by the Board of Supervisors will allow the 2012 Program development and implementation to continue in a timely manner.

Other Agency Involvement/Impact

Nacimiento Water Project: The Technical Support Group reviewed and approved the amendment and associated scope of services at their December 8, 2011, meeting.



Lake Nacimiento: MCPD and MCWRA (owner and operator of the lake), the NRWAC, and lakeside communities, residents, and boaters have developed a close working relationship with District and TJ Cross staff during the Program startup. Providing consistency in program management during 2012 will foster continued success in prevention program startup.

Heritage Ranch Homeowners Association: On February 10, 2012, Staff Engineer Carolyn Berg and Public Works Director Paavo Ogren attended a meeting of the Heritage Ranch Homeowners Association (HROA) along with NRWAC representatives Phil Humfrey and Tim Kopack. Mr. Humfrey provided a Power Point presentation covering the risks of invasive mussels and the need for continued inspection efforts. Mr. Ogren provided a brief overview of the recommended contract amendment with TJ Cross and Staff's interest in dialogue and feedback from the HROA prior to the February 23, 2012 Commission meeting.

Overall, the HROA Board of Directors and the audience clearly recognized the importance of the inspection program. Some discussion ensued between members of the audience and the HROA on the level of volunteer efforts that would be appropriate versus paid inspectors. When questioned, Mr. Ogren responded that the HROA would need to decide on volunteers versus paid inspectors, but that ensuring inspections were being accomplished was necessary with the anticipated increased enforcement in 2012. When questioned on whether public funds would be made available to the HROA to help pay for HROA costs, Mr. Ogren responded that they could not anticipate him making such a recommendation to the Nacimiento Project Commission or the Board of Supervisors. Mr. Ogren explained that all parties (Monterey County, the Project, other private ramps) were utilizing resources to help prevent an infestation, and that the TJ Cross contract was part of the Project's overall efforts to coordinate Program efforts with private ramps. He further expressed the position that along with the right to access the lake, private ramps also had the responsibility to prevent potentially mussel-infested or high risk boats from entering Lake Nacimiento. Lastly, he stated that he could not ask Commissioners to charge rate payers of Nacimiento Water to pay for inspections at private ramps; that instead, everyone doing their part was important to develop a collaborative program and avoid the alternative of developing stricter enforcement actions, and in a worst case scenario, to avoid seeking closure of private ramps. Discussion ensued on training programs with Carolyn Berg responding on timing and willingness to conduct additional training events. In summary, the agenda item spanned approximately 45 minutes and Staff believes that the outreach effort and dialogue was positive.

County Counsel has reviewed the attached Amendment No. 4 as to legal form and effect.

Financial Considerations

The cost of the proposed contract amendment is included in the approved FY 2011-2012 budget; therefore, there is not a need for a budget adjustment. The costs will be funded in the FY 2011-12 Nacimiento Operation and Maintenance Fund (2200002000) and represents a continuation of the existing program and the existing support from TJ Cross.

As discussed, these prevention efforts, while complex in the program's initial years of operation, aim to avoid the possible additional operation and maintenance costs imposed by a mussel infestation of Lake Nacimiento (added cost of mussel control could be \$10-million to \$54-million over a 16-year period, *Operational Impact of Mussel Infestation*, TJ Cross Engineers, October 2011).

Results

Approval of the recommended action will result in a well-coordinated and continually successful Program, and ensure a healthy, safe, well-governed community.

Attachments:

Attachment A – TJ Cross Engineers, Inc. Amendment No. 4

Attachment B – 2012 Invasive Mussel Prevention Program Draft Work Plan

Attachment C – 2010 Draft Multi-Year Strategy

Attachment D – 2011 Draft Resident Vessel Program

Attachment E – 2011 Legislative Road Map

Attachment F – Resolution Requesting Governor Declare Statewide State of Emergency

* * *



ATTACHMENT A

TJ Cross Engineers, Inc. Amendment No. 4

**AGREEMENT FOR
ENGINEERING CONSULTING SERVICES
NACIMIENTO WATER PROJECT ENGINEERING SUPPORT
AMENDMENT NO. 4**

The SAN LUIS OBISPO FLOOD CONTROL & WATER CONSERVATION DISTRICT (DISTRICT) and T.J. CROSS ENGINEERS, INC. (ENGINEER) hereby agree to amend the following articles of the Agreement for Engineering Consulting Services (AGREEMENT) dated February 8, 2005 as follows:

1. **Scope of Work.** Exhibit A has been revised and is attached hereto.
2. **Time for Completion of Work.** The second sentence of the first paragraph is hereby amended as follows:

"It is understood that ENGINEER'S project engineering services may extend through design, construction, start-up, and operation of the Nacimiento Water Project and that this work authorization is intended to extend to December 31, 2012."

3. **Payment for Services:** Exhibit B has been revised and is attached hereto. Under Paragraph 3a, "Compensation," the first sentence of the first paragraph is hereby amended as follows:

"DISTRICT shall pay to ENGINEER as compensation in full for all work required by this Agreement a sum not to exceed \$926,000 as follows:

Agreement dated Feb '05	\$100,000
Amendment No. 1 dated Nov '05	+\$220,000
Amendment No. 2 dated Jul '07	+\$0
Amendment No. 3 dated Sep '07	+\$500,000
<u>Amendment No. 4 dated Dec '11</u>	<u>+\$106,000</u>

TOTAL AUTHORIZATION = \$926,000"

22. **Notices.** The noticing address for the DISTRICT is hereby amended as follows:

Mr. Paavo Ogren, Public Works Director
San Luis Obispo County
Department of Public Works
County Government Center, Room 207
San Luis Obispo, CA 93408

All provisions of the Contract not affected by this Amendment No. 4 shall remain unchanged and in full force and effect. In the event of any conflict between the provisions of this Amendment No. 4 and the provisions of any lower-numbered amendment, the provisions of this Amendment No. 4 shall prevail.

The effective date of this Amendment No. 4 is December 31, 2011.

ATTEST:

County Clerk and Ex-Officio Clerk of the
Board of Supervisors, San Luis Obispo County Flood
Control and Water Conservation District,
State of California
Date: _____, 2011

**SAN LUIS OBISPO COUNTY FLOOD
CONTROL AND WATER
CONSERVATION DISTRICT**

By: _____
Chairperson of the Board
San Luis Obispo County Flood
Control and Water Conservation District,
State of California
Date: _____, 2011

**APPROVED AS TO FORM AND LEGAL
EFFECT:**

WARREN R. JENSEN
County Counsel

By: *Warren R. Jensen*
Deputy County Counsel

Date: 11/29/2011

ENGINEER

By: *T. B. Couch*
Timothy B. Couch

Title: Principal

Date: November 23, 2011

November 23, 2011

TJ Cross Engineers, Inc. Agreement Amendment No. 4

AGREEMENT FOR
ENGINEERING CONSULTING SERVICES
NACIMIENTO WATER PROJECT ENGINEERING SUPPORT
AMENDMENT NO. 4

Revised Exhibit A
Scope of Services

Since August 2004, TJCross Engineers, Inc. has provided project engineering and management services for the Nacimiento Water Project. As requested, TJCross will extend engineering support services for the project into the operations phase, particularly with regard to invasive specie (quagga and zebra mussel) prevention efforts at Lake Nacimiento, as directed by the Utilities Division Manager. The scope of services is hereby amended to include the following activities:

1. Represent the Flood Control District in dialogue with its invasive species prevention partners, Monterey County and Monterey County Water Resources Agency.
2. Provide monthly written update of activities for the Nacimiento Water Project Technical Support Group and Commission.
3. Provide presentations to community groups and other stakeholders.
4. One TJCross staff member to participate in 2-day training in California to certify that person to conduct Level I training for others. Provide up to three Level I training sessions for private ramp volunteers at venues near Lake Nacimiento. Venues assumed to be at public facilities including demonstration boats provided at no direct cost to TJCross. Maintain rosters of trained volunteers, coordinate with Monterey agencies to issue certificates, screener stamps, and training materials.
5. Prepare 2011/12 invasive species prevention program schedule and prepare agenda materials for partner meetings and conference calls pertaining to schedule adherence.
6. Prepare outreach materials in support of invasive species prevention efforts.
7. Sustain dialogue with the 30+ private ramp coordinators around Lake Nacimiento. Prepare and distribute information packets for ramp coordinators and volunteer inspectors. Prepare public alerts for lakeside residents and the general public.
8. Prepare written plan for future regional inspection stations to include events leading up to station start-up, timeframe, and estimated program costs.
9. Other services in support of invasive specie prevention at Lake Nacimiento.

The nature of these services is dynamic and is largely dependent upon the number of ramps and volunteers active in the program. For this reason, TJCross proposes to provide these services on a time-and-materials basis in accordance with Exhibit B – Engineer's Rate Schedule.

* * *

AGREEMENT FOR
ENGINEERING CONSULTING SERVICES
NACIMIENTO WATER PROJECT ENGINEERING SUPPORT
AMENDMENT NO. 4

Revised Exhibit B
Engineer's Rate Schedule

TJCross proposes to provide services on a time-and-materials basis in accordance with the attached rate schedule with hourly rates subject to annual adjustments of up to 4%. The basis for the January 2012 through December 2012 fee estimate is reflected on the attached table.

* * *



Effective: November 1, 2011

RATE SCHEDULE for the San Luis Obispo County Flood Control and Water Conservation District (Confidential)	Hourly Rates ⁽¹⁾	
	Straight-Time	Reg. Over-Time ^{(2) (3)}
<u>Personnel:</u>		
Principal / Chief Engineer	\$ 155.00	
Sr. Project Manager / General Manager	\$ 145.00	
Assistant Chief Engineer	\$ 135.00	
Project Manager / Proj. Specialist / Sr. Systems Analyst	\$ 125.00	
Sr. Engineer / Technical Consultant / Sr Programmer	\$ 120.00	
Staff Engineer / Project Engineer / Engineering Specialist	\$ 110.00	
Systems Analyst / Sr. Accountant / Sr. Scheduler	\$ 98.00	
Programmer Analyst / Programmer	\$ 98.00	
Engineer / Design Leader / Cost Engr.	\$ 98.00	
Construction Manager / Scheduler / Planner / Inspector	\$ 90.00	
Cad Coordinator / Lead Sup. Designer / Des Specialist	\$ 88.00	
Senior Lead Cad Designer	\$ 98.00	\$ 147.00
Project Design Coordinator	\$ 90.00	\$ 135.00
Senior Designer	\$ 86.00	\$ 129.00
Network Specialist / SCADA Technician	\$ 80.00	\$ 120.00
Instrument Technician / Designer Level I	\$ 80.00	\$ 120.00
Designer Level II	\$ 76.00	\$ 114.00
Drafter	\$ 68.00	\$ 102.00
Engineering Assistant / Project Assistant	\$ 60.00	\$ 90.00
Project Support / Admin Support	\$ 58.00	\$ 87.00
Drafting Tech / Intern	\$ 50.00	\$ 75.00
Clerk / Document Control Tech	\$ 48.00	\$ 72.00
<u>Specialty Consultants:</u>		
Lean Enterprise / Six Sigma Consultant	\$ 180.00	
Chief / Sr. Structural Engineer (CA licensed SE)	\$ 160.00	
Water and Utilities Consultant	\$ 150.00	
Sr. Energy Consultant / Sr. Gas Processing Consultant	\$ 145.00	
Sr. Engineering Consultant / Corrosion Specialist	\$ 135.00	
<u>Reimbursable Expenses:</u>		
Photocopies 8-1/2" x 11" & PLC/OIU Program Printouts	\$ 0.15 ea	
Photocopies 11" x 17"	\$ 0.24 ea	
AutoCAD Reduced B&W Plots (up to 11" x 17")	\$ 3.50 ea	
AutoCAD Reduced Color Plots (up to 11" x 17")	\$ 5.00 ea	
AutoCAD and Scanned B&W Plots (up to 22" x 34")	\$ 8.50 ea	
AutoCAD Color Plots (up to 22" x 34")	\$ 12.00 ea	
Company/Employee Automobile	\$ 0.70/mi	
Computer (AutoCAD, Programming & Engr. Stations)	\$ 8.00/hr	
Thermal Imaging Camera	\$ 20.00/hr	
Engineering Simulation Software (HYSIM, CAESAR, @RISK, ETAP, etc.)	\$ 25.00/hr	
H ₂ S Monitor	\$ 16.00/day	
Outside Services and Equipment	Actual Cost plus 10%	
Air Fare, Car Rental, Lodging, Meals, & Misc Travel Expenses, Reproduction Firms' Charges, Long Distance and Cellular Phone Calls, Express Mail, Outside Consultant Services (Subconsultant), etc.		

NOTES:

- All billing rates include overhead costs and profit. Minimum field call-out is 4 hours.
- Non-exempt worker straight-time (ST), regular overtime (OT), and double time(DT) wages are paid in accordance with California and Federal Labor Laws. Client ST, OT (ST x 1.5), and DT (ST x 2) billing rates apply when ST, OT, and DT wages are paid, respectively.
- Exempt worker extra time (i.e. 'overtime') is billed at straight-time billing rates.
- Invoicing will be accomplished on a weekly basis. Payment terms are net 30 days. A 1.5% monthly (18% annum) carrying charge is owed on all amounts past due.

Bakersfield

T.J. Cross Engineers, Inc. • 200 New Stine Road • Suite 270
Bakersfield, CA 93309 • Phone: 661-831-8782 • Fax: 661-831-5019

Ventura

T.J. Cross Engineers, Inc. • 5450 Telegraph Road • Suite 106
Ventura, CA 93003 • Phone: 805-658-3282 • Fax: 805-658-3283

ATTACHMENT B

2012 Invasive Mussel Prevention Program Draft Work Plan

DRAFT 1/12/2012

**Lake Nacimiento and San Antonio
2012 Invasive Species Prevention Program**

◆ 2012 PROGRAM DEFINED STANDARDS AND PROTOCOL IN PLACE

PROGRAM START MEMORIAL DAY ◆

	January			February			March					April				May					
	16	23	30	6	13	20	27	5	12	19	26	2	9	16	23	30	7	14	21	28	
Boater Education	Send out rainy day protocols			Revise resident pass program for 2012 boating season ; Consider changes to 14-day inspection certificate expiration; Develop programs with private ramps.			Continue Private Ramp Outreach					Schedule Meetings with Various Private Ramps									
							Update and Revise Lakeside Mailer		Print mailers for distribution		Send out mailers		Print and distribute certificates to Private Ramp Coordinators								
							Update Inspection Certificate (e.g. multi-use form, extend 14-day, etc.?)						Final media distribution list		Prepare media releases		Begin broadcasting ads				
							Design resident program stickers Determine if more stamps are needed		Order stickers/ stamps												
											Update and revise brochures and private ramp information packets		Print for distribution		Send brochures and private ramp information packets out for public use						
Signage and Layout				Create standards and protocol for signage			Determine location of signs around the lake both public and private		Prepare signage based on standards and protocol				Order signs		Erect signs						
									Final layout at public ramps		Install gates, signage, striping and shade structures for public										
Training Program				Prepare and update materials for Level I training to include banding and vessel tracking software			Provide training schedule for Level I training														
							Prepare refresher materials to include any updates to program (e.g. banding and vessel tracking software)		Review materials				Email out refresher materials to Level I inspector/screeners								
Banding and Vessel Tracking Programs	Determine type of banding program	Prepare standards and protocol for banding at both public and private ramps						Order bands				Training for band usage									
				LIZ/ TOM - Anything to add here?																	
Funding												SLO Budget request for fiscal year 2011/2012		Final Budget Breakdown and funding sources							
Recruitment							Recruiting and Advertising for Personnel				Hire Personnel		Train New Personnel								

◆ 2012 PROGRAM DEFINED STANDARDS AND PROTOCOL IN PLACE

PROGRAM START DATE

ATTACHMENT C

2010 Draft Multi-Year Strategy

ATTACHMENT D

2011 Draft Resident Vessel Program
(Under consideration by Staff of partnering agencies)



NACIMIENTO RESIDENT VESSEL PROGRAM

GOAL: Acknowledge that many vessels remain on Lake Nacimiento for months/years at a time, remaining within the watershed, and merit a different approach to mussel screening renewals.

PROPOSAL: Amend Lake Nacimiento Mussel Prevention Program to relieve “Resident Vessels” from 14 day renewal requirements.

BACKGROUND: Since May 2010, an active Mussel Prevention Program has been in place at Lakes Nacimiento and San Antonio administered by San Luis Obispo County Flood Control & Water Conservation District (SLO District), Monterey County Water Resource Agency, and Monterey County. The Nacimiento Regional Water Management Advisory Committee, Heritage Ranch Homeowner’s Association, Oak Shores Community Association, and other community leaders have been integral in the execution of the program. The program began as a self-certification seasonal program relying heavily on public outreach.

Year-round vessels merit a different approach to mussel screening renewals.

It is recognized statewide that tournament participants and the general public arriving from out of the area pose the highest risk of infestation, while residents/ non-transient boaters pose a very low risk. In May 2011, the program was expanded to require a mandatory screening/inspection of all vessels seeking to launch. Boaters, including lakeside residents, must carry a valid Vessel Screening Permit, renewed every 14 days, or risk being fined up to \$2,000. The program also evolved from a seasonal to a year round program.

Lake Nacimiento is unique in that there are 25+ ramps situated around a 165 mile shore line. There are 2 public ramps operated by Monterey County plus numerous ramps operated by private communities/owners who are actively engaged in the Mussel Prevention Program:

- The public ramps are staffed by trained Monterey County Parks Department staff.
- The largest two private communities provide screeners and screenings/inspections. These are Heritage Ranch Homeowners’ Association with approximately 2,104 members and Oak Shores Community Association with 626 members.
- Other private communities have fewer than 150 members and have volunteers who are trained as certified screeners. The volunteer screeners are members of the community, know most of the community members, and whether or not their vessels leave the lake.

SLO District sustains communication with approximately 200 trained volunteers representing various private communities around Lake Nacimiento. Monterey and SLO have provided screener training classes. The volunteer screeners check vessels and are responsible for rejecting high-risk boats.

The primary purpose of vessel screening is to identify boats that fail to arrive in a CLEAN, DRAIN, DRY condition, particularly those that have recently been on an infested water body. Because tournament participants and a portion of recreators haul boats around the State to various lakes and rivers, Vessel Screening Permits must be periodically renewed. The intent is to prevent boaters from going to infested water bodies, such as Lake Havasu, then returning with mussels and posing a threat to Lake Nacimiento.

A 14 day Vessel Screening Permit renewal period is currently in place to reduce the risk of boaters leaving the watershed and returning as a mussel-carrier.

Volunteer screeners spending most time on renewals for vessels that never leave the lake.

PROBLEM STATEMENT: The 14 day renewal requirement is intended to reduce the risk of infestation. An unintended consequence of the renewal requirement is the need to recertify the thousands of vessels that do not leave the watershed.

For example, an estimated 1,637 vessels were screened by volunteers at the smaller private ramps alone during the 2011 boating season¹. Of those, over 88% were re-certifications. In other words, the 200 trained volunteers are spending the majority of their screening time re-stamping forms for boats that never leave the watershed. This is time invested in handling forms and re-examining vessels THAT POSE NO RISK of introducing invasive mussels.

Our volunteers are the core of the Mussel Prevention Program. Asking that they dedicate the majority of their screening time on an activity that does nothing to reduce risks has not gone over well. Comments challenging the 14 day renewal have dominated dialogue with private communities and the volunteers. Private communities seek relief from the 14 day renewal cycle so that time is invested in truly risk-reducing efforts at the lake.

Observations indicate that continuing the 14 day renewal requirement for year-round, resident boaters, could cause:

- Volunteer screeners burnout and quit
- Longer processing time due to limited availability of screeners
- Frustration of community members
- Prevention program failure

CONCLUSION: The 14 day renewal for Resident Vessels does not reduce the risk of mussel infestation, dominates the time donated by volunteers, and if left in place, may well unravel private ramp program support altogether.

¹ This estimate excludes the larger private ramps (Oak Shores and Heritage Ranch) and only included reported figures.

PROPOSED AMENDED APPROACH:

Issue Resident Vessel Certificates to qualified vessels subject to these conditions:

A Resident Vessel is defined by:

- Vessel owner is legal owner of vessel and provides satisfactory evidence of current vessel registration;
- Vessel owner is a valid property owner at Lake Nacimiento as demonstrated by a recent secured property tax bill or other document;
- Vessel remains on Lake Nacimiento and may only be removed and re-introduced under conditions stated below;
- The owner has property or is affiliated with an organization/community with controlled access (i.e. private locked gate); and
- The vessel owner has legal access to a private launch ramp which is currently participating in the Lake Nacimiento Mussel Prevention Program identified in **Attachment A**.

Or,

- The vessel owner launches from a public launch ramp and is a member of an organization that is currently participating in the Lake Nacimiento Mussel Prevention Program identified in **Attachment B**.

Steps to Obtain a Resident Vessel Certificate

1. Complete a “Mussel Awareness Class” sponsored by SLO District. See **Attachment C** for enrollment instructions.
2. Provide documentation that vessel(s) qualify as a Resident Vessel, such as tax record, vessel registration, deeds, etc.
3. Sign “Affidavit of Resident Vessel Owner” stating limitation and conditions on transport of Enrolled Vessels. Acknowledge repercussions and penalties for failure to comply.
4. Vessel(s) successfully pass a mussel screening/inspection by a certified screener and show current, valid Vessel Screening Permit.
5. Vessel Owner has completed a Resident Vessel Certificate. See **Attachment E**

Issuance of Vessel Pass

Upon completion of enrollment steps above, each qualifying vessel shall be issued a Vessel Pass by SLO District. Passes are to be displayed on the vessel and are valid for one year² as long as vessel remains in sustained compliance with Resident Vessel Program.

² Annual passes proposed to be valid from May 1st through April 30th of the following year.

Choosing to Leave the Lake

In the event an Enrolled Vessel leaves the premise of the address as stated on the Affidavit of Resident Vessel Owner to do anything other than launch the vessel into Lake Nacimiento, the Vessel Owner is required to contact their Mussel Coordinator (**Attachments A and B**), make arrangements to have the vessel banded prior to departure, and/or to make arrangements for screening upon return. Failure to do so renders the Vessel Pass null and void.

Vessel Passes that Become Null and Void

In the event that the Vessel Pass becomes null and void, that pass shall be removed from the vessel by a certified screener or Mussel Coordinator and that vessel is now required to adhere to the Mussel Prevention Program renewal requirements then in effect (currently 14-day renewal). The Vessel Owner is no longer eligible to enroll additional vessels in the then-current year's Resident Vessel Program and risks losing Vessel Passes on other Enrolled Vessels.

Re-Entry of a Banded Vessel

Upon Enrolled Vessel re-entry onto the premises, the Vessel Owner shall notify their Mussel Coordinator (**Attachments A and B**) of the vessel return and make arrangements to have a certified screener either remove the intact band or screen the vessel. *Only certified screeners are authorized to remove the bands or screen the vessel* and shall notify the Mussel

Coordinator that the vessel is authorized for re-entry. Vessel Passes will be rendered null and void if a vessel returns with a band that is not intact or has been tampered with or the band is removed by an unauthorized person, or fails to pass the mussel screening/inspection. See section above for Vessel Passes that Become Null and Void.

Suspected Violators

It is the responsibility of certified screeners to monitor comings and goings of Enrolled Vessels and to notify their Mussel Coordinators immediately of any suspected violators. Certified screeners will be required to perform a renewal screening of suspected vessel.

Program Monitoring

1. SLO District to keep a log of Enrolled Vessels, bands issued and removed, suspect vessel renewal screenings and Vessel Passes that have been revoked. via the private ramp Mussel Coordinators' record of the same and notification of SLO District of any changes to vessel status immediately.
2. SLO District will initiate a quality control program among the private ramps to verify that the standards set forth in both the Mussel Prevention Program and the Resident Vessel Program are being followed. SLO District will provide unannounced random inspections of the launch ramps throughout the year.

3. SLO District will alert area lakes about the Resident Vessel Passes and have them flag the vessels in their tracking system and notify Monterey County Parks Department or SLO District.

4. Monterey County Parks Department will regularly run enrolled vessels through their vessel tracking system to determine if vessels are identified as having left the area.

WHAT'S NEXT

- Artwork for Vessel Passes with distinct identification numbers
- Develop banding program for use at private ramps
- Prepare required forms
- Prepare material for Mussel Awareness Class
- Roll out to private ramps and conduct training

The Resident Vessel Program is proposed to be in effect for the 2012 boating season.

* * *

*Contributing Authors:
Carolyn Berg, San Luis Obispo County Flood Control & Water Conservation District
Phil Humfrey, Nacimiento Regional Water Management Advisory Committee
Robin Dickerson and Christine Halley, TJCross Engineers*

ATTACHMENT A

Lake Nacimiento

**Private Ramp Communities and Mussel Coordinators
as of December 1, 2011**

Community	Mussel Coordinator
Cal Shasta	Phil Humfrey
Christmas Cove	Claire Simoulis
Happy Landing	Dennis Stinnette
Heritage Ranch HOA	Martin Rowley
Northshores S & B	Ray Green
Oak Shores	Dennis Javens
Rancho Del Lago	Russ Johnson
Running Deer Ranch	Chuck Enterline
South Shore Village	Debbie Kopack
Tri Counties Club	Eric Gamble

Private Ramps

Ramp	Mussel Coordinator
Private Ramp near Running Deer	Dave Kinman
Private Property w/ramp	Don Andre
Private Property w/ramp	Dave Dellamora
Private Property w/ramp	Mike McDermot
Private Property w/ramp	Mike Vaughn
Private Property w/ramp	Tom Vaughn

Lake Nacimiento

Private Organizations and Mussel Coordinators
as of December 1, 2011

Club	Mussel Coordinator
Laguna Vista Boat Club	Bill Capps

Resident Vessel Program
ATTACHMENT C

Lake Nacimiento
Mussel Awareness Class
Enrollment Instructions for 2012

****forthcoming****

DRAFT



Resident Vessel Program
ATTACHMENT D

Lake Nacimiento

AFFIDAVIT of RESIDENT VESSEL OWNER

I, _____ hereby certify that I own the following vessels, and that they are
(Name)

stored at Lake Nacimiento. They are stored at _____
(address)

and use the _____ launch ramp. I also certify that if I am granted a
(Community/private ramp)

Resident Vessel Pass I will continue to store the vessels at the above address. If I remove the vessel from the Lake Nacimiento watershed I must notify my Mussel Coordinator and the Enrolled Vessel must be banded before leaving the property and undergo a renewal screening by a certified screener. ONLY A CERTIFIED SCREENER MAY REMOVE THE BAND OR CERTIFY THE VESSEL FOR RE-ENTRY. I understand that if the band is removed by anyone other than a certified screen, or if the vessel fails to pass its re-entry screening, then the Resident Vessel Pass will be revoked.

I also understand that if I am granted a Resident Vessel Pass and I fail to comply with any of the conditions listed above I will have my Resident Vessel Pass revoked for the remainder of the year, and will be required to comply with the Mussel Prevention Program in place at that time.

CF _____ CF _____ CF _____

CF _____ CF _____ CF _____

(Signature)

(Printed Name)

(Date)

Address: _____

Home Phone # _____ Cell Phone # _____

E-Mail Address: _____



ATTACHMENT E

Lake Nacimiento
2012 RESIDENT VESSEL CERTIFICATE

I certify that I, _____ own the following vessels and that they are stored at Lake Nacimiento
_____ and launched from the _____ ramp.
(address) (Community/private ramp)

(Signature & Date)

CF _____ Pass # _____ CF _____ Pass # _____
CF _____ Pass # _____ CF _____ Pass # _____
CF _____ Pass # _____ CF _____ Pass # _____

Ownership documents verified: _____
(SLO Flood Control District) (Printed Name, Date)

All vessels above have passed the screening
and are known to remain at the above address: _____
(Certified Screener) (Printed Name, Date)

SCREENER
AFFIX SEAL HERE

Applicant has attended the Mussel Awareness Class: _____
(Instructor Signature) (Printed Name, Date)

ATTACHMENT E

2011 Legislative Road Map

(Utilized at California State Association of Counties Conference, December 2011)

DREISSENIID MUSSEL INVASION



Photo courtesy of the
State of the Idaho
Department of Agriculture

- 1980's: Dreissenid Mussels first introduced to the United States from Eastern Europe.
 - Non-native, invasive aquatic species.
- January 2007: 1st Dreissenid Mussel discovered in California waterways.
 - Transported by direct waterways (canals, pipelines, rivers) and recreational vessel transport.
- By August 2011: Dreissenid Mussels infested 25 California Lakes.
 - Multiply at an alarming rate: 1,000,000 eggs/female mussel/year.
- No means of eradication once lake is infested!

PROBLEM STATEMENT:

**Mussels infest
California.**

**We need State
LEADERSHIP.**



Photo courtesy of the Utah Division of Wildlife Resources

Photo courtesy of the California Department of Fish and Game

DREISSENID MUSSEL INVASION CONTINUES ... PROTECT CALIFORNIA WATERS, YOU CAN HELP!

ROAD TO RESPONSE:

PROTECT CALIFORNIA WATER BODIES!

LEGISLATIVE ACTION

Declare a statewide State of Emergency due to infestation of Dreissenid Mussels.

Establish or confirm the authority of local agencies to inspect and quarantine contaminated watercraft under Fish and Game Code.

Establish a control plan and implement protocols for infested water bodies, and mandate decontamination of watercraft leaving those water bodies.

Develop statewide database for tracking watercraft, especially those leaving infested water bodies or coming from out of state.

Lead standardization and consistency of prevention and control programs among jurisdictions. Promote regional coordination and reciprocal programs.

IN RESPONSE:

Wide range of prevention measures implemented by individual lake managers and agencies throughout California, however many counties still have limited to no prevention measures in place.

CA State Border began inspecting boats entering California.

Several companies exploring options for Dreissenid Mussel eradication methods.

Federal government approves **EMERGENCY EFFORTS** under EPA's Section 18 FIFRA Emergency Exemption Permit.



KEY:

Red square: Counties with infested water bodies

Green square: Counties without infested water bodies

10/24/2011



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Produced by:
San Luis Obispo County
and
Monterey County



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ATTACHMENT F

**Resolution Requesting the Governor Declare Statewide State of Emergency
(Resolution No. 2011-379)**

BEFORE THE BOARD OF SUPERVISORS

of the

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Tuesday November 22, 2011

PRESENT: Supervisors Frank Mecham, Bruce S. Gibson, Paul A. Teixeira, James R. Patterson
And Chairperson Adam Hill

ABSENT: None

RESOLUTION NO. 2011-379

RESOLUTION REQUESTING THE GOVERNOR DECLARE A STATEWIDE STATE OF EMERGENCY RESULTING FROM INFESTATION OF DREISSEID MUSSELS INTO THE WATER BODIES OF THE STATE OF CALIFORNIA

The following Resolution is now offered and read:

WHEREAS, the Dreissenid Mussels (or Zebra and Quagga Mussels) are among the most devastating invasive species to invade North American fresh waters; and

WHEREAS, the Dreissenid Mussels first arrived from Europe in the 1980s and spread to many water bodies in the eastern and Midwestern United States and have now been found in several of the western states; and

WHEREAS, the arrival of Dreissenid Mussels in a region creates severe ecological and economic impacts because, once established, these mussels can clog water intake and delivery pipes, infest hydro power infrastructure, adhere to boats and pilings, foul recreational beaches and damage and forever change fisheries; and

WHEREAS, the Dreissenid Mussels have now infiltrated the State of California, having been found in San Diego County, Riverside County, San Bernardino County, San Benito County, Imperial County, and Orange County; and

WHEREAS, over eighty percent (80%) of the water used by farms, businesses, and the 38 million strong population of California originates in rural northern California counties making preventing the infestation of these headwaters of paramount importance; and

WHEREAS, efforts to date have not stopped the mussels' advance once in a water system. The primary methods of advancement between water systems is by water flow (connected waterways) and trailered watercraft (non-connected waterways), and that advance has not been stopped by present methods, only slowed; and

WHEREAS, although these mussels are making inexorable progress into the water bodies of California, there is still the opportunity to prevent significant damage if coordinated and extensive action is taken immediately. Without increased and immediate action, these mussels will cause irreparable ecological and economic damage to California water bodies and long-term costs could be in the billions; and

WHEREAS, while the County of San Luis Obispo is and will continue to take local action to prevent the infestation of these mussels in County of San Luis Obispo water bodies, including Lakes Nacimiento, Lopez, and Santa Margarita, a uniformly applied strategy of containment and prevention formulated at the State and Federal levels is necessary; and

WHEREAS, even counties in this State without recreational water bodies are at risk from the impacts of the destruction of water systems and the severe harm to the environment caused by these mussels; and

WHEREAS, both the State and Federal governments must provide the necessary enforcement authority and funding to all local jurisdictions in California for the implementation of such a strategy; and

WHEREAS, the Federal government has recognized the significant risks posed by the infestation and spread of invasive Dreissenid Mussels, and has, in fact, approved emergency efforts under the Environmental Protection Agency's (EPA's) Section 18 FIFRA Emergency Exemption permit to use *Pseudomonas fluorescens* CL 145A ("Zequanox") as a possible eradication means for Quagga Mussels in the Bureau of Reclamation's Davis Dam and nearby waters (lower Colorado River) in 2010.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the San Luis Obispo County Flood Control and Water Conservation District (District), State of California, as follows, that:

1. The District Board of Supervisors does hereby formally request the State of California to declare a statewide State of Emergency due to the infestation of Dreissenid Mussels into the water bodies of the State of California and that the Governor request a similar Presidential Proclamation.
2. The District Board of Supervisors requests that the State take the following action in furtherance of the prevention of Dreissenid Mussels into California water bodies:
 - a. Enact legislation to allow local jurisdictions the same enforcement powers and authority as the State Department of Fish and Game to tag and quarantine all watercraft which present a particular source of possible infestation, such as watercraft coming from out-of-state or coming from infested lakes and water bodies within the State of California.
 - b. Increase prevention funding through mechanisms such as enacting legislation to increase State Department of Motor Vehicles registration fees for all watercraft and adding fees to water distribution billings. Require that the monies accrued from such an increase be utilized solely and only for the prevention of Dreissenid Mussels in California water bodies.
 - c. Implement a statewide program which acknowledges watercraft as a vector for infestation, identifies and imposes a thirty-day quarantine on those watercraft which cannot be adequately decontaminated due to their configuration and/or type and which includes a long-range plan to achieve the goal of ultimately allowing only watercraft which can be classified as "vector-free" into any water bodies in the State of California.
 - d. Mandate that infested waterway owners/operators choosing to maintain recreational boating must decontaminate all watercraft prior to it leaving the area. Infested waterway owners/operators not implementing control/decontamination program should be mandated by the State Department of Fish and Game to close reservoir(s). The State should develop and implement a plan to prevent movement of watercraft from infested water ways to other areas.
 - e. Make a statewide tracking system (such as the Quagga Inspection Database) available to waterway owners/operators via a State initiative, which offers the tracking system to agencies at a low cost to encourage information sharing and

- tracking of vessel activities and quarantines. All quarantined vessels should be entered into the statewide tracking system, accessible by all agencies.
- f. Encourage collaboration among all local jurisdictions and the State Department of Fish and Game and include in the statewide program a mechanism whereby the local jurisdictions share not only in the enforcement authority of the Department of Fish and Game but all sources of funding as well.
 - g. Lead the effort to promote standardization and consistency amongst jurisdictions across the State, to better facilitate regional reciprocity amongst prevention and control programs throughout the State.
 - h. Maintain high mussel awareness and 24/7 coverage at all existing State border inspection stations. Establish inspection stations on major south to north roadways (e.g. US 101, 99, I-5, 395) with the State of California.
 - i. Include in the statewide program an aggressive educational component to ensure that the dangers of infestation by these mussels are well-understood by all who seek to enjoy and/or benefit from the water bodies of this State.

####

Upon motion of Supervisor Patterson, seconded by Supervisor Teixeira, and on the following roll call vote, to wit:

AYES: Supervisors Patterson, Teixeira, Mecham, Gibson and Chairperson Hill

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing Resolution is hereby adopted.

Adam Hill
Chairperson of the Board of Supervisors

ATTEST:

Julie L. Rodewald
Clerk of the Board of Supervisors

By: /s/Sandy Currens
Deputy Clerk

(SEAL)

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN
County Counsel

By: /s/Patrick J. Foran
Deputy County Counsel

Dated: 11/08/2011

L:\MANAGMNT\NOV11\BOS\Mussel State of Emergency 11-08-11 rsl.doc

STATE OF CALIFORNIA, }
County of San Luis Obispo, ss.

I, Julie L. Rodewald, County Clerk and ex-officio Clerk of the Board of Supervisors of the San Luis Obispo County Flood Control and Water Conservation District, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this 23rd day of November, 2011.



Julie L. Rodewald
County Clerk and Ex-Officio Clerk of the Board of Supervisors

By sandy currens
Deputy Clerk.