



NACIMIENTO PROJECT COMMISSION MEMBERS: CITY OF PASO ROBLES, TEMPLETON CSD, ATASCADERO MWC,
CITY OF SAN LUIS OBISPO, SLO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

Notice of Regular Meeting **NACIMIENTO PROJECT COMMISSION**

THURS., MARCH 13, 2025 – 4:00 PM

IN-PERSON LOCATION: (COMMISSIONERS MUST ATTEND IN-PERSON)

Templeton CSD, Board Meeting Room, 206 5th Street, Templeton, CA 93465
(805) 434-4900

VIRTUAL OPTION: (ONLY FOR AGENCY STAFF OR MEMBERS OF THE PUBLIC)

<https://us02web.zoom.us/j/87581168556?pwd=pOomcywnBcay8byHwGNWqQSygahn6k.1>

Meeting ID: 875 8116 8556 Passcode: 084298 Call in: 1-669-900-6833

AGENDA ITEMS & PUBLIC COMMENTS:

For more information: <https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Nacimiento-Project-Commission.aspx>

Public comments can be submitted to: Anna McKenna at AMcKenna@co.slo.ca.us

	Participant/District	Commissioner	(Alternate)
(Chair)	Templeton CSD	Wayne Peterson;	Eric Mortensen
(Vice Chair)	Atascadero MWC	Robert "Grigger" Jones;	John Neil
	City of San Luis Obispo	Emily Francis;	Jan Marx
	District	John Peschong;	Vicki Janssen
	City of Paso Robles	John Hamon;	Fred Strong

AGENDA

I. CALL TO ORDER

- A. Roll Call for Quorum Count
- B. Flag Salute

II. PUBLIC COMMENT (For non-agenda items within Commission jurisdiction; three-minute limit each.)

III. MEETING MINUTES

- A. Naci Commission, August 22, 2024
Staff Recommendation: Approve the Minutes.
- B. Naci Commission Special Meeting, October 3, 2024
Staff Recommendation: Approve the Minutes.

IV. COMMISSION INFORMATIONAL ITEMS

- A. Current NWP Operations with Reservoir Status & 2025 Outlook
- B. Second Quarter Operations Budget Report – FY 2024/25
- C. FY 2025-26 Operating Fund Proposed Budget
- D. Annual Conflict of Interest (COI) filing – "Form 700"
- E. 2025 Calendar of Activities

V. COMMISSION ACTION ITEMS

- A. Approve changes to Commission Rules of Procedures (1.A.) "The Commission shall meet quarterly in regular session on the fourth Thursday of the selected months, **except in November, when the meeting shall be held on the third Thursday of the month.** All regular meetings will be open sessions in the Chambers for the Templeton Community Services District or other agreed-upon location." (4/5 vote of the Commission).
- B. Annual Nomination & Election of Commission Officers

- C. Recommend that the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District (District) take the following actions:
 - 1. Approve the Nacimiento Water Project Flood Hazard Mitigation Project (WBS 310008);
 - 2. Accept a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) grant, in the amount of \$950,610, for WBS 310008;
 - 3. Authorize a budget adjustment in the amount of \$1,247,805 using FEMA HMGP funds and increase appropriations to fund WBS 310008; and
 - 4. Authorize the Director of Public Works, or designee, to apply for, accept, and manage federal and state funding to reimburse costs of water infrastructure resiliency planning, implementation, and construction and return to the Board before such formal acceptance.
- D. Review and consider submitting a letter to Board of Supervisors advising opposition to the Shandon San Juan Water District application to appropriate water in Nacimiento Lake. Potential actions:
 - 1. Authorize Chair to sign letter
 - 2. Request for staff to submit letter to Board of Supervisors
- E. Review and consider submitting a letter of support for Monterey County Water Resources Agency's San Antonio Dam Low-Level Outlet Works Rehabilitation Project Funding request of \$1.8 million. Potential actions:
 - 1. Authorize Chair to sign letter
 - 2. Request for staff to submit letter to Senator Padilla, Rep. Schiff, and Rep. Panetta.

VI. **ITEMS FOR NEXT REGULAR MEETING AGENDA**

VII. **DATE OF NEXT REGULAR MEETING**

A. April 24, 2025 (SPECIAL)

B. May 22, 2025 (REGULAR)

VIII. **ADJOURNMENT**

ATTACHMENTS

- | | | |
|-----|------------|--|
| 1. | Item III.A | Minutes from August 22, 2024 |
| 2. | Item III.B | Minutes from October 3, 2024 |
| 3. | Item IV.A | Ops Report |
| 4. | Item IV.B | Second Quarter Operations Budget Report – FY 2024/25 |
| 5. | Item IV.C | FY 2025-26 Operating Fund Proposed Budget Memo |
| 6. | Item IV.D | Form 700 Memo |
| 7. | Item IV.E | 2025 Calendar of Activities |
| 8. | Item V.A | Rules of Procedures Staff Report |
| 9. | Item V.B | Annual Nomination & Election of Commission Officers |
| 9. | Item V.C | HMGP Staff Report |
| 10. | Item V.D | SJWD Staff Report |
| 11. | Item V.E | MRWRC San Antonio Dam Project Staff Report |

CONTACT: *All Americans with Disabilities Act (ADA) accommodations shall be promptly reviewed and resolved.*

Persons who require accommodations for any audio, visual or other disability in order to review an agenda, or to participate in the meeting per the ADA, are encouraged to request such accommodation 48 hours in advance of the meeting from County Public Works at (805) 781-5252.



MEETING MINUTES (DRAFT) **NACIMIENTO PROJECT COMMISSION**

August 22, 2024

COMMISSIONERS PRESENT (Voting Share %)

Templeton CSD (2%): Wayne Peterson, Chair

Atascadero MWC (17%): John Neil (Alternate Vice Chair), temporarily filled in for Grigger Jones from 4:00pm to 4:05pm at which point Grigger Jones joined the meeting.

City of SLO (28%): Michelle Shoresman (Alternate)

District (20%): Vicki Janssen (Alternate)

COMMISSIONERS ABSENT (Voting Share %)

Paso Robles (33%): John Hamon, Chris Bausch, (Alternate)

CLERK: Nola Engelskirger, District

1. CALL TO ORDER

A Commission meeting was held on Thursday, August 22, 2024, at 4:00 P.M., with Commissioner Peterson serving as the Chair. *Quorum established at 67%* (minimum of 3/5 seats present with voting share > 51%).

Everyone stood and recited the Pledge of Allegiance.

2. PUBLIC COMMENT:

None

Vicki Janssen- commented there is no staff report for action item and suggested that future action items are noted as verbal if no staff report is included.

3. REVIEW OF PREVIOUS MEETING MINUTES

Meeting minutes for April 25, 2024, were recommended for approval. No questions from the board, no public comments, and no further discussion by the Commission. Motion to approve minutes by Commissioner Jones seconded by Commissioner Francis.

Motion for approval: Jones; Seconded; Francis; All approved.

5. COMMISSION ACTION ITEMS *(Commission agreed to proceed with Agenda Item 5 before 4 due to potential time constraints.)*

Monterey County Water Resources Agency San Antonio Dam Spillway Replacement Project Alternatives Analysis Report Presentation.

Elise Ramirez presented slides and discussed the project.

Comments/Question: GJones- who is paying for this project? ERamirez responded with stakeholders

MShoresman: asked for ERamirez to clarify grant opportunities. ERamirez: \$3M (of \$17M for

Monterey County Agency) should get us through 2 years of design/permitting

Additional grant funding is being sought after.

WPeterson (Chair) confirmed there were no other questions.

Fourth Quarter Operations Budget Report – FY 2023/24

HWright presented the 4th quarter budget report 23/24. 66% PO; 535k credit for true up credit. \$660k savings with additional cost in O&M due to 2023 storm projects.

No comments

4. COMMISSION INFORMATIONAL ITEMS

NWP Operations

NEngelskirger reported routine operations, except delivery issues due to repairs

No comments

2023 Storm Damage Unit G Temporary Repair

NEngelskirger: Temp repair was online and within 48 hours found a leak at Yerba Buena crossing. FEMA reimbursement 6-12 months from July 2024.

No comments

2024 Unit Yerba Buena Undercrossing Emergency Leak Repair

NEngelskirger: presented leak photos. Whitaker under emergency PO to replace section and we have consulted with a corrosion expert, and it looks like it's been corroding for some time \$200-500k estimated repair.

No comments

2023 Storm Damage Unit G Realignment

NEngelskirger: Realign outside of flood plain. Feb 2025 100% design expected.

VJanssen asked where the realignment will cross over river. NEngelskirger: On Happy Valley, AMWC and 3rd owner and may need a temporary easement from another property owner.

5. COMMISSION ACTION ITEMS

2023 Storm Damage Templeton Turnout Realignment Project and Budget Adjustment

NEngelskirger explained there was scour caused by the storm. We have an alternatives analysis and endorsement by Commission is requested. TCSD will be paying for the project, and we need to make a change in the language for TCSD. VJanssen asked if TCSD will be reimbursed? NEngelskirger agreed that TCSD will fund this through water sales and Jeff Briltz confirmed that their board approved the budget adjustment.

Staff Recommendation: Recommend that the District Board of Supervisors approve the following actions:

1. Approve the Nacimiento Water Project Templeton Turnout Realignment Project (Contract No. 310004);
2. Direct District staff to proceed with associated project development activities, including but not limited to the acquisition of permits, preparation of final project plans and specifications, and preparation of ready-to-advertise contract documents; and
3. Authorize a budget adjustment in the amount of \$686,000 to increase Water Sales Revenue and increase appropriations in WBS 310004 from Nacimiento Water Project Operating Reserves to the Templeton Turnout Realignment Project; by 4/5 vote.

Motion for approval of budget adjustment by VJanssen; Seconded; GJones; Roll Call Vote was unanimous.

6. ITEMS FOR NEXT REGULAR MEETING AGENDA:

None

7. DATE OF NEXT REGULAR MEETING

November 21, 2024

8. ADJOURNMENT

The meeting was adjourned by Commissioner Peterson at 4:39 P.M



SPECIAL MEETING MINUTES (DRAFT) **NACIMIENTO PROJECT COMMISSION**

October 3, 2024

COMMISSIONERS PRESENT (Voting Share %)

Templeton CSD (2%): Geoff English (Chair Alternate)

Atascadero MWC (17%): Grigger Jones (Vice Chair)

City of SLO (28%): Emily Francis

Paso Robles (33%): John Hamon

District (20%): John Peschong

CLERK: Anna McKenna, District

I. CALL TO ORDER

A Special Commission meeting was held on Thursday, October 3, 2024, at 4:00 P.M. Chair, Wayne Peterson was absent for the duration of the meeting. Chair Alternate, Geoff English was present but did not take on the Chair responsibilities. Grigger Jones, Vice Chair, assumed the role of Chair and led the meeting performing Chair duties. *Quorum established at 100%* (minimum of 3/5 seats present with voting share > 51%).

Everyone stood and recited the Pledge of Allegiance.

II. PUBLIC COMMENT:

None

III. COMMISSION ACTION ITEMS

- A. Yerba Buena Repair. Authorize a budget adjustment in the amount of \$815,000 to increase appropriations in Fund Center – 549 Nacimiento Water Project for costs related to the Yerba Buena Creek Crossing Project (310003) from NWP Operating Reserves and additional contributions by NWP participants.

Staff Recommendation: Endorse Budget Adjustment and recommend approval by County BOS.

AMcKenna presented the Yerba Buena repair project and staff recommendations. JHamon made inquiries about causes of corrosion including casing failure, current control, method of pipe replacement and possible capacity restrictions and EFrancis asked for further explanation. AMcKenna explained there are many elements that could have caused the corrosion including the surrounding soil and while there is grout and packed sand in the casing it could still corrode. There are nearby gas lines that have cathodic protection, but the corrosion can develop at the high-water level at the bottom of the trench. The 5-year CIS closed interval survey test is getting a reading off ductal iron casing, and we want to identify every under crossing and do soils testing. While we cannot rule out a manufacturing issue, Corpro reports corrosion appears to be from soil and not the pipe itself and we are moving forward with testing. JHamon inquired about cost, availability of contractor and entering wet weather season. AMcKenna responded that Whittaker is already onsite working, and they are shoring and dewatering for inspections and working as fast as possible before potential

wet weather. GJones asked if there is enough contingency in the contract and if participants know their share of cost. AMcKenna confirmed the contingency is expected to be adequate and share of cost was discussed at the TSG meeting although the amount is slightly higher due to staff time and rental equipment costs. JPeschong commented positively about Whitaker's reputation and work. AMcKenna agreed and added that Whitaker worked on the pipeline project and their crossing have not had any failures. JHamon stated that SMR and SLO are not currently receiving water.

Motion for approval of staff recommendation by JPeschong; Seconded; EFrancis; Roll Call Vote was unanimous.

7. DATE OF NEXT REGULAR MEETING

November 21, 2024

8. ADJOURNMENT

The meeting was adjourned by Commissioner Peterson at 4:15 P.M



TO: Naci Technical Support Group
FROM: Anna McKenna, Utilities Division Engineer
DATE: February 20, 2025
SUBJECT: NWP Delivery Report

NWP DELIVERY REPORT

Attachment 1 is the draft monthly summary of NWP deliveries through January 2025 for the 2024 Nacimiento "Water Year" (Oct. 1, 2024 – Sept. 30, 2025).

NACIMIENTO RESERVOIR DATA & OPERATIONS SYSTEM

Attachments 2, 3 & 4 are provided as a reference for your planning purposes.

ATTACHMENTS

1. District's NWP Delivery Report (Draft).
2. MCWRA Reservoir Data.
3. MCWRA Reservoir 2025 Release Schedule.
4. MCWRA Reservoir Pool Schematic (from "Nacimiento Dam Operation Policy," 2018).

NWP Delivery Report – January 2025 (DRAFT)

Deliveries^{1, 2, 5}

	Oct-24	Nov-24	Dec-24	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	TOTAL
Paso (T2)	398.56	212.36	84.08	125.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	820.66
Ops Water													0.00
TCSD (T4)	33.33	31.44	20.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	84.81
Ops Water													0.00
AMWC (T6)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Ops Water													0.00
SMR (T9)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Ops Water													0.00
SLO (T11)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.90	0.00	0.00	8.90
Ops Water													0.00
TOTAL	432	244	104	126	0	0	0	0	0	9	0	0	914.37
Cumulative	432	676	780	905	905	905	905	905	905	914	914	914	
Intake Meter	422.92	239.67	104.75	126.14	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	893.48
Variance (UW)	8.97	4.13	(0.63)	(0.48)	0.00	0.00	0.00	0.00	0.00	8.90	0.00	0.00	20.89
Ops Water ⁴	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Requests^{1,3}

	Oct-24	Nov-24	Dec-24	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	TOTAL
Paso (T2)	658	544	172	178	161	274	265	658	636	658	658	636	5498
TCSD (T4)	24	23	9	8	22	24	23	24	23	24	24	23	250
AMWC (T6)	250	0	0	0	0	0	0	0	500	500	500	500	2250
SMR (T9)	0	7.3	7.3	7.3	7	7	7.3	7.3	7.3	7.3	7.3	7.3	80
SLO (T11)	315	305	315	315	295	315	305	315	305	315	315	305	3720
TOTAL	1247	879	503	509	485	620	600	1004	1471	1504	1504	1471	11798
Cumulative	1247	2126	2629	3138	3623	4243	4843	5847	7319	8823	10327	11798	

NOTES

1. All table values listed are in units of acre-feet (AF).
2. Deliveries are based on monthly reporting provided by County Operations.
3. Requests based on latest schedule request submitted for project "Water Year 2024-25" deliveries. WY = Oct thru Sep.
4. "Ops Water" is water sent through the turnout for O&M needs and not counted against Participants' Delivery Entitlement.
5. Deliveries interrupted due to January storms; extended outage for Participants downstream of RCPS (impacting SMR and SLO).

NACIMIENTO WATER PROJECT

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

G:\Utilities\Water\NWP\Operations\Water Accounting\Delivery Requests_Actuals\2024-25\2024-25 Delivery Report

2/5/2025

Monterey County Water Resources Agency
DAM AND RESERVOIR - DAILY DATA (provisional)
February 8, 2025 through February 14, 2025

San Antonio	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday
Date	2/8	2/9	2/10	2/11	2/12	2/13	2/14
Percentage of Capacity (%)	70	70	70	70	70	70	71
Elevation (feet)	759.55	759.65	759.7	759.75	759.75	759.85	760.7
Depth (feet)	159.55	159.65	159.7	159.75	159.75	159.85	160.7
Storage (acre-feet)	234288	234713	234925	235138	235138	235563	239210
Lake Surface Area (acres)	4214	4220	4223	4226	4226	4232	4295
Length of Lake (miles)	14.1	14.1	14.1	14.1	14.1	14.1	14.2
Releases (cfs)	10	10	10	10	10	10	10
Rainfall Past 24 Hours (in.)	0.08	0.01	0	0	0.03	0.13	1.6
Rainfall Total to Date (in.)	3.19	3.2	3.2	3.2	3.23	3.36	4.96
Total Rain to Date Last Year (in.)	9.25	9.25	9.25	9.25	9.25	9.25	9.27
Total Rain Last Season (in.)	15.67	15.67	15.67	15.67	15.67	15.67	15.67

Nacimientto	Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday
Date	2/8	2/9	2/10	2/11	2/12	2/13	2/14
Percentage of Capacity (%)	56	56	56	57	57	57	64
Elevation (feet)	766.4	766.55	766.65	766.7	766.75	767.55	773.35
Depth (feet)	151.4	151.55	151.65	151.7	151.75	152.55	158.35
Storage (acre-feet)	212290	212905	213315	213520	213725	217060	242158
Lake Surface Area (acres)	4119	4126	4131	4133	4135	4173	4458
Length of Lake (miles)	16	16	16	16	16	16.1	16.5
Releases (cfs)	60	60	60	60	60	67	60
Rainfall Past 24 Hours (in.)	0	0	0	0	0.05	0.11	1.16
Rainfall Total to Date (in.)	4.03	4.03	4.03	4.03	4.08	4.19	5.35
Total Rain to Date Last Year (in.)	10.95	10.95	10.95	10.95	10.95	10.95	10.96
Total Rain Last Season (in.)	17.15	17.15	17.15	17.15	17.15	17.15	17.15

Notes: Elevation referenced to NGVD 29. Data are 7:00 AM values from real time provisional USGS water surface elevation gage sites. Full data sets can be accessed via the following links:

[Nacimientto Elevation](#)

[San Antonio Elevation](#)

Current Releases: The Monterey County Water Resources Agency (MCWRA) is currently making minimum fisheries releases from both reservoirs to support fish habitat downstream of the dams.

[Reservoir release schedule approved by MCWRA Board of Directors](#)

The Nacimientto Dam Operation Policy provides a detailed description of the regulations, requirements, and other considerations that inform our reservoir operations.

[Nacimientto Dam Operation Policy](#)

2024 Reservoir Release Schedule

Adopted

Month	Combined Releases (cfs)	Nacimiento Releases (cfs)	San Antonio Releases (cfs)	Nacimiento Elevation (ft)	San Antonio Elevation (ft)
Jan	70	60	10	767.4	755.1
Feb	97	87	10	771.5	756.1
Mar	441	430	11	791.3	763.6
Apr	631	621	10	795.6	766.9
May	360	323	37	792.0	767.5
Jun	445	350	95	787.7	766.7
Jul	574	340	234	782.5	764.8
Aug	647	348	298	777.0	760.9
Sep	502	345	157	771.2	755.9
Oct	276	266	10	765.3	753.1
Nov	70	60	10	760.5	752.6
Dec	70	60	10	759.1	752.2
Jan				757.9	752.0

Updated

Month	Combined Releases (cfs)	Nacimiento Releases (cfs)	San Antonio Releases (cfs)	Nacimiento Elevation (ft)	San Antonio Elevation (ft)
Jan	70	60	10	767.4	755.1
Feb	97	87	10	771.5	756.1
Mar	441	430	11	791.3	763.6
Apr	809	799	10	795.6	766.9
May	372	362	10	792.2	768.6
Jun	353	343	10	788.7	768.8
Jul	483	393	90	784.3	768.2
Aug	527	396	131	778.6	766.3
Sep	482	357	125	772.6	763.9
Oct	228	101	127	767.2	761.9
Nov	79	69	10	765.1	759.9
Dec	79	69	10	764.1	759.6
Jan				763.3	759.4

Note: Table on left shows the Reservoir Release Schedule approved at the April 15, 2024 Board of Directors meeting. Table on the right is final as of January 10, 2025. Bold text indicates actual values. The approved Reservoir Release Schedule includes estimated monthly release values to meet the goals of dam safety, flood protection, groundwater recharge, operation of the SRDF, water supply, fish migration, fish habitat requirements, agriculture, and recreation while complying with water rights, permits, and existing agreements. Salinas River conditions are dynamic, and the reservoir releases required to meet downstream goals can vary based on watershed and climatic conditions. The Release Schedule is updated throughout the year with actual releases and updated estimates to reflect these changing conditions.



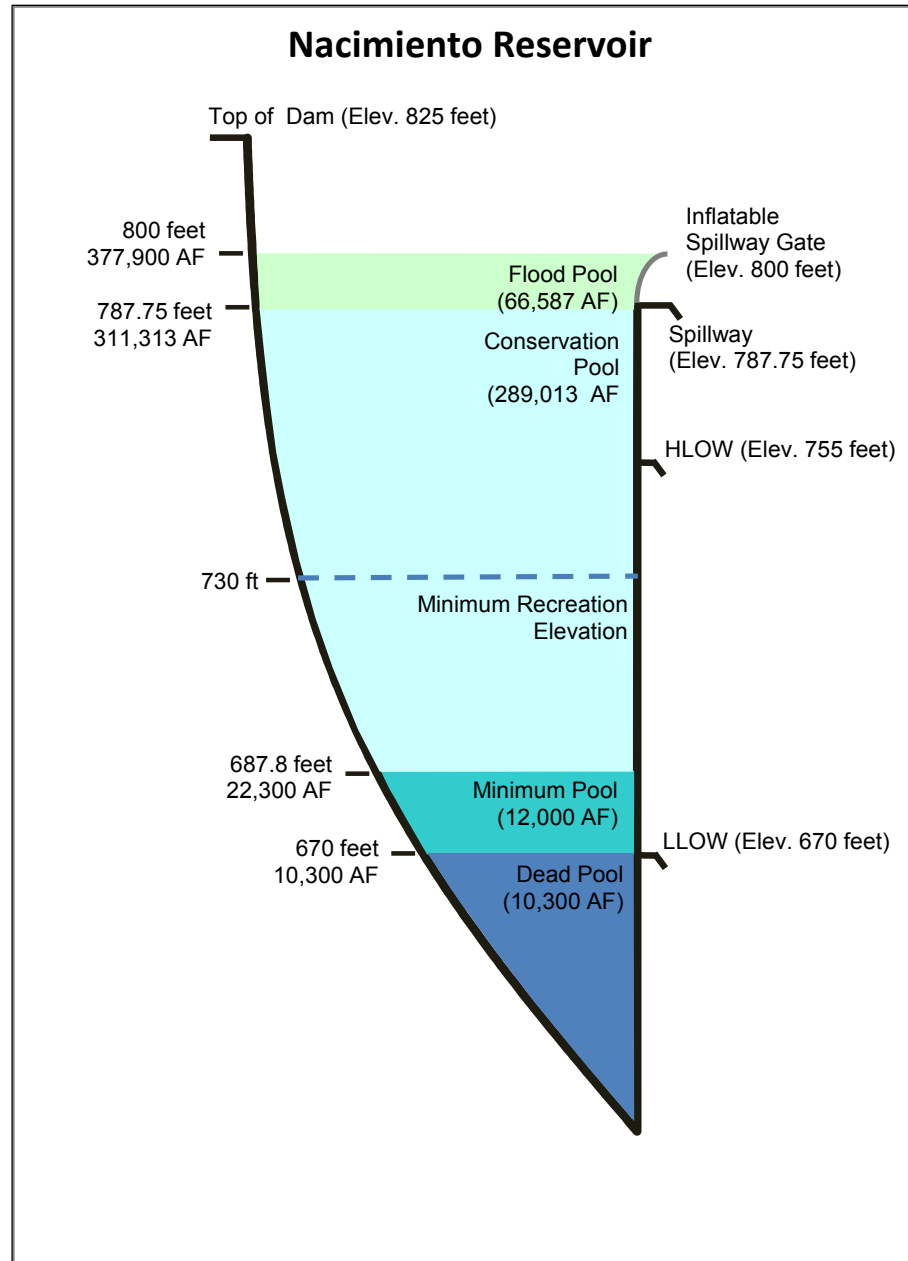


Figure 1. Schematic of Nacimiento Reservoir Pools



SAN LUIS OBISPO COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT
NACIMIENTO WATER PROJECT

TO: Nacimiento Project Commission
FROM: Harold Wright, Finance-Administrative Service Manager
VIA: Nola Engelskirger, Water Utilities Division Manager
DATE: March 13, 2025
SUBJECT: FY 2024-25 Second Quarter Operations Budget Report
(Information Only – No Action Required)

Figures summarizing the Fiscal Year 2024-25 Second Quarterly Operating Fund Budget are provided for your information. With 50% of the year elapsed, total expenditures and purchase order commitments are at 17.6% of budget. This includes Non-Routine projects that fluctuate during the fiscal year. More notably, annual Routine Operations and Maintenance efforts are at less than budgeted levels at 25.6% of the budget.

FY2024-25 Nacimiento Operating Fund

	<u>Budget</u>	<u>Expenses & Purchase Orders</u>	<u>Expenses and Purchase Orders as a % of Budget</u>	<u>Balance Available</u>
Routine O&M	4,002,878	1,026,291	25.6%	2,976,587
Non Routine O&M Projects	11,864,737	1,803,108	15.2%	10,061,629
Capital Outlay Projects	200,000	-	0.0%	200,000
Total	16,067,615	2,829,399	17.6%	13,238,216
[a] Variable Energy	2,326,361	212,250	9.1%	2,114,111

[a] PG&E invoices for Variable Energy usage. Costs are billed to participants based upon actual usage, and are not included in Participants' Installment Billings or Final Billings.

If you have any questions, please feel free to contact me at (805) 781-5462 or via e-mail at hwright@co.slo.ca.us. Staff will be available to answer specific questions at the meeting.

Nacimiento Water Operating Fund
Budget Status Report
FY 2024-25

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TO: Nacimiento Project Commission
FROM: Harold Wright, Finance-Administrative Service Manager
VIA: Nola Engelskirger, Water Utilities Division Manager
DATE: March 13, 2025
SUBJECT: FY 2025-26 Nacimiento Water Operating Fund Proposed Budget

An electronic version along with a hard copy of the Budget booklets of the Proposed Fiscal Year 2025-26 Nacimiento Water Operating budget will be sent to the Commission prior to their March 13, 2025 meeting. No action will be required at that time. An electronic version will also be emailed to the TSG and Finance Committee members the same day.

On March 20, 2025, the Nacimiento TSG and Finance Committees will meet with District staff at 2:00 p.m. to review the proposed budget.

Any requested revisions to the budget will be returned to the TSG at their April 17, 2025 meeting, and will be communicated and distributed electronically to the Finance Committee and Commission.

On April 24, 2025, the Nacimiento Commission will conduct its annual special budget meeting to consider approval of the 2025-26 Proposed Budget. District staff will provide a short presentation, followed by a vote for endorsement.

In June, 2025, the District Board of Supervisor conducts its annual budget review and approval process.



MEMORANDUM

TO: Nacimiento Project Commission
FROM: Anna McKenna, Utilities Division Engineer
VIA: Nola Engelskirger, Utilities Division Manager
DATE: March 13, 2025
SUBJECT: 2025 Statement of Economic Interests – Form 700

This memo is a reminder for Commissioners and Alternates to file a ***Statement of Economic Interests (Form 700)***, pursuant to the Commission's adopted Conflict of Interest Code. Additionally, Commissioners and Alternate Commissioners assuming and leaving an appointment must file the appropriate form within 30 days of the event.

The County Clerk-Recorder's office maintains a list of Form 700 filers, so if an email address is on file, Commissioners and Alternates should have received an email in February that explains the filing process. **The deadline to file the annual Statement of Economic Interest – Form 700 is April 1.**

Additional information may be found at the Clerk-Recorder website and the Fair Political Practices Commission website shown below:

www.slocounty.ca.gov/clerk

<http://www.fppc.ca.gov/>

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2025 CALENDAR OF ACTIVITIES

TECHNICAL SUPPORT GROUP (TSG) & NACIMIENTO PROJECT COMMISSION

TSG (Participants & District Staff Only): Monthly, 3rd Thursday at 2:00 PM.

Commission (Public Meetings): Quarterly, 4th Thursday at 4:00 PM, except in November, when the meeting shall be held on the third Thursday of the month.

<u>JAN</u> TSG – Jan 16 Commission – Dark	<u>FEB</u> TSG – Feb 20 Commission – Feb 27 <i>Annual election of Chair & Vice Chair; COI forms ("Form 700") and proposal of draft FY 24-25 budget.</i>	<u>MAR</u> TSG & Finance Cmte – Mar 20 Commission – Dark
<u>APR</u> TSG – Apr 17 Commission – Apr 24 Budget Endorsement (<i>special mtg.</i>)	<u>MAY</u> TSG – May 15 Commission – May 22	<u>JUN</u> TSG – Jun 19 Commission – Dark
<u>JUL</u> TSG – Jul 17 Commission – Dark	<u>AUG</u> TSG – Aug 21 Commission – Aug 28	<u>SEP</u> TSG – Sep 18 Commission – Dark <i>Request for 2024-2026 water delivery schedules.</i>
<u>OCT</u> TSG – Oct 16 Commission – Dark	<u>NOV</u> TSG – Nov 13 Commission – Nov 20 <i>Distribution of Next Year's Calendar of Activities.</i>	<u>DEC</u> TSG – Dec 18 Commission – Dark

***Meeting logistics are subject to change.** Please contact County Public Works at 805-781-5252 or pwd@co.slo.ca.us for confirmation of date, location & time.



TO: Nacimiento Project Commission

FROM: San Luis Obispo County Flood Control & Water Conservation District

VIA: Nola Engelskirger, Water Utilities Division Manager

DATE: March 13, 2025

SUBJECT: Change to Commission Rules of Procedures (1.A.)

Recommendation

Approve changes to Commission Rules of Procedures (1.A.)

Current Commission Rules of Procedures (1.A.)

The Commission shall meet quarterly in regular session on the fourth Thursday of the selected months. All regular meetings will be open sessions in the Chambers for the Templeton Community Services District or other agreed-upon location.

Proposed Change to Commission Rules of Procedures (1.A.)

"The Commission shall meet quarterly in regular session on the fourth Thursday of the selected months, **except in November, when the meeting shall be held on the third Thursday of the month.** All regular meetings will be open sessions in the Chambers for the Templeton Community Services District or other agreed-upon location."

Amendments to these rules of procedure shall be by four-fifths vote of the Commission.

Commission Rules of Procedures
Adopted October 2004
Amended November 17, 2011
Amended March 13, 2025

San Luis Obispo County Flood Control and Water Conservation District
Nacimientto Project Commission

Commission Rules of Procedures

In order to provide for more expeditious handling of public business, these rules of procedure are adopted by the San Luis Obispo County Flood Control and Water Conservation District, Nacimientto Project Commission ("Commission") as of October 2004, and amended as of November 17, 2011 and March 13, 2025. Whenever possible, these rules are to be construed generally.

I. MEETINGS

- A. The Commission shall meet quarterly in regular session on the fourth Thursday of the selected months, except in November, when the meeting shall be held on the third Thursday of the month. All regular meetings will be open sessions in the Chambers for the Templeton Community Services District or other agreed-upon location.
- B. Business shall be conducted from 4:00 pm to 6:00 pm unless revised by a majority of voting members at a previous meeting or by consent of the Commissioners present. Business may be adjourned to 9:00 a.m. of the following day, or to a day and time as designated by the Commission.
- C. The order of business for the Commission shall be as arranged by the San Luis Obispo County's Public Works Director, or his or her designees, and Commission Chair, except for matters set for a specific time by the Commission.
- D. A matter not on the agenda will not be considered except by unanimous consent of the Commission members present unless legally required.

II. ATTENDANCE

- A. The County Counsel or the San Luis Obispo County's Public Works Director, or his or her designees, shall be available to attend meetings of the Commission.
- B. The San Luis Obispo County's Public Works Director, or his or her designees, shall be present at all meetings of the Commission to fulfill the duties of the Clerk of the Commission, and to be available to discuss issues with the Commission.

III. PUBLIC COMMENT

- A. All persons desiring to speak on agenda items other than hearings during the meeting, or during the Public Comments portion of the agenda, shall be invited to speak by the Chair. Persons appearing at meetings of the Commission making presentations/remarks shall first be recognized by the Chair and give their names and residences.
- B. There will be a portion of the agenda set aside for members of the public to directly address the Commission on items of interest. A total of 15 minutes will be allocated for the Public Comment period and each individual speaker will be limited to a 3 minute presentation. The Chair (or a Commission majority) may refer any issues that arise

during this period to staff for appropriate action. Comments will be limited to issues over which the Commission has jurisdiction and items that were not listed on that day's agenda for public hearing. In addition, comments may not address issues relating to pending claims or litigation against the County or District or to matters involved in current labor negotiations.

- C. Public Comment remarks should be directed to the Chair and the Commission as a whole and not to any individual thereof. No person will be permitted to make slanderous, profane or personal remarks regarding any individual.
- D. Any member of the Commission may briefly comment at the conclusion of public comment on any issue brought up during the public comment period.

IV. PROCEDURE

- A. A Commission Order is generally a directive to County Public Works Department employees. It need not be reviewed by the Commission in writing, as it generally applies only to one specific act. Commission Resolutions must be reviewed in written form before binding action is taken.
- B. At the first regular meeting of the calendar year, a Chair and Vice Chair shall be elected from amongst its members by majority vote of the Commissioners present. Chair and Vice Chair shall preside for one year. In their absence or inability to attend, a Chair pro tem shall be selected by the members present.
- C. When a motion is made by a Commissioner, it shall be stated to the Clerk by the moving Commissioner.
- D. No question on a motion shall be debated or put unless the motion has been seconded. When a motion is seconded, it shall be stated by the Chair before debate.
- E. A motion having been stated by the Chair, shall be deemed to be in possession of the Commission, but it may be withdrawn at any time before decision or amendment with the assent of the second.
- F. When a question is under debate, no new motion shall be received unless:
 - 1. To adjourn.
 - 2. To lay on the table.
 - 3. To consider the previous question.
 - 4. To postpone to a certain date.
 - 5. To commit to committee.
 - 6. To amend.
 - 7. To postpone indefinitely.
 - 8. These motions shall have preference in the above order.
- G. A motion to adjourn or a motion to fix time of adjournment shall be decided with debate.
- H. A motion to refer or lay on the table until it is decided shall include all amendments to the main question.
- I. A motion to consider the previous question shall preclude all amendment from debate to the main question and shall be put in the form "shall the main question be put to a vote."
- J. A member called to order shall relinquish the floor unless permitted to explain, and the Commission, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Chair shall be final.
- K. Upon demand of any Commission member, or at the discretion of the Chair, the vote shall be by roll call, except that the vote on all resolutions shall be by roll call.

V. COMMITTEES

- A. The Chair, with majority consent of the Commission, shall appoint committees at such times as deemed necessary for the proper conduct of the business of the Commission.
- B. All orders of the Commission relative to committees shall specify the purpose of the committee, the length of time the committee shall serve, and the times and methods by which the committee shall report to the Commission.
- C. No committees appointed by the Chair of the Commission shall include in their membership more than two Commissioners, but may include as staff to the Committee any number of All Participant's staff or officials.
- D. The San Luis Obispo County's Public Works Director, or his or her designees, be staff to committees appointed by the Chair of the Commission pursuant to the foregoing rules and is hereby empowered to call meetings of such committees at such times as may be mutually agreed upon by the members of any such committee.

VI. AGENDAS

- A. Agendas for the Commission will be prepared by the San Luis Obispo County's Public Works Director, or his or her designees, who, in close consultation with the Commission Chair, shall have discretion as to set the agenda.
- B. Items for a Thursday agenda shall be submitted to the San Luis Obispo County's Public Works Director, or his or her designees, by 9:00 a.m. of the preceding week's Monday (i.e. 10 days in advance of the meeting) by the person requesting the item, unless a legal holiday necessitates the moving of the agenda deadline.
- C. Agenda requests referred to in B- above shall be submitted in such form and contain such information as the San Luis Obispo County's Public Works Director, or his or her designees, shall prescribe.
- D. Any item not on the agenda may be heard at any time by the Commission with the unanimous consent of all Commission members present. However, these are to be held to an absolute minimum, are to be based on urgent circumstances, and except when otherwise provided by law must be cases in which need for the item arose subsequent to the 72 hour agenda posting requirement.
- E. Whenever deemed advisable, in order to provide a guide for Commission action, the San Luis Obispo County's Public Works Director, or his or her designees, shall recommend a course of action for items other than the Consent Agenda. (See F. hereafter.)
- F. The San Luis Obispo County's Public Works Director, or his or her designees, may list such items as deemed advisable together with a recommended course of action for each under a Consent Agenda category. The Commission may withdraw any items from the Consent Agenda in order to change the recommended course of action, and by roll call vote then approve the remainder of the Consent Agenda, or by roll call vote may approve the Consent Agenda as submitted.

VII. Items referred to individual departments for action and/or study by the Commission shall be routed through the San Luis Obispo County's Public Works Director, or his or her designees,. The San Luis Obispo County's Public Works Director, or his or her designees, shall inform the Commission on a quarterly basis as to the current status of such communications, and as to which departments' final reports are still outstanding.

VIII. The San Luis Obispo County's Public Works Director, or his or her designees, shall occasionally review these rules of procedure and make recommendations for change to the Commission.

IX. Amendments to these rules of procedure shall be by four-fifths vote of the Commission.

DRAFT



MEMORANDUM

TO: Nacimiento Project Commission

FROM: Anna McKenna, Utilities Division Engineer

VIA: Nola Engelskirger, Utilities Division Manager

DATE: March 13, 2025

SUBJECT: 2025 Nomination and Election of Commission Officers

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.

During the calendar year 2025, Commissioner Petersen served as Chair, and Commissioner Jones served as Vice-Chair. Nominations and elections for 2025 will be held at the Commission meeting on March 13, 2025.

Current Commissioners appointed by each Participant and the District are ***(please confirm)***:

Templeton CSD:	Wayne Petersen Eric Mortensen, Alternate
Atascadero MWC:	Grigger Jones John Neil, Alternate
City of San Luis Obispo:	Emily Francis Jan Marx, Alternate
San Luis Obispo County Flood Control and Water Conservation District (District): <i>(representing the District and CSA 10A)</i>	John Peschong Vicki Janssen, Alternate
City of Paso Robles:	John Hamon Fred Strong, Alternate

* * *



TO: Nacimiento Project Commission

FROM: San Luis Obispo County Flood Control & Water Conservation District

VIA: Nola Engelskirger, Water Utilities Division Manager

DATE: March 13, 2025

SUBJECT: Flood Hazard Mitigation Study and Design Project

Recommendation

Recommend that the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District (District) takes the following actions:

1. Approve the Nacimiento Water Project Flood Hazard Mitigation Project (WBS 310008);
2. Accept a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) grant, in the amount of \$950,610, for WBS 310008;
3. Authorize a budget adjustment in the amount of \$1,247,805 using FEMA HMGP funds and increase appropriations to fund WBS 310008; and
4. Authorize the Director of Public Works, or designee, to apply for, accept, and manage federal and state funding to reimburse costs of water infrastructure resiliency planning, implementation, and construction and return to the Board before such formal acceptance.



COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Public Works

Nola Engelskirger, Water Utilities Division Manager

VIA: Kate Ballantyne, Deputy Director

DATE: 3/25/2025

SUBJECT: Request to: 1) approve the Nacimiento Water Project Flood Hazard Mitigation Project (WBS 310008t); 2) accept a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) grant, in the amount of \$950,610, for WBS310008; 3) authorize a budget adjustment in the amount of \$1,247,805 using FEMA HMGP funds and increase appropriations to fund WBS 310008, by 4/5 vote; and 4) authorize the Director of Public Works, or designee, to apply for, accept, and manage federal and state funding to reimburse costs of water infrastructure resiliency planning, implementation, and construction and return to the Board before such formal acceptance.

RECOMMENDATION

It is recommended that the Board, acting as the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District (District):

1. Approve the Nacimiento Water Project Flood Hazard Mitigation Project (WBS 310008);
2. Accept a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) grant, in the amount of \$950,610, for WBS 310008;
3. Authorize a budget adjustment in the amount of \$1,247,805 using FEMA HMGP funds and increase appropriations to fund WBS 310008, by 4/5 vote; and
4. Authorize the Director of Public Works, or designee, to apply for, accept, and manage federal and state funding to reimburse costs of water infrastructure resiliency planning, implementation, and construction and return to the Board before such formal acceptance.

DISCUSSION

The Nacimiento Water Project (NWP) pipeline is a 45-mile water transmission pipeline that conveys water from Nacimiento Lake to the City of El Paso de Robles, Templeton Community Services District, Atascadero Mutual Water Company, Santa Margarita Ranch, and the City of San Luis Obispo. The pipeline is a critical drinking water source that parallels the Salinas River. The pipeline is located within the FEMA floodway and 1 percent and 0.2 percent annual chance flood hazard zones at several locations, including the 800-foot-long segment that failed during the January 2023 storms. The segment that failed will not be permanently repaired until late 2026.

During an update on emergency response activities to the Board on June 6, 2023, the Board authorized the Director of Public Works, or designees, to apply for, accept, and manage Federal and State funding to reimburse costs to repair damage and mitigate flood hazards related to the winter 2023 storms associated with County and District facilities and return to the Board before such formal acceptance. Accordingly, staff coordinated with FEMA and Cal OES to pursue hazard mitigation grants to determine if other NWP pipeline locations are at risk of a similar failure during future flood events.

The District has been awarded \$950,610 by FEMA through the HMGP to fund a study and design for the NWP Flood Hazard Mitigation Project (Project). The study will determine which sections of the NWP pipeline have the highest risk of failure due to flooding danger. The study will also develop a prioritized list of alternative projects to mitigate the flood danger risk and complete 60% design plans for a mitigation project that will reduce risk and loss of service due to flood and erosion-related failures. The study and design will be completed with consultant support. Staff will issue a formal Request for Proposals to select a consulting firm and will return to your Board to request execution of the contract.

Today's action will accept the grant, authorize a budget adjustment to fund the Project, and authorize staff to apply for additional grant opportunities to fund final design and construction of selected flood mitigation project(s). The HMGP grant acceptance will cover the management, planning and design costs through 60% design, which must be completed by August 2027 in accordance with the grant terms. Staff will pursue additional grant funding, with Board authorization, or allocate NWP budget to complete final design and construction of selected flood mitigation project(s).

OTHER AGENCY INVOLVEMENT/IMPACT

Environmental review of the proposed project will occur at such a time as the design has progressed to a point where a meaningful analysis can occur.

The NWP Pipeline provides water to the City of Paso Robles, Templeton Community Services District, Atascadero Mutual Water Company, Santa Margarita Ranch, and the City of San Luis Obispo. The District will coordinate the work with the NWP Technical Support Group and NWP Commission. The NWP Commission approved this Project and recommended that the Board accept the HMGP grant at their March 13, 2025, meeting.

Other agencies involved include Cal OES and FEMA. During the June 18, 2024, Board meeting, the Board approved the attached executed State-formatted "Designation of Subrecipient's Agent Resolution" (Agent Resolution), as well as other related grant documents for the acceptance of Public Assistance and California Disaster Assistance Act Grants. The Agent Resolution is required to be filed with Cal OES and lists the position title of employees (referred to as Authorized Agents) authorized to sign grant-related documents on behalf of the District. The following titles are listed as the District's Authorized Agents on the Agent Resolution: Public Works Director, Public Works Deputy Director, and Public Works Division Manager. The Board-approved Agent Resolution applies to the awarded HMGP grant.

County Counsel has reviewed applicable grant documents, and the Administrative Office has been coordinated with in relation to the County's Grant Policies; both agree with the recommended actions.

FINANCIAL CONSIDERATIONS

The total project cost estimate is \$1,247,805. It will be funded with an HMGP Grant in the amount of \$950,610 and District match funding in the amount of \$297,195. The NWP Commission approved this Project, and the NWP Participants will be responsible for providing the required match funding to complete this Project as well as final design and construction of the selected mitigation project(s).

Funding for WBS 310008 will come from all participants as a contribution to Fund Center 549 – Nacimiento Water Project. The appropriations needed for this grant project were not included in the budget; therefore, a budget adjustment is being requested in WBS 310008 to appropriate the grant revenue in the amount of \$950,610 and to appropriate unbudgeted water sales revenue in the amount of \$297,195 for the local match.

RESULTS

Approval of the recommended actions will accept grant funds for planning and designing a project to mitigate flood damage to our critical water infrastructure, increasing the resilience of our water supplies and resulting in a safer, more livable community.

ATTACHMENTS

- 1 Vicinity Map
- 2 Board Executed Designation of Applicant's Agent Resolution Non-State Agencies
- 3 Notification of Award

File: CF 760.110.01 Storm Damage 2023 Storms
WBS 310008

Reference: 25.032

[https://o365gcso.sharepoint.com/sites/PW-SupportServices/Document Request/25.032 Grant Acceptance and Project initiation of Flood Hazard Mitigation Study and Design Project/25.032 brd ltr.docx](https://o365gcso.sharepoint.com/sites/PW-SupportServices/Document%20Request/25.032%20Grant%20Acceptance%20and%20Project%20initiation%20of%20Flood%20Hazard%20Mitigation%20Study%20and%20Design%20Project/25.032%20brd%20ltr.docx)



TO: Nacimiento Project Commission

FROM: San Luis Obispo County Flood Control & Water Conservation District

VIA: Nola Engelskirger, Water Utilities Division Manager

DATE: March 13, 2025

SUBJECT: Shandon-San Juan Water District Amended Application A033189 to Appropriate Water in Nacimiento Lake

Recommendation

- 1) Consider status of Shandon-San Juan Water District amended application to appropriate water in Nacimiento Lake submitted to the State Water Resources Control Board; and
- 2) Review recommendation by the Technical Support Group; and
- 3) Authorize Chair to sign and send a letter to the Board of Supervisors, as recommended by the Technical Support Group.

Background

In January 2021, the Shandon-San Juan Water District (SSJWD) submitted an application to the State Water Resources Control Board (SWRCB) to appropriate water in Nacimiento Lake. The application requests the diversion of 14,000 AF annually of what Shandon-San Juan claims is unappropriated water in Nacimiento Lake and proposes to use the existing Nacimiento Water Project Pipeline to convey that water to the Paso Robles Area Subbasin for groundwater recharge. The application was submitted without the right to access the Nacimiento Water Project facilities, operated by the San Luis Obispo County Flood Control District (District), and without initial coordination with any of the affected agencies.

On May 4, 2021, the County Board of Supervisors took action to oppose the first application to appropriate water submitted by Shandon-San Juan and sent a letter to the SWRCB (Attachment 1).

On May 25, 2023, the Commission discussed SSJWD's application in which staff confirmed that there had been no change to the Board of Supervisors' official position in opposition to the application. Christopher Alakel, City of Paso Robles, shared that the City of Paso Robles opposes the application as well, and presented a letter that the City of Paso Robles sent to SSJWD (Attachment 2).

Application Status

The SWRCB determined that the application based on SSJWD's initial filing was deficient and SSJWD was provided an opportunity to correct the filing; and SSJWD submitted an amended application on or around the deadline at the end of July 2024. Assuming the deficiencies were corrected, the application will then go into a public notice period during which protests can be filed. It is expected this period may begin sometime soon, since the SWRCB estimated their review of the amended application for completeness would take about 6 months.

Protests may be submitted on the following general grounds: senior rights impacts, environmental impacts, and public interest impacts. It is understood through discussions with the SWRCB that if protests are submitted/received, then SSJWD would need to negotiate with the protesters to try and resolve them over a 180-day period, subject to extension.

In response to SSJWD's amended application, the Board of Supervisors for the County of Monterey and Monterey County Water Resources Agency sent a letter to Shandon-San Juan indicating that they would "vigorously oppose any attempt by Shandon San-Juan to condemn or otherwise acquire rights of access to Nacimiento Reservoir and associated public works." (October 8, 2024, Attachment 3)

Technical Support Group Recommendation

The Technical Support Group (TSG) is comprised of NWP Participants' staff. The TSG has discussed the issues surrounding SSJWD's application to appropriate water and NWP Participants' staff are in general opposition to the application and potential impacts to the Nacimiento Lake water supply and Nacimiento Water Project facilities. NWP Participants intend to maximize beneficial use of the NWP infrastructure through direct deliveries to water customers and a turnback sales program that is being developed. Therefore, the NWP infrastructure will be fully utilized and no excess capacity is available.

NWP participants, including the City of Paso Robles and the City of San Luis Obispo, have already sent letters independently to Shandon-San Juan and the SWRCB in opposition to the application (Attachments 2 and 4).

The TSG recommends and requests that the Commission, as advisory to the Board of Supervisors on issues related to the Nacimiento Water Project, send a letter on behalf of all NWP Participants to the Board of Supervisors that advises continuous opposition to the application, and requests that the District take appropriate actions to firmly oppose these applications by Shandon-San Juan (i.e. submit protests) and protect our critical water supply.

The TSG provided guidance to staff in preparing the attached letter for the Commission to consider (Attachment 5).



COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS

John Peschong *District One Supervisor*

Bruce Gibson *Vice-Chairperson, District Two Supervisor*

Dawn Ortiz-Legg *District Three Supervisor*

Lynn Compton *Chairperson, District Four Supervisor*

Debbie Arnold *District Five Supervisor*

May 4, 2021

Attn: Mr. Erik Ekdahl, Deputy Director
State Water Resources Control Board
Division of Water Rights
P.O Box 2000
Sacramento, CA 95812-2000

Subject: Opposition to Two Applications to Appropriate Water Submitted by the Shandon-San Juan Water District

Dear Mr. Ekdahl,

On behalf of the County of San Luis Obispo, serving as the Paso Basin – County of San Luis Obispo Groundwater Sustainability Agency, I am submitting this letter of opposition to the two applications to appropriate water (enclosed) that were submitted to your agency by the Shandon-San Juan Water District.

Sincerely,

Supervisor Lynn Compton, Chair, District 4
County of San Luis Obispo

Enclosure



CITY OF EL PASO DE ROBLES
"The Pass of the Oaks"

May 22, 2023

VIA EMAIL: ADMIN@SSJWD.ORG

Steve Sinton, Director
Matt Turrentine, Director
Shandon-San Juan Water District
P.O. Box 150
Shandon, CA 93461

RE: NACIMIENTO PIPELINE CAPACITY

Dear Mr. Sinton and Mr. Turrentine,

This letter provides the City of El Paso de Robles' ("Paso Robles") response to the Shandon-San Juan Water District's ("SSJWD") proposal and application to appropriate and transport water to the Paso Robles Area Groundwater Basin using the existing Nacimiento Water Project Pipeline ("Nacimiento Pipeline"), a publicly-funded, \$176 million, 45-mile pipeline from Lake Nacimiento to San Luis Obispo. The application is premised on (1) the erroneous claim that excess capacity exists in the Nacimiento Pipeline and (2) the speculative assumption that SSJWD will obtain a permit to appropriate water supplies from the Salinas and Nacimiento Rivers based on that erroneous claim.

Paso Robles, a Nacimiento Pipeline project participant along with Templeton Community Services District, Atascadero Mutual Water Company, and the City of San Luis Obispo (collectively, "Project Participants"), opposes SSJWD's plan and application because ***there is no excess capacity in the Nacimiento Pipeline*** available to SSJWD. Further, SSJWD did not vet the concept of utilizing the Nacimiento Pipeline or collaborate with the Project Participants and has thus failed to be transparent with the public.

The Nacimiento Pipeline was designed and constructed to convey only the water entitlements held by the Project Participants. That existing water entitlements are not being fully utilized at present does not mean that there is excess capacity in the Nacimiento Pipeline. Each Project Participant has developed a plan for utilizing its respective entitlement. Utilization of those entitlements is expected to increase significantly in the coming years to satisfy urban growth in lieu of utilizing other surface and groundwater supplies.

Additionally, Project Participants are developing a turn-back sales program that will allow Project Participants to sell any unused water entitlements for other beneficial uses. The turn-back sales program is essential for offsetting the Nacimiento Pipeline costs to the Project

Steve Sinton, Director
Matt Turrentine, Director
May 22, 2023
Page 2

Participants' rate payers. When the turn-back sales program is fully utilized, there will be no excess capacity in the Nacimiento Pipeline. A recent order by the State Water Resources Control Board allowing the Project Participants to use their Nacimiento water entitlements as they see fit throughout San Luis Obispo County will further facilitate and accelerate the turn-back sales program. Thus, any claim by SSJWD to use the Nacimiento Pipeline would be in direct conflict with the Project Participants' full utilization of the Nacimiento Pipeline, to the detriment of their rate payers.

Project Participants designed the Nacimiento Pipeline for their intended uses, have planned for maximizing its benefit, and continue to pay for its construction, operation, and maintenance. SSJWD applied to appropriate Lake Nacimiento water assuming use of the Nacimiento Pipeline without first reviewing the concept with Project Participants. This raises serious concerns over credibility and is cause for doubt that SSJWD could be a trusted partner. Paso Robles respectfully requests that SSJWD withdraw any and all applications before the State Water Resources Control Board that rely upon access to the Nacimiento Pipeline because such access is not and will not be available to SSJWD.

Sincerely,

Christopher Alakel, P.E.
Utilities Director

CC: SWRCB Division of Water Rights
mike.conway@waterboards.ca.gov

San Luis Obispo County Board of Supervisors
jpeschong@co.slo.ca.us; bgibson@co.slo.ca.us; kabbas@co.slo.ca.us;
district4@co.slo.ca.us; district5@co.slo.ca.us

Paso Robles Basin Cooperative Committee
breely@co.slo.ca.us



County of Monterey

Board of Supervisors

Glenn Church, Chair, District 2
Chris M. Lopez, Vice Chair, District 3
Wendy Root Askew, District 4
Mary L. Adams, District 5
Luis A. Alejo, District 1

Clerk of the Board
168 West Alisal St. 1st Floor
Salinas, CA 93901
831 755 5066
cob@countyofmonterey.gov

October 8, 2024

VIA E-MAIL AND U.S. MAIL

Board of Directors
Shandon-San Juan Water District
P.O. Box 150
Shandon, CA 93461
admin@ssjwd.org

Re: Shandon-San Juan Water District Amended Applications A033189 and A033190

Dear Board Members:

It has come to the attention of the Board of Supervisors of the County of Monterey ("County") and the Monterey County Water Resources Agency ("MCWRA") that the Shandon-San Juan Water District/Shandon-San Juan Groundwater Sustainability Agency ("Shandon") recently filed with the State Water Resources Control Board ("SWRCB") amended water right applications A033189 and A033190 to appropriate water from the Nacimiento and Salinas Rivers. Materials submitted with the two applications indicate that Shandon may be contemplating the commencement of an action against MCWRA to condemn rights of access to Nacimiento Reservoir. As you know, MCWRA owns and operates Nacimiento Reservoir and associated public works for the benefit of more than a quarter-million people living in communities downstream of the confluence of the Salinas River.

More specifically, materials submitted to the SWRCB included a letter dated July 2, 2024, from Shandon's legal counsel under the subject line "Authority to Access Nacimiento Reservoir and Pipeline." This letter asserts that Shandon possesses legal authority under its enabling act and Code of Civil Procedure section 1240.510 "to condemn property even if it is already dedicated to a public use." (Letter from Alan F. Doud to Steve Sinton dated July 2, 2024, p. 2.) In a letter to the SWRCB dated July 24, 2024, the District stated that it will rely on Mr. Doud's letter "[i]f cooperation does not eventually result in permissive access." (See Chairman Willy Cunha, letter to State Water Resources Control Board, Division of Water Rights, July 24, 2024, at p. 3.). Finally, Resolution No. 24-002, adopted by Shandon Board of Directors on July 24, 2024, states:

The District will take all steps necessary to secure access to facilities needed to support and complete its recharge projects in the Paso Robles Groundwater subbasin and support and engage in other recharge projects that will help meet the goals and objectives of the Groundwater Sustainability Plan. (Resolution, p. 1)

The entirety of storage space available in Nacimiento Reservoir and use of its associated public works is utilized by a quarter-million people living in communities downstream of the confluence of the Salinas River who have paid for its construction, maintenance, and operation for over 65 years. While we appreciate the challenges the Sustainable Groundwater Management Act has presented to many regions throughout California, including in Monterey County, it is inappropriate for Shandon to place new burdens on others that have in no way contributed to the problems you now face.

For these reasons, the Board of Supervisors of the County and MCWRA will vigorously oppose any attempt by Shandon to condemn or otherwise acquire rights of access to Nacimiento Reservoir and associated public works. The water supply, environmental and flood control benefits provided by these public facilities are of critical importance to the citizens of Monterey County. The County and MCWRA are prepared, if necessary, to vigorously protect its interests in all appropriate administrative and judicial forums.

Please direct any reply correspondence to the undersigned with copies to Assistant County Counsel Kelly L. Donlon at DonlonKL@countyofmonterey.gov and MCWRA Special Counsel Kevin M. O'Brien at kobrien@downeybrand.com.

Sincerely,

Chair Glenn Church
Board of Supervisors of the County of Monterey
Board of Supervisors of the Monterey County
Water Resources Agency

cc: Ara Azhderian, Monterey County Water Resources Agency



Public Utilities

879 Morro Street, San Luis Obispo, CA 93401-2710
805.781.7215
slocity.org

11/4/2024

Shandon-San Juan Water District Board of Directors
PO Box 150
Shandon, CA 93461
(Sent Electronically)

SUBJECT: Shandon-San Juan Water District's Water Rights Applications A033189 and A033190

Shandon-San Juan Water District Board of Directors,

I am writing on behalf of the City of San Luis Obispo ("City") regarding certain statements made in the letter dated July 24, 2024 sent on behalf of the Shandon-San Juan Water District ("District") to Mr. Greg Brown and Mr. Mike Conway of the State Water Resources Control Board's Division of Water Rights concerning the District's Water Rights Applications A033189 and A033190 (the "Applications"). After a thorough review of the statements made in that letter, City staff believe that our position and participation in discussions regarding the District's Applications have been mischaracterized.

It is important to note that while City staff have engaged in discussions with representatives of the District, the San Luis Obispo City Council has neither formally considered, nor taken a position on this matter. Thus, staff's participation does not constitute, and may not be conveyed as, an endorsement of the District's Applications or any of the proposed projects. The City is, and always has been, committed to responsible water management and ensuring the sustainability of water resources for our residents and the broader region. However, in this instance, City staff must firmly correct any misrepresentations of City support of either of the proposed Applications or associated projects as currently described. Any such representation of support is both premature and wholly misconstrues the feedback of City staff to date.

Clarification of the City's Involvement

The District's July 24, 2024 letter references a meeting between District board members and City staff on July 9, 2024, during which the District's proposal was discussed. While this meeting took place, the letter's characterization of the City's stance is incomplete and misleading. Our City staff engaged in the meeting in a spirit of due diligence and collaboration, as we routinely do in matters of regional water management. However, City staff's primary focus during that meeting was to emphasize our concerns about the potential negative impacts of the proposed projects on the City's existing water rights and contractual entitlements, particularly those associated with the Salinas Reservoir and the Nacimiento Water Project.

The City staff's participation in the July 9, 2024 meeting should not be interpreted as an endorsement of the District's Applications. To the contrary, City staff made it clear that our key concern was to ensure that the District's projects do not impair the City's water rights in any way,

or the rights of the City's partners on regional projects such as the Nacimiento Water Project. Specifically, we raised concerns regarding how the District's proposed diversions might reduce surface flows in the Salinas River, which could negatively affect the City's water supply and water management capabilities. While we agreed that further studies might be necessary to fully assess the impacts, this does not signify the City's agreement with or support for the District's proposed projects. Rather, our engagement in these discussions was focused solely on understanding potential impacts, protecting the City's existing water rights, and ensuring that the District's proposals do not compromise the City's ability to fully utilize its water rights.

Mischaracterization of the City's Position

The District's July 24, 2024 letter implies that the City sees potential benefits from the District's Applications and might therefore be supportive of the projects. As noted, based on staff discussions to date, this suggestion is both premature and inaccurate. While it was discussed during our July 9th meeting that a study could be useful in understanding potential project impacts, this does not mean that the City supports the Applications or any specific water rights claims by the Shandon-San Juan Water District.

Additionally, the District's July 24, 2024 letter references possible collaboration between the City, County of San Luis Obispo, and District to address broader groundwater sustainability issues in the Paso Robles Subbasin. The City is a responsible and engaged partner in regional water management discussions. Here again, staff participation in discussions regarding the exploration of collaboration in furtherance of *shared*, regional water management outcomes should not be construed as an endorsement of specific actions by the District, particularly absent an opportunity to ensure that such actions align with the City's water management objectives and do not undermine the exercise of the City's priority water rights or sustainability efforts.

Water Rights Concerns

The City holds a water right permit from the State Water Resources Control Board allowing the City to divert and impound up to 45,000 acre-feet per year from the Salinas River for storage in Salinas Reservoir. Additionally, the City holds a contractual entitlement to receive water from the Nacimiento Water Project. In summary, the City has invested significant resources over many years to ensure that these rights and contractual entitlements are protected and utilized in the best interests of the City of San Luis Obispo community. Staff is concerned that the District's proposed diversions and underground storage projects, if approved, could potentially interfere with the City's priority water rights and limit the City's ability to store water.

While the District's letter suggests that additional water in the Paso Robles Groundwater Basin could alleviate pressures on surface flows in the Salinas River, City staff remain highly skeptical of this claim based on information currently available. Without comprehensive studies to assess the full range of hydrological impacts, it is premature to make any assumptions about potential benefits. Until such time that definitive studies are completed, City staff remain gravely concerned about the Applications and most certainly are not in any position to recommend support of the applications to the City Council.

Additionally, City staff have significant concerns with the District's asserted authority under California Water Code section 1810, the Wheeling Statutes, and eminent domain law. Based on consultation with the City's legal counsel, City staff do not agree with the District's interpretation that these statutes would obligate the City to accommodate the District's projects at the Salinas

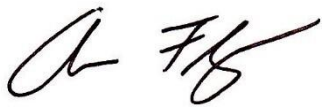
Reservoir or Nacimiento Lake. Even assuming these legal authorities are applicable, they do not obviate the need to ensure that the City's priority water rights and contractual entitlements are fully protected.

Reaffirmation of City Staff's Current Position

The City is committed to transparent, collaborative, and responsible water management, both within our jurisdiction and throughout the broader region. In light of the concerns outlined above, the City of San Luis Obispo's staff recommendation to the City Council based on currently available information would be that the City unequivocally oppose the water rights applications referenced in the District's July 24, 2024 letter. The City Council has not considered, and staff cannot recommend, support of the current Applications or any related projects that could impair the City's water rights or negatively impact our ability to serve the City's residents.

Further, on behalf of the City, we respectfully request that the District immediately cease any further misrepresentation of the City's position in its communications with state agencies or any other third parties. The City remains open to ongoing dialogue and cooperation on regional water issues, but we must reiterate that staff's participation in such discussions does not imply support or approval of, or alignment with, the District's current Applications. We trust that the District will respect the City's position and ensure that any future correspondence or public statements accurately reflect the discussions with and concerns of City staff to date, as well as accurately conveying that the City Council has neither considered, nor taken any official stance on this matter.

Thank you for your attention to this matter. We look forward to continued collaboration on issues of mutual interest, while maintaining clear distinctions where our priorities and objectives differ.



Aaron Floyd
Director of Utilities
City of San Luis Obispo

CC: Gregory Brown, State Water Resources Control Board
Christopher Alakel, City of Paso Robles
John Neil, Atascadero Mutual Water Company
Jeff Briltz, Templeton Community Services District
John Diodati, County of San Luis Obispo
Rita Neal, County of San Luis Obispo
Blaine Reely, County of San Luis Obispo
Mayor and Council, City of San Luis Obispo

Nacimiento Water Project Commission

Commissioners

Grigger Jones, Atascadero MWC
Emily Francis, City of San Luis Obispo
John Hamon, City of Paso Robles
John Peschong, SLO County FC&WCD
Wayne Peterson, Templeton CSD

March 13, 2025

Board of Supervisors
Attn: Dawn Ortiz-Legg, Chairperson
County Government Center
1055 Monterey Street
San Luis Obispo, CA 93408

Subject: Shandon-San Juan Water District Amended Application A033189 to Appropriate Water in Nacimiento Lake

Dear Chairperson Ortiz-Legg:

On behalf of the Nacimiento Project Commission (Commission), please accept this letter expressing opposition to the amended application to appropriate water in Nacimiento Lake submitted to the State Water Resources Control Board (SWRCB) by the Shandon-San Juan Water District (SSJWD) (A033189). We request that the Board of Supervisors send a letter to the SWRCB that confirms their continued opposition to the application.

The SSJWD proposes to use the existing Nacimiento Water Project (NWP) pipeline to deliver what it claims is unappropriated water in Nacimiento Lake to the Paso Robles Area Subbasin. The San Luis Obispo County Flood Control and Water Conservation District owns, manages, and operates the NWP. The NWP provides raw water from Nacimiento Lake to numerous agencies throughout the region and commonly referred to as the Participants, including the City of Paso Robles, Templeton Community Services District, Atascadero Mutual Water Company, the City of San Luis Obispo, and County Service Area 10A.

The NWP is an essential water supply for San Luis Obispo County residents. On May 4, 2021, the Board of Supervisors took action to oppose the first application to appropriate water from Nacimiento Lake that was submitted by the SSJWD and sent a letter to the SWRCB (enclosed). SSJWD has neither obtained right of access or initiated coordination with the affected agencies to obtain right of access; and, therefore, the Commission opposes the current application to appropriate water. Additionally, the Participants intend to maximize beneficial use of the NWP infrastructure through direct deliveries to water customers, and a turnback sales program that is under development. Therefore, the NWP infrastructure will be fully utilized, and no excess capacity is available.

Many of the Participants including the City of Paso Robles and the City of San Luis Obispo, have already sent letters independently to the SWRCB in opposition to the application (enclosed).

Thank you in advance for your consideration and taking appropriate actions to oppose the SSJWD's application.

Sincerely,

Chairperson
Nacimiento Project Commission

Enclosures

County Board of Supervisors Opposition Letter dated May 4, 2021
Participant letters

cc: Attn: Mike Conway
State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000



MEMORANDUM

TO: Nacimiento Project Commission

FROM: Anna McKenna, Utilities Division Engineer

VIA: Nola Engelskirger, Utilities Division Manager

DATE: March 13, 2025

SUBJECT: Support for MCWRA San Antonio Dam Low-Level Outlet Works
Rehabilitation Project funding request of \$1.8 million

Recommendation:

Review and consider submitting a letter of support for Monterey County Water Resources Agency's San Antonio Dam Low-Level Outlet Works Rehabilitation Project funding request of \$1.8 million. Potential actions:

- Authorize Chair to sign letter
 - Request for staff to submit letter to Senator Padilla, Rep. Schiff, and Rep. Panetta.
-

Staff recommends that the Nacimiento Water Project Commission consider endorsing the Monterey County Water Resources Agency's request for federal Community Project Funding to support the San Antonio Dam Low-Level Outlet Works Rehabilitation Project. This project will benefit San Luis Obispo County residents and the Nacimiento Water Project, which serves communities including Paso Robles, Templeton, Atascadero, and San Luis Obispo.

The San Antonio Dam, completed in 1967, is a key source of water for both Monterey and San Luis Obispo counties. As part of the state-mandated spillway replacement, the Low-Level Outlet Works will be essential for regulating reservoir levels. The Agency has identified eight sub-projects to maintain its functionality, including necessary structural repairs and safety improvements. The total project cost is estimated at \$8.6 million over three fiscal years, with a request for \$1.8 million in federal funding for fiscal year 2025-2026. By supporting this funding request, the Commission would help reduce costs for local water users and ensure timely progress on the project.

* * *

Nacimiento Water Project Commission

Commissioners

Grigger Jones, Atascadero MWC
Emily Francis, City of San Luis Obispo
John Hamon, City of Paso Robles
John Peschong, SLO County FC&WCD
Wayne Peterson, Templeton CSD

March 13, 2025

Senator Alex Padilla

331 Hart Senate Office Building
Washington, D.C. 20510

Senator Adam Schiff

2452 Rayburn House Office Building
Washington, D.C. 20515

Congressman Jimmy Panetta

2055 Lighthouse Avenue, Suite A
Marina, CA 93933

SUBJECT: **SUPPORT** for Community Project Funding request of \$1.8 million
AGENCY: Monterey County Water Resources Agency
PROJECT: San Antonio Dam Low-Level Outlet Works Rehabilitation Project

Dear Senators Padilla and Schiff, and Congressman Panetta,

On behalf of the Nacimiento Water Project Commission (Commission), I am writing to express our support for the Monterey County Water Resources Agency's (Agency) request for federal Community Project Funding to support the San Antonio Dam (Dam) Low-Level Outlet Works Rehabilitation Project (Project). The funds awarded will directly benefit San Luis Obispo County residents and the Nacimiento Water Project serving the City of Paso Robles, Templeton Community Services District, Atascadero Mutual Water Company, and the City of San Luis Obispo, commonly referred to as the Participants.

The Nacimiento Water Project is a critical water supply for San Luis Obispo County residents and the cost of this water supply, under the San Luis Obispo County Flood Control and Water Conservation District's Master Contract with the Agency, is tied to San Antonio Dam and Reservoir construction and maintenance and operation costs.

The Dam was completed in 1967 and benefits the residents of both Monterey and San Luis Obispo counties. The Agency is currently planning for the State mandated replacement of the Dam's spillway. During this process, the Low-Level Outlet Works will be the sole facility to manage reservoir elevation. To mitigate risk, the Agency has developed a series of eight sub-projects as part of the overall Project, which include: a debris boom, replacement of the intake structure trash racks, a new bulkhead gate at the intake structure, hydraulic repairs to the 8-

footbutterfly valve, replacement of the air vacuum valves, new access hatches for personnel safety, interior coating of the penstock for crack sealing, and outfall maintenance.

The Agency has estimated the total cost of \$8.6 million over the next three fiscal years with a request for \$1.8 million in federal funding for the 2025-2026 fiscal year. Securing this funding would not only ensure this important project is able to advance, but it would significantly reduce cost impacts for the Nacimiento Water Project Participants in San Luis Obispo County.

For more information, please contact Ara Azhderian, General Manager, at azhderiana@countyofmonterey.gov. Thank you for your consideration and support.

Respectfully,

Chairperson

Nacimiento Project Commission