

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

(1) DEPARTMENT Public Works	(2) MEETING DATE 1/27/2015	(3) CONTACT/PHONE Katie Drexhage, Environmental Resource Specialist (805) 781-4469	
(4) SUBJECT Request to approve an agreement with ECORP Consulting, Inc., in the amount of \$210,062, for hydrogeologic services for the Lopez Water Project Habitat Conservation Plan. Districts 3 and 4.			
(5) RECOMMENDED ACTION It is recommended that the Board, acting as the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District: <ol style="list-style-type: none"> 1. Approve and execute a Professional Engineering Services Agreement with ECORP Consulting, Inc. for hydrogeologic services for the Lopez Water Project Habitat Conservation Plan in the amount of \$210,062; and 2. Approve the Director of Public Works to sign amendments to the Agreement, in an amount not to exceed a contingency amount of \$42,012. 			
(6) FUNDING SOURCE(S) Flood Control Zone 3	(7) CURRENT YEAR FINANCIAL IMPACT \$252,074.00	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) 19001488		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) District 3 , District 4			

Reference: 15JAN27-C-4

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Katie Drexhage, Environmental Resource Specialist

VIA: Kate Ballantyne, Environmental Programs Manager

DATE: 1/27/2015

SUBJECT: Request to approve an agreement with ECORP Consulting, Inc., in the amount of \$210,062, for hydrogeologic services for the Lopez Water Project Habitat Conservation Plan. Districts 3 and 4.

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:

1. Approve and execute a Professional Engineering Services Agreement with ECORP Consulting, Inc. for hydrogeologic services for the Lopez Water Project Habitat Conservation Plan in the amount of \$210,062; and
2. Approve the Director of Public Works to sign amendments to the Agreement, in an amount not to exceed a contingency amount of \$42,012.

DISCUSSION

Lopez Dam, with its approximate 50,000 acre foot reservoir, was constructed in 1968/69 by the San Luis Obispo County Flood Control and Water Conservation District (District). The Lopez Water Project is organized as Zone 3 of the District and supplies water to the municipalities of Arroyo Grande, Pismo Beach, Grover Beach, Oceano, and CSA 12, including Avila Beach. The project also makes downstream releases to Arroyo Grande Creek to ensure adequate flow is available to riparian users and to recharge aquifers to support downstream water rights, including agricultural and municipal wells. The project is in the process of determining what releases will be required to meet the needs of Federally-listed species that occupy Arroyo Grande Creek through the preparation of a Habitat Conservation Plan which will result in permits from the National Marine Fisheries Service and U.S. Fish and Wildlife Service. The Lopez Water Project consists of the Dam, the reservoir, a water treatment plant, and treated water distribution system.

As the operator of the Lopez Water Project, the District was issued a water rights permit in 1961 by the State Water Resources Control Board (State). In 1990, the District was advised by the State that the District's historical operation of the Lopez Water Project was not consistent with the water rights permit, and the District should file a revised water rights application. In addition, at that time the State

indicated that a completed Habitat Conservation Plan would be required before a revised water rights permit could be issued. The Habitat Conservation Plan is intended to address the Lopez Water Project's impacts on the Federally-listed steelhead trout, California red-legged frog, and potentially tidewater goby. In 1999 your Board contracted with Stetson Engineers to prepare the studies necessary to support both the Habitat Conservation Plan and the water rights application. That work culminated in 2004 with a draft Habitat Conservation Plan. Subsequently, your Board contracted with Hanson Environmental (previously a sub-consultant to Stetson Engineers) to respond to requests from the National Marine Fisheries Service for detailed scientific review and development of a downstream release program. That work was completed in 2011 by Stetson, who was working as a subconsultant to Hanson. In 2012 the District contracted with H.T. Harvey and Associates to revise the 2004 draft Habitat Conservation Plan and function as the environmental member of the project team.

In 2012 the State requested that the District complete a Water Availability Analysis in accordance with California Water Code Section 1260(k) in order for the State to continue processing the revised water rights application. The District then amended its contract with Stetson to produce the required Water Availability Analysis. A draft Water Availability Analysis was produced in late 2012.

In July of 2013 the Zone 3 Advisory Committee (composed of representatives of the municipalities listed above) adopted a District staff recommendation to move the Habitat Conservation Plan effort forward with a re-formed project team, including circulating a Request for Qualifications for hydrologic tasks including modeling, hydrogeologic analysis, and production of a Water Availability Analysis.

ECORP Consulting, Inc. Contract to Complete Hydrogeologic Services

In response to a Request for Proposals prepared and distributed by the District in February of 2014, ECORP Consulting, Inc. was selected as the most qualified to conduct hydrogeologic services analyses required in accordance with California Water Code Section 1260(k). After reviewing the firm's qualifications, discussing the project with their staff, and meeting with their project managers, it is evident that ECORP Consulting, Inc. is qualified to conduct the necessary hydrogeologic processes, including developing alternative downstream release programs, analyzing the hydrogeologic effects of downstream release alternatives, and preparation of a Water Availability Analysis.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel is providing legal guidance on all aspects of the Project and has approved the attached agreements as to legal form and effect.

The Flood Control District's Zone 3 (Lopez project) Advisory Committee considered and endorsed the agreement at their November 20th meeting. The Advisory Committee consists of representatives from the Cities of Arroyo Grande, Pismo Beach and Grover Beach; the Oceano Community Services District; County Service Area 12; a member at large; and an agricultural representative.

The National Marine Fisheries Service and the U.S. Fish and Wildlife Service are responsible for approving the Habitat Conservation Plan and issuing the associated permits. The State Water Resources Control Board is responsible for issuing the revised water rights permit.

FINANCIAL CONSIDERATIONS

The proposed agreement with ECORP is for compensation of \$210,062. This Board action will also authorize the Director of Public Works to approve future amendments not to exceed \$42,012 (or 20%), for a total of \$252,074.

Work on the Habitat Conservation Plan will continue to be funded by Zone 3 at the same rate as the current year budget (\$229,000). Cost in excess of this figure will be provided by District reserves (currently \$1,956,000). Overall funding for these efforts comes from billings to Flood Control Zone 3 participating agencies (listed above). Flood Control Zone 3 is an enterprise fund; therefore, no formal budget adjustment is required.

RESULTS

Approval of the recommended actions will result in the continuation of work on the Habitat Conservation Plan and revised water rights permit for the Lopez Water Project. These actions will help ensure that the Lopez Water Project is operated in a manner that will promote a more livable community by continuing to operate in a manner that benefits both the people it serves as well as the environment.

File: CF 210.09.01 Hydrogeologic Services Contract – Zone 3 (new)

Reference: 15JAN27-C-4

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ATTACHMENTS

1. Vicinity Maps
2. Agreement for Professional Engineering Services