



MONTEREY COUNTY WATER RESOURCES AGENCY

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BOARD OF DIRECTORS

BOARD OF DIRECTORS:

Claude Hoover, Chair
Mike Scattini, Vice Chair
Silvio Bernardi
Ken Ekelund
Mark Gonzalez
David Hart
John Huerta
Richard Ortiz
Deidre Sullivan

STAFF:

David E. Chardavoyne, General Manager
Robert Johnson, Deputy General Manager
Brent Buche, Deputy General Manager
Cathy Paladini, Finance Manager
Wini Chambliss, Clerk to the Board
Jesse Avila, Deputy County Counsel

Monday, September 28, 2015 @ 1:00 P.M.

REGULAR BOARD OF DIRECTORS MEETING

A G E N D A

Staff reports relative to the agenda items listed below will be available for public review on the Agency's website by 7:00 PM by Thursday, September 24, 2015 and at the Monterey County Water Resources Agency (Agency), 893 Blanco Circle, Salinas. If additional documents are produced by the Agency and provided to a majority of the Board regarding any item on the agenda after staff reports have been distributed, they will be available at the Agency during normal business hours and posted on the Agency website at http://www.mcwra.co.monterey.ca.us/BOD/BOD/AgendaCurrent_n.htm. For additional information, please contact Wini Chambliss, Clerk to the Board, at (831) 755-4896.

If requested, the agenda and associated documents shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to Wini Chambliss, Clerk to the Board, at (831) 755-4896. Please notify the Clerk to the Board at least 72 hours in advance to ensure availability of appropriate equipment.

- 1. CALL TO ORDER/ESTABLISH QUORUM – 12:00 P.M.**
- 2. PUBLIC COMMENTS ON CLOSED SESSION ITEMS**

Closed Session under Government Code section 54950, relating to the following items:

- a) Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code section 54956.9(d)(1), the Board of Directors will confer with legal counsel regarding pending litigation: People v. State of California v. McDonnell; McDonnell v. MCWRA, et al. (Monterey County Superior Court case no. M98919, consolidated: M98920 & M98921).
- b) Conference with Legal Counsel – Significant Exposure to Litigation
Pursuant to Government Code section 54956.9(d)(2), the Board of Directors will confer with legal counsel regarding two matters of significant exposure to litigation.

3. ADJOURN TO CLOSED SESSION

4. RECONVENE MEETING/RE-ESTABLISH QUORUM (No earlier than 1:00 P.M.)

5. PLEDGE OF ALLEGIANCE

6. PUBLIC COMMENTS

*(Limited to three minutes per speaker on matters within Monterey County Water Resources Agency jurisdiction and **not listed** on the agenda. Members of the Public will have the opportunity to ask questions or make statements on agenda items as they are considered by the Board.)*

7. PRESENTATION: Update on the Disbursement of the Cal Am Settlement Monies – Mr. David E. Chardavoyne 7

8. CONSENT CALENDAR 9

A. Approve the **Action** Minutes of the following meetings:
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Regular BOD Meetings
September 22, 2014
October 27, 2014
January 26, 2015
February 23, 2015
March 23, 2015
April 27, 2015
June 22, 2015
July 27, 2015
August 24, 2015

Special Joint BOD/BOS Meetings
October 28, 2014
December 9, 2014
February 10, 2015
March 24, 2015

B. Approve purchase orders/contracts in excess of \$500 and credit card purchases over \$500 in August 2015. 81

C. Approve and recommend that the Monterey County Water Resources Agency Board of Supervisors approve Amendment No. 3 to the Memorandum of Understanding Regarding Source Waters and Water Recycling, dated 8 October 2014, extending its term to not later than December 31, 2015; and, request the Chair of the Monterey County Water Resources Agency Board of Supervisors to execute Amendment No. 3 to the Memorandum of Understanding Regarding Source Waters and Water Recycling. 83

9.	ACTION ITEMS	99
	A. Adopt a Resolution of Commendation to honor Silvio Bernardi for eight years of dedicated service as the District 2 representative on the Monterey County Water Resources Agency Board of Directors.	101
	B. Consider receiving the <i>Preliminary Engineering Design Report for Control of Non-Winter Drainage at Carr Lake</i>	105
	C. Consider providing a letter of support for the Big Sur Land Trust to purchase a portion of Carr Lake; and, provide direction to Staff.	107
	D. Consider receiving a report regarding the Monterey County Water Resources Agency Winter Storm Preparedness activities; and, providing direction to Staff.	113
	E. Consider receiving a report regarding the Greater Monterey County Integrated Regional Water Management Plan, proposed Proposition 1 funding distributions; and, providing direction to Staff.	115
	F. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors approve Amendment No. 2 to the Second Reimbursement and Funding Agreement between the County of Monterey and the Monterey County Water Resources Agency for the Interlake Tunnel Project; and, authorizing the General Manager to execute Amendment No. 2.	117
	G. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors approve a Third Reimbursement and Funding Agreement between the County of Monterey and the Monterey County Water Resources Agency for Preliminary Engineering and Design; Further Water Rights Analysis; Spillway Modification Feasibility; Technical Support to the Monterey County Water Resources Agency during design; Environmental Consulting Services; and Program Management for the Interlake Tunnel Project, substantially in the form of Agreement attached and subject to approval by County Counsel.	137
	H. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors approve: 1) Authorizing the General Manager to negotiate and, subject to County Counsel review, execute a Funding Agreement, among the City of Salinas; County of Monterey; Monterey County Farm Bureau; Grower-Shipper Association; and, Salinas Valley Water Coalition to fund a facilitator in establishment of a Groundwater Sustainability Agency in an amount not to exceed \$30,000 for the Monterey County Water Resources Agency; and, 2) Authorizing the expenditure of \$30,000 for facilitator services to establish a Groundwater Sustainability Agency.	165
	I. Consider approving a Professional Services Agreement with JDH Corrosion Consultants, Inc. in the amount of \$36,235 to provide testing and evaluation services, training and as-needed corrosion engineering consultation services for the Castroville Seawater Intrusion Project (CSIP) and Salinas River Diversion Facility (SRDF) through June 30, 2017; and, authorizing the General Manager to execute the Agreement.	187
10.	KEY INFORMATION AND CALENDAR OF EVENTS	207
11.	GENERAL MANAGER'S REPORT	

12. COMMITTEE REPORTS

- A. Basin Management Plan Committee: Richard Ortiz, Chair
- B. Finance Committee: Claude Hoover, Chair
- C. Personnel/Administration Committee: Mark Gonzalez, Chair
- D. Planning Committee: Deidre Sullivan, Chair
- E. Reservoir Operations Committee: David Hart, Chair

13. INFORMATION ITEMS 211

- A. Development Review 213
- B. Reservoir Release Update 215
- C. Well Permit Application Activities Update 217

14. CORRESPONDENCE 221

- A. Letter dated September 14, 2015 from MCWRA to Garry Bousum, Associate Superintendent – Monterey County Office of Education
 Re: Amendment No. 1 to the Lease Agreement by and Between Monterey County Board of Education and the Monterey County Water Resources Agency 223
 Letter dated September 14, 2015 from MCWRA to Alecia Van Atta, Acting Assistant Regional Administrator – National Marine Fisheries Service
 Re: Request for Technical Assistance on San Antonio Dam Maintenance Activities 225
- B. Letter dated September 9, 2015 from Amy L. White, Executive Director – LandWatch Monterey County
 Re: Groundwater Sustainability Agency 227
- C. Letter dated September 4, 2015 from MCWRA to Linda Connolly, Senior Environmental Scientist Supervisor – California Department of Fish and Wildlife Central Region
 Re: 2nd Notice of Closure of Lake or Streambed Alteration Notification, Notification No. 1600-2014-0120-R4 Bryant Canyon Channel-Monterey County 229
- D. Letter dated September 2, 2015 from Gary Stern for Alecia Van Atta, Acting Assistant Regional Administrator – United States Department of Commerce, National Oceanic and Atmospheric Administration: National Marine Fisheries Service
 Re: Monterey County Water Resources Agency’s request for technical assistance on proposed San Antonio dam outlet maintenance activities 237
- E. Letter dated September 2, 2015 from MCWRA to Ken Harris, Executive Officer – Central Coast Regional Water Quality Control Board
 Re: Notification for Denial Without Prejudice of Section 401 Water Quality Certification Number 32714WQ05 for Bryant Canyon Channel Improvement Project, Monterey County 239

F.	Letter dated August 28, 2015 from Ronald J. Pasquinelli, President – Monterey Peninsula Taxpayers Association	
	Re: Concerns over the management of the Monterey County Water Resources Agency as it proposes costly major water resource projects for the Salinas Valley	241
G.	Letter dated August 24, 2015 from Linda Connolly, Senior Environmental Scientist Supervisor – State of California: Natural Resources Agency Department of Fish and Wildlife	
	Re: 2 nd Notice of Closure of Lake or Streambed Alteration Notification, Notification No. 1600-2014-0120-R4, Bryant Canyon Channel – Monterey County	243
H.	Letter dated August 19, 2015 from Kenneth A. Harris Jr., Executive Officer – California Water Boards, Central Coast Regional Water Quality Control Board	
	Re: Amendment to Water Quality Certification Number 32714WQ03 for Salinas River Multi-Benefit Demonstration Project, Monterey County	245

15. BOARD OF DIRECTORS’ COMMENTS

16. ADJOURNMENT