

**MONTEREY COUNTY WATER RESOURCES AGENCY  
BOARD OF DIRECTORS  
PLANNING COMMITTEE**

**COMMITTEE MEMBERS**

Deidre Sullivan, Chair  
Ken Ekelund

John Huerta  
Dave Hart

**TIME:** 10:00 a.m.  
**DATE:** Wednesday, October 5, 2016  
**PLACE:** Monterey County Water Resources Agency  
Board Room  
893 Blanco Circle  
Salinas, CA 93901  
(831) 755-4860

**A G E N D A**

- 1. Call to Order**
- 2. Public Comment**  
*(Limited to three (3) minutes per speaker on matters within the jurisdiction of the agency not listed on this agenda. the public will have the opportunity to ask questions and make statements on agenda items as the committee considers them.)*
- 3. Approve the Minutes of the Planning Committee Meeting held on May 11, 2016.**  
The committee will consider approval of the Minutes of the above-mentioned meeting.
- 4. Consider receiving a report on planning for the Strategic Planning Workshop**  
Robert Johnson, Deputy General Manager, will present this item to the Committee.
- 5. Consider receiving a report on Water Resources Agency options, post Groundwater Sustainability Agency formation**  
Robert Johnson, Deputy General Manager, will present this item to the Committee.
- 6. Consider receiving an update on the status of the Salinas Valley Water Project Biological Opinion and future need for a Habitat Conservation Plan**  
Elizabeth Krafft, Senior Water Resources Hydrologist, will present this item to the Committee.
- 4. Set next meeting date and discuss future agenda items.**  
The committee will discuss and determine details for its next meeting.
- 6. Adjournment**

**MONTEREY COUNTY WATER RESOURCES AGENCY  
BOARD OF DIRECTORS  
PLANNING COMMITTEE**

Deidre Sullivan, Chair  
Ken Ekelund

John Huerta  
Dave Hart

**TIME:** 10:00 a.m.  
**DATE:** Thursday, May 11, 2016  
**PLACE:** Monterey County Water Resources Agency  
893 Blanco Circle  
Salinas, CA 93901  
(831) 755-4860

**MINUTES**

1. **Meeting Called to Order @ 10:00 a.m. by Committee Chair Sullivan.**

Members present: Directors Sullivan, Ekelund, Huerta and Hart  
Members absent: None

A quorum was established.

2. **Public Comment: None**

3. **Approve the Minutes of the Planning Committee meeting held on February 10, 2016.**

**Committee Action: On Motion and Second of Directors Ekelund and Huerta respectively, approved the Minutes of the Planning Committee meeting held on February 10, 2016. Director Hart abstained as he was not a member of the committee at that time.**

4. **Consider receiving an update on the Strategic Planning Session process; and, providing direction to Staff.**

Robert Johnson, Deputy General Manager, presented this item to the Committee.

Public Comment: John Baillie, Jack Baillie Co.

**Committee Action: On Motion and Second of Directors Ekelund and Hart respectively, by unanimous vote received the update on the Strategic Planning Session process; and, directed Staff to develop a transitional strategic plan**

**document that will then provide a foundation to work toward defining the Agency and its role once the Salinas Valley Groundwater Sustainability Agency is formed.**

- 5. Set next meeting date and discuss future agenda items.**  
The next meeting date is June 8, 2016. Future agenda items will include reviewing a list of projects the Agency is able, or not able, to do considering its financial constraints.
- 6. Adjournment at 11:25 a.m.**

Submitted by Alice Henault

Approved on

**MONTEREY COUNTY WATER RESOURCES AGENCY  
BOARD OF DIRECTORS – PLANNING COMMITTEE**

<b>MEETING DATE:</b>	October 5, 2016	<b>AGENDA ITEM:</b>
<b>Consent ( )                      Action ( X )                      Information ( )</b>		
<b>DEADLINE FOR BOARD ACTION:</b>	October 17, 2016	

**..Title**

Consider receiving an update on the status of the Salinas Valley Water Project Biological Opinion and future need for a Habitat Conservation Plan.

**..Report**

RECOMMENDATION:

It is recommended that the Monterey County Water Resources Agency Board of Directors:

Receive an update on the status of the Salinas Valley Water Project Biological Opinion and future need for a Habitat Conservation Plan.

SUMMARY/DISCUSSION:

On June 2, 2016 The Otter Project submitted a “Sixty-Day Notice of intent to Sue for Endangered Species Act and Clean Water Act Violations in Relation to the Salinas Valley Water Project” (Notice) and on August 5, 2016 the US Army Corps of Engineers (Corps) reinstated section 7 consultation pursuant to the Endangered Species Act (ESA) of 1973, regarding construction activities associated with the Department of the Army Clean Water Act section 404 Permit No. 24976S for the Salinas Valley Water Project (SVWP).

On November 27, 2007 the Monterey County Water Resources Agency (Agency) received Department of the Army Clean Water Act section 404 Permit No. 24976S for the SVWP. The components parts of the 404 permit include a section 401 Certification from the California Central Coast Regional Water Quality Control Board and two Biological Opinions (BO) – one from the National Marine Fisheries Service (NMFS) and one from the U.S. Fish and Wildlife Service (USFW). Both of these BOs were initiated and issued under section 7 of the ESA. Section 7 of the ESA requires any Federal agency to insure that its action is not likely to jeopardize the continued existence of an endangered or threatened species or result in the destruction or adverse modification of habitat of such species. In the case of the SVWP, a federal Corps permit was needed; thereby a section 7 consultation with USFW and NMFS was initiated and completed.

In response to the Notice sent to the Corps, NMFS and the Agency by the Otter Project, the Corps has reinitiated the section 7 process for “construction activities”. NMFS staff has indicated that it is possible that a new BO with a limited duration will be issued and that BO be replaced with a Habitat Conservation Plan (HCP) within a reasonable timeframe (3 years).

In the 1982 amendments to the ESA, a provision in section 10 was established that allows for

“incidental take” of endangered or threatened species by non-Federal entities. Incidental take is defined by the ESA as take that is “incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.” Take, as defined by the ESA, means “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” In order for a permit to be issued under section 10 a habitat conservation plan (HCP) must be submitted to NMFS by the applicant (Agency) that specifies:

- i. the impact which will likely result from such taking
- ii. what steps the applicant will take to minimize and mitigate such impacts and the funding that will be available to implement such steps;
- iii. what alternative actions to such taking the application considered and the reasons why such alternatives are not being utilized; and
- iv. such other measures that may be required as being necessary or appropriate for purposes of the plan.

What isn't clear at this time is if a HCP is developed what Agency projects/programs would/should it include and should it cover the species regulated by USFW as well as NMFS.

Agency programs and projects that could potentially be permitted under a HCP include:

1. Facility operations and maintenance
  - a. San Antonio reservoir
  - b. Nacimiento reservoir
  - c. Salinas River Diversion Facility
  - d. Slide gate at the Old Salinas River
2. Salinas River Stream Maintenance Program
3. Interlake Tunnel operations
4. Salinas River Sandbar Management

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

To be determined.

Prepared by: Elizabeth Krafft, Senior Hydrologist, (831) 755-4860  
Robert Johnson, Deputy General Manager, (831) 755-4860

Approved by: \_\_\_\_\_  
David E. Chardavoyne, General Manager, (831) 755-4860

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**..Title**

Consider receiving a report on the planning for the Strategic Planning workshop.

**..Report**

RECOMMENDATION:

It is recommended that the Monterey County Water Resources Agency Board of Directors:

Receive a report on the planning for the Strategic Planning workshop.

SUMMARY/DISCUSSION:

The Monterey County Water Resources Agency (Agency) is scheduled to hold a Strategic Planning workshop on December 8, 2016; the location to be determined. The workshop will be facilitated by Jan Perkins from Management Partners; Jan has facilitated the Agency’s strategic planning workshop for the last two years.

The report to the committee will discuss the search for a new location, as well as other logistical information. The other reports to this Committee for this meeting will go into detail regarding a couple major issues the Agency needs to be strategic on; so starting these discussions at the committee level is an important start.

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

Strategic Planning is part of the annual Agency budget.

Prepared by: Robert Johnson, Deputy General Manager, (831) 755-4860

Approved by: \_\_\_\_\_  
David E. Chardavoyne, General Manager, (831) 755-4860

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**..Title**

Consider receiving a report on the Water Resources Agency options, post Groundwater Sustainability Agency formation

**..Report**

RECOMMENDATION:

It is recommended that the Monterey County Water Resources Agency Board of Directors:

Receive a report on the Water Resources Agency options, post Groundwater Sustainability Agency formation

SUMMARY/DISCUSSION:

The Monterey County Water Resources Agency (Agency) mission statement is as follows: *“The Water Resources Agency manages, protects, stores and conserves water resources in Monterey County for beneficial and environmental use, while minimizing damage from flooding to create a safe and sustainable water supply for present and future generations.”* The Agency’s mission, as well as a large percentage of what its daily functions include, are very similar, if not identical to what a Sustainable Groundwater Management Act (SGMA) mandated Groundwater Sustainability Agency (GSA) will do when implemented after June 30, 2017.

A subject for the upcoming Strategic Planning workshop will be a discussion with Agency staff, Agency Board of Directors, Agency Board of Supervisors, County Administrative staff, and the public regarding options for the Agency, once a GSA is formed. A primer on possible options will be presented to the Committee at this meeting.

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

To be determined based upon the outcome of the GSA formation process.

Prepared by: Robert Johnson, Deputy General Manager, (831) 755-4860

Approved by: \_\_\_\_\_  
David E. Chardavoyne, General Manager, (831) 755-4860