

County of Monterey

*Board of Supervisors Chambers
168 W. Alisal St 1st Flr,
Salinas, CA 93901*



Meeting Minutes

Tuesday, February 22, 2022

12:00 PM

**IMPORTANT COVID-19 NOTICE ON PAGE 2-4
AVISO IMPORTANTE SOBRE COVID-19 EN LA PAGINA 2-4**

Water Resources Agency Board of Directors

*Mike LeBarre, Chair
Matt Simis, Vice Chair
Mark Gonzalez
Deidre Sullivan
Ken Ekelund
Mike Scattini
Jason Smith
John Baillie
Marvin Borzini*

Important Notice Regarding COVID-19

In order to minimize the spread of the COVID 19 virus, please do the following:

1. While the Board chambers remain open, you are strongly encouraged to observe the live stream of the Board of Directors meetings at http://monterey.granicus.com/ViewPublisher.php?view_id=19 or <http://www.mgtvonline.com/>

If you attend the Board of Directors meeting in person, you will be required to maintain appropriate social distancing, i.e., maintain a 6-foot distance between yourself and other individuals.

2. If you choose not to attend the Board of Directors meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Friday before the meeting.. Please submit your comment to the Secretary of the Board at WRAPubliccomment@co.monterey.ca.us In an effort to assist the Secretary in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Board of Directors Agenda) and item number (i.e. Item No. 10). Your comment will be placed into the record at the Board meeting.

3. For ZOOM participation please join by computer audio at:
<https://montereycty.zoom.us/j/99769079850>

OR to participate by phone call any of these numbers below:

+1 669 900 6833 US (San Jose)
+1 346 248 7799 US (Houston)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
+1 253 215 8782 US
+1 301 715 8592 US

Enter this Meeting ID number: 997 6907 9850 when prompted. Please note there is no Participant Code, you will just press # again after the recording prompts you.

You will be placed in the meeting as an attendee; when you are ready to make a public comment if joined by computer audio please Raise your Hand; and by phone please push *9 on your keypad.

Aviso Importante Sobre COVID-19

Para minimizar la propagación del virus COVID 19, haga lo siguiente:

1. Mientras las cámaras de la Junta permanezcan abiertas, se le recomienda firmemente que observe la transmisión de la reunión de la Junta Directiva en vivo por http://monterey.granicus.com/ViewPublisher.php?view_id=19 o <http://www.mgtvonline.com/>

Si asiste a la reunión de la Junta de la Directiva en persona, se le pedirá que mantenga un distanciamiento social apropiado, es decir, mantenga una distancia de 6 pies entre usted y otras personas.

2. Si prefiere no asistir a la reunión de la Junta Directiva pero desea hacer un comentario sobre algún tema específico de la agenda, por favor envíe su comentario por correo electrónico antes de las 5:00 p.m. el Viernes antes de la reunión. Envíe su comentario al Secretario de la junta al correo electrónico WRAPubliccomment@co.monterey.ca.us <mailto:WRAPubliccomment@co.monterey.ca.us> Para ayudar al Secretario a identificar el artículo de la agenda relacionado con su comentario, por favor indique en la línea de asunto del correo electrónico el cuerpo de la reunión (es decir, la Agenda de la Junta Directiva) y el número de artículo (es decir, el Artículo No. 10). Su comentario se colocará en el registro de la reunión de esta Junta.

3. Para participar for ZOOM, por favor únase for audio de computadora por:
[https://montereycty.zoom.us/j/997 6907 9850](https://montereycty.zoom.us/j/99769079850)

O para participar for teléfono, llame a cualquiera de los números a continuación:

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+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US

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Cuando se le solicite, ingrese este número de reunión: 997 6907 9850. Por favor tenga en cuenta que no hay código de participante, simplemente presione # nuevamente después de que la grabación se lo indique.

Se le colocará en la reunión como asistente; cuando desee hacer un comentario público si esta unido por la computadora utilice la opción de levantar la mano en el chat de la pantalla; o por teléfono presione *9 en su teclado.

Call to Order at 12:00 P.M.

The meeting was called to order at 12:00 p.m.

Roll Call

Present: John Baillie, Mike LeBarre, Mark Gonzalez, Ken Ekelund, Mike Scattini, Jason Smith,
Matthew Simis, Marvin Borzini
Absent: Deidre Sullivan

Public Comments on Closed Session Items

None

1. Closed Session under Government Code section 54950, relating to the following item:
 - a. Pursuant to Government Code section 54956.9(d)(2), the Board of Directors will confer with legal counsel regarding one matter of potential exposure to litigation.

Note: Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Recess to Closed Session

Reconvene Meeting at 1:00 P.M.

The meeting reconvened at 1:05 p.m. There were no reportable actions taken in Closed Session.

Pledge of Allegiance

Public Comment

Mark Silberstein, Margie Kay

Consent Calendar

Upon Motion by Mark Gonzalez and Second by Matthew Simis the Board approved the Consent Calendar.

Ayes: John Baillie, Mike LeBarre, Mark Gonzalez, Ken Ekelund, Mike Scattini, Jason Smith,
Matthew Simis, Marvin Borzini
Noes: None
Absent: Deidre Sullivan

2. Approve the Action Minutes of January 18, 2022

Attachments: Draft Minutes January 18, 2022

3. Find, pursuant to AB 361 and in order for the Monterey County Water Resources Agency Board of Directors and its standing subcommittees (Personnel & Administration, Finance, and Planning) to continue to meet remotely, that the COVID-19 pandemic state of emergency declared by Governor

Newsom is still in effect; the Board and subcommittees have reconsidered the circumstances of the state of emergency; and the Monterey County Health Officer continues to recommend social distancing measures for meetings of the legislative bodies.

Attachments: [Board Report](#)
 [Board Order](#)

4. Receive the Monterey County Water Resources Agency (MCWRA) FY 2021-2022 Second Quarter Financial Status Report through December 31, 2021.

Attachments: [Board Report](#)
 [FY22 2nd Quarter Financial Summary](#)
 [Board Order](#)

5. Recommend that the Monterey County Water Resources Agency Board of Supervisors adopt a resolution authorizing the General Manager to enter into a grant agreement with the National Fish and Wildlife Foundation to fund the Salinas River Lagoon Community Engagement and Planning Project.

Attachments: [Board Report](#)
 [Board Order](#)

Scheduled Items

6. Consider receiving an update from Matt Turrentine, a Director on the Board of Shandon-San Juan Water District/Shandon-San Juan Groundwater Sustainability Agency, regarding water right applications filed with the California State Water Resources Control Board to appropriate water from the Nacimiento and Salinas Rivers; and provide direction to staff as appropriate.

Attachments: [Board Report](#)
 [Letters of Opposition](#)
 [Board Order](#)
 [SSJWD-Presentation-2.22.22 - added post meeting](#)

Upon Motion by Mike LeBarre and Second by Mark Gonzalez the Board received an update from Matt Turrentine, a Director on the Board of Shandon-San Juan Water District/Shandon-San Juan Groundwater Sustainability Agency (Shandon) regarding water right applications filed with the California State Water Resources Control Board (SWRCB) to appropriate water from the Nacimiento and Salinas Rivers.

Ayes: John Baillie, Mike LeBarre, Mark Gonzalez, Mike Scattini, Jason Smith, Matthew Simis, Marvin Borzini

Noes: None

Absent: Deidre Sullivan, Ken Ekelund (unable to vote due to technical issues)

Public Comment: Nancy Isakson, David Bunn, Tom Virsik

7. Consider recommending that the Monterey County Water Resources Agency Board of Supervisors:

- a. Authorize the Monterey County Water Resources Agency General Manager to begin negotiations related to use of New Source Waters for the Castroville Seawater Intrusion Project pursuant to Section 16.16 of the Amended and Restated Water Recycling Agreement with Monterey One Water; and
- b. Authorize the General Manager to negotiate a new agreement with the City of Salinas and Monterey One Water for use of Industrial Wastewater Utilizing Pond 3 in response to current drought conditions.

Attachments: [Board Report](#)
 [ARWRA and Amendments](#)
 [RWQCB Condition Precedent 3](#)
 [Board Order](#)
 [ARWRA and City of Salinas Agreements Presentation- added post meeting](#)

Upon Motion by Matthew Simis and Second by Mike LeBarre the Board recommended that the Monterey County Water Resources Agency Board of Supervisors:

- a. Authorize the Monterey County Water Resources Agency General Manager to begin negotiations related to use of New Source Waters for the Castroville Seawater Intrusion Project pursuant to Section 16.16 of the Amended and Restated Water Recycling Agreement with Monterey One Water; and
- b. Authorize the General Manager to negotiate a new agreement with the City of Salinas and Monterey One Water for use of Industrial Wastewater Utilizing Pond 3 in response to current drought conditions.

Ayes: John Baillie, Mike LeBarre, Mark Gonzalez, Ken Ekelund, Mike Scattini, Jason Smith, Matthew Simis, Marvin Borzini

Noes: None

Absent: Deidre Sullivan

Public Comment: David Bunn

8. Consider receiving an update on Salinas River Lagoon Sandbar Management and the Low-Effect Habitat Conservation Plan.

Attachments: [Board Report](#)
 [Board Order](#)
 [LE HCP-Presentation - added post meeting](#)

Upon Motion by Ken Ekelund and Second by Mike Scattini the Board received an update on Salinas River Lagoon Sandbar Management and the Low-Effect Habitat Conservation Plan.

Ayes: John Baillie, Mike LeBarre, Mark Gonzalez, Ken Ekelund, Mike Scattini, Jason Smith, Matthew Simis, Marvin Borzini

Noes: None

Absent: Deidre Sullivan

Key Information and Calendar of Events

9. February, March and April 2022 Calendars

Attachments: February 2022
 March 2022
 April 2022

General Manager's Report

10. • COVID-19 Update
 • Personnel Update
 • Prop. 1 Grant Update
 • Pajaro Update
 • Salinas River Update
 • Other

Committee Reports

Information Items

11. Information Items:
1. Reservoir Storage and Release Update
 2. Well Permit Applications Update
 3. Quarterly Conditions Report

Attachments: Reservoir Storage & Release Update Report
 Well Permit Applications Update
 Quarterly Conditions Update

Correspondence

12. 1. Letter dated January 31, 2022, from the Department of the Interior, Bureau of Reclamation to Shaunna Murray, Monterey County Water Resources Agency
Re: Notice of Funding Opportunity No. R22AS00020 - WaterSMART Drought Response Program: Drought Resiliency Projects for Fiscal Year 2022- DRP-008 Application Review Status, Your Application Titled, "Castroville Seawater Intrusion Project (CSIP) Distribution System Optimization."
2. Letter dated February 11, 2022, from the State Water Board to Santa Cruz County Flood Control and Water Conservation District, Zone 7
Re: Enforcement program: Santa Cruz County Flood Control and Water Conservation District, Pajaro River Roughness Reduction Project, Santa Cruz County - Notice of Violation for Failing to Submit a Report of Waste Discharge
3. Letter from Santa Cruz County Flood Control and Water Conservation District, Zone 7 to Kim

Sanders, State Water Board

Re: Santa Cruz County Flood Control and Water Conservation District, Pajaro River Roughness Reduction Project, Santa Cruz County - Requirement to obtain regulatory coverage for discharges to waters of the State in the Pajaro River

Attachments: Dept. of the Interior Letter dated January 31, 2022
 Notice of Violation - Pajaro River Rough Reduction
 Letter to Central Coast Water Board December 2021

Board of Directors Comments

Adjournment

The meeting adjourned at 2:34 p.m.