



# County of Monterey

Item No.

## Board Report

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

Legistar File Number: WRAG 24-126

August 19, 2024

**Introduced:** 8/13/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** WR General Agenda

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

- a. Repeal Ordinance Numbers 3660, 3717, and 3718 and adopt a new ordinance to affirm the Water Resources Agency's authority to monitor groundwater within the County, to potentially provide service to other entities with groundwater management responsibilities upon request, and to implement a groundwater monitoring program regulatory fee;
- b. Adopt a resolution implementing a Groundwater Monitoring Program Manual; and
- c. Provide direction to staff as appropriate.

California Environmental Quality Act ("CEQA") action: Find that adoption of this ordinance and resolution is categorically exempt pursuant to Section 15306 of the CEQA Guidelines as data collection, and no exceptions pursuant to Section 15300.2 can be made.

### RECOMMENDATION:

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

- a. Find that adoption of this ordinance and resolution is categorically exempt pursuant to Section 15306 of the CEQA guidelines as data collection, and no exceptions pursuant to Section 15300.2 can be made;
- b. Repeal Ordinance Numbers 3660, 3717, and 3718 and adopt a new ordinance to affirm the Water Resources Agency's authority to monitor groundwater within the County, to potentially provide service to other entities with groundwater management responsibilities upon request, and to implement a groundwater monitoring program regulatory fee;
- c. Adopt a resolution implementing a Groundwater Monitoring Program Manual; and
- d. Provide direction to staff as appropriate.

### SUMMARY/DISCUSSION:

The Monterey County Water Resources Agency ("Agency") and Salinas Valley Basin Groundwater Sustainability Agency ("SVBGSA") have been collaborating on the expansion of the Agency's groundwater extraction reporting and groundwater monitoring programs to meet the SVBGSA's current regulatory requirements under the Sustainable Groundwater Management Act ("SGMA").

The Agency has three existing ordinances, numbers 3660, 3717, and 3718, that pertain to the

registration of groundwater wells and the reporting of groundwater extraction data that were adopted in the mid-1990s. To modernize, accommodate the needs of the SVBGSA, and meet the requirements of SGMA, the Agency is proposing a new ordinance that will affirm the Agency's ability to perform groundwater monitoring throughout the County of Monterey and establish a cohesive Groundwater Monitoring Program ("GMP") that is suited to current regulatory monitoring requirements (Attachment 1). The new ordinance is accompanied by a GMP Manual that describes the breadth of the Agency's groundwater monitoring activities more fully, and which will be used to guide implementation of the GMP and provide clarity to the public about the GMP (Attachment 2). Finally, the new ordinance allows the Agency to establish a regulatory fee under Proposition 26 that will cover the costs of implementing the GMP. A GMP regulatory fee nexus study was initiated in July 2024.

The Agency and SVBGSA initiated public outreach on the topic of a new ordinance in Fall 2023. Since that time, an initial draft of the proposed new ordinance was presented to the Agency's Personnel & Administration Committee on May 5, 2024; to the Agency's Planning Committee on July 3, 2024; to the Agency's Basin Management Advisory Committee on August 7, 2024; and has been the subject of meetings with stakeholder groups including, but not limited to, the Monterey County Farm Bureau, Salinas Basin Water Alliance, and Salinas Valley Water Coalition. The Agency has revised the draft ordinance throughout the process in response to public comments and questions received. The draft ordinance was presented to the Agency's Board of Directors for initial review on July 15, 2024.

The GMP Ordinance and Manual advance the Agency's Strategic Planning goals, specifically: Goal B: Planning and New Projects - Strategies 2, 5, and 7; Goal C: Financial Sustainability - Strategies 2 and 6; and Goal D: Core Services - Strategies 1, 2, 3, and 5.

#### ENVIRONMENTAL REVIEW:

The adoption of this Ordinance and the Groundwater Monitoring Program Manual ("Manual") is entitled to a categorical exemption of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations section 15306, which exempts: "basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded." This Ordinance and Manual will allow for continued and new groundwater extraction, level, and quality data reporting to aid the Agency and other entities engaged in the management and scientific investigation of groundwater resources within Monterey County and to aid in the evaluation of groundwater basin sustainability. Specifically, the groundwater extraction data will provide information concerning groundwater usage; the other groundwater monitoring programs will provide information concerning groundwater levels and water quality. If any projects stem from the use of this data, such project will appropriately be evaluated under CEQA. Further, none of the exceptions listed in 14 California Code of Regulations 15300.2 apply to this project. There is no reasonable possibility that the activities stemming from this Ordinance/Manual will have a significant effect on the environment due to unusual circumstances.

#### OTHER AGENCY INVOLVEMENT:

County Counsel and the Salinas Valley Basin Groundwater Sustainability Agency were

involved with preparation and review of the Ordinance and Manual.

FINANCING:

This effort is being financed from Fund 116 or grant funding provided by the SVBGSA, as appropriate.

Prepared by: Amy Woodrow, Senior Water Resources Hydrologist, 831-755-4860

Approved by: Ara Azhderian, General Manager, 831-755-4860

Attachments:

1. Well Registration Reporting Ordinance\_08.19.24
2. Groundwater Monitoring Program Manual\_2024.08.12