



***Before the Board of Directors of the Monterey County Water Resources Agency
County of Monterey, State of California***

RESOLUTION No. 21-

Adopt Resolution Authorizing the General Manager to)
sign the “Opt Out Agreement” for individual wells under)
the Protection of Domestic Drinking Water Supplies for)
the Lower Salinas Valley Project and authorize the)
General Manager to adjust language of the “Opt Out)
Agreement” template, as may be necessary, with County)
Counsel approval.

WHEREAS, On April 20, 2020, the Board of Directors of the Monterey County Water Resources Agency (MCWRA) recommended that the MCWRA Board of Supervisors enter into an agreement with the State Water Resources Control Board (SWRCB) to receive and implement a Proposition 1 Implementation Grant for the destruction of approximately 105 wells as part of the Protection of Domestic Drinking Water Supplies for the Lower Salinas Valley project (Project); and

WHEREAS, On May 19, 2020, the MCWRA Board of Supervisors approved the action; and

WHEREAS, The Project area includes MCWRA Zone 2B and is subject to the terms of MCWRA Ordinance No. 3790; and

WHEREAS, MCWRA Ordinance No. 3790 states that all costs for the destruction of non-exempt wells in Zone 2B shall be borne by MCWRA; and

WHEREAS, MCWRA has, for a finite period of time, procured partial funding for the Project through the SWRCB Proposition 1 Implementation Grant and contributions from the County of Monterey Cannabis Tax Assignment, Castroville Community Services District, and Monterey One Water; and

WHEREAS, MCWRA Ordinance No. 3790 sets forth a procedure whereby well owners, operators, or other members of the public may appeal the destruction of a well in Zone 2B; and

WHEREAS, Well owners have appealed the destruction of wells that can be deemed exempt from destruction per Ordinance No. 3790 and desire that the wells be excluded from the Project; and

WHEREAS, MCWRA has requested that well owners who choose not to participate in the Project sign an “Opt Out Agreement” to formalize the well owner’s decision to withdraw from participation in the Project, withdraw the appeal to the reclassification or destruction notice, and document that the well owner assumes responsibility for proper destruction of the well if/when it is necessary in the future.

NOW THEREFORE, BE IT RESOLVED, that the General Manager of the Monterey County Water Resources Agency is hereby authorized to do the following:

1. Sign the “Opt Out Agreement” for individual wells under the Protection of Domestic Drinking Water Supplies for the Lower Salinas Valley Project; and
2. Adjust language of the “Opt Out Agreement” template, as may be necessary, with County Counsel approval.

This Resolution shall take effect upon approval by the Monterey County Water Resources Agency Board of Directors.

Upon motion of Director _____, seconded by Director _____, the foregoing is a Resolution passed and adopted this ____ day of _____, 2021, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

BY: John Baillie, Chair
Board of Directors

ATTEST: Brent Buche
General Manager