

# Monterey County

1441 Schilling Place  
Saffron Room  
Salinas, CA 93901



## Meeting Agenda

Thursday, September 29, 2022

1:30 PM

**IMPORTANT COVID-19 NOTICE ON PAGE 2-4**

**AVISO IMPORTANTE SOBRE COVID-19 EN LA PAGINA 2-4**

### **Water Resources Agency Reservoir Operations**

#### **Advisory Committee**

*John Baillie, Chair*

*Ken Ekelund*

*Mark Gonzalez*

*Matthew Simis*

*Jon Anthony*

*Bill Lipe*

*Wes Thomson*

*Layla Decker*

*Richard Ortiz*

*Matthew Panziera*

*Vacancy (1)*

*Eric Morgan*

*Kevin Piearcy*

*Patrick Collins*

*Doug Scattini*

*Zach Barnes*

*Steve Blois*

## **IMPORTANT NOTICE REGARDING COVID 19 AND PARTICIPATION IN THE RESERVOIR OPERATIONS ADVISORY COMMITTEE MEETING**

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

**To participate in this Reservoir Operations Advisory Committee meeting, the public is invited to observe and address the Committee telephonically or electronically. Instructions for public participation are below:**

**1. For ZOOM participation please join by computer audio at:**

**<https://montereycty.zoom.us/j/92085702216>**

**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: 920 8570 2216 PASSWORD 877574 when prompted. Please note there is no Participant Code, you will just hit # 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.**

**2. If you wish to comment on a specific agenda item while the matter is being heard, you may participate by the following means:**

**When the Chair calls for public comment on an agenda item, the Zoom Meeting Host, or his or her designee, will first ascertain who wants to comment (among those who are in the meeting electronically or telephonically) and will then call on speakers and unmute their device one at a time. Public speakers may be broadcast in audio form only.**

**3. If you wish to comment on a particular agenda item, please submit your comments in writing via email to Monterey County Water Resources Agency at [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us) by 5:00 p.m. on the Wednesday prior to the Committee meeting. To assist Agency staff in identifying the agenda item to which the comment relates please indicate the Reservoir Operations Advisory Committee meeting date and agenda number in the subject line. Comments received by the 5:00 p.m. Wednesday deadline will be distributed to the Committee and will be placed in the record.**

**4. If you wish to make either a general public comment for items not on the day's agenda or to**

comment on a specific agenda item as it is being heard, please submit your comment, limited to 250 words or less, to the Monterey County Water Resources Agency at [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us). In an effort to assist Agency staff in identifying the agenda item relating to your public comment please indicate in the subject line, the meeting body (i.e. Reservoir Operations Advisory Committee) and item number (i.e. Item No. 10). Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.

5. If speakers or other members of the public have documents they wish to distribute to the Committee for an agenda item, they are encouraged to submit such documents by 5:00 p.m. on Wednesday before the meeting to: [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us). To assist Agency staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Reservoir Operations Advisory Committee date and agenda number in the subject line.

6. If members of the public want to present documents/Power Point presentations while speaking, they should submit the document electronically by 5:00 p.m. on Wednesday before the meeting at [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us). (If submitted after that deadline, staff will make best efforts, but cannot guarantee, to make it available to present during the Committee meeting.)

7. Individuals with disabilities who desire to request a reasonable accommodation or modification to observe or participate in the meeting may make such request by sending an email to [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us). The request should be made no later than noon on the Wednesday prior to the Committee meeting in order to provide time for the Agency to address the request.

8. The Chair and/or Secretary may set reasonable rules as needed to conduct the meeting in an orderly manner.

#### **AVISO IMPORTANTE SOBRE COVID 19 Y PARTICIPACIÓN EN LA REUNIÓN DEL COMITE ASESOR DE LA OPERACION DE EMBALSES**

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

Para participar en esta reunión del Comité Asesor de la Operación de Embalses, el público están invitados a observar y dirigirse al Comité telefónicamente o por vía electrónica. Las instrucciones para la participación pública están a continuación:

1. El público puede observar la reunión ZOOM a través de computadora haciendo clic en el siguiente enlace: <https://montereycty.zoom.us/j/92085702216>

O el público puede escuchar a través del teléfono llamando al:

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)  
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+1 253 215 8782 US  
+1 301 715 8592 US

Cuando se le solicite el código de acceso para entrar a la reunión, presione los siguientes números: 920 8570 2216 PASSWORD 877574. Tenga en cuenta que no hay un Código de participante, simplemente presionará # nuevamente después de que la grabación lo solicite.

Se le colocará en la reunión como asistente; cuando esté listo para hacer un comentario público si se une al audio de la computadora, levante la mano; y por teléfono presione \* 9 en su teclado.

2. Los miembros del público que desean comentar en un artículo específico de la agenda, mientras que el artículo se este presentando durante la reunión, pueden participar por cualquiera de los siguientes medios:

Cuando el Presidente del Comité solicite comentarios públicos sobre un artículo de la agenda, el anfitrión de la reunión Zoom o su designado, primero determinará quién quiere testificar (entre los que están en la reunión por vía electrónica o telefónica) y luego llamará a los oradores (speakers) y activará la bocina para el orador, uno a la vez. Todo orador, será transmitido por audio en altavoz solamente.

3. Si un miembro del público desea comentar sobre un artículo de la agenda en particular, se le es sumamente recomendable que envíe sus comentarios por escrito por correo electrónico a la Agencia de Administración de Recursos del Agua (Agencia) a [WRAPublicComment@co.monterey.ca.us](mailto:WRAPublicComment@co.monterey.ca.us) antes de las 5:00 P. M. el Miércoles antes de la reunión del Comité. Para ayudar al personal de la Agencia a identificar el número del artículo de la agenda con el cual se relaciona el comentario, se solicita al público que indique la fecha de la reunión del Comité y el número del artículo de la agenda en la línea de asunto. Comentarios recibidos en la fecha límite del Miércoles a las 5 P.M, serán distribuidos al Comité y serán colocados en el registro.

4. Los miembros del público que deseen hacer un comentario público general para temas que no están en la agenda del día o que deseen comentar en un artículo específico mientras se escucha la presentación, lo pueden hacer enviando un comentario por correo electrónico, preferiblemente limitado a 250 palabras o menos, a [WRAPublicComment@co.monterey.ca.us](mailto:WRAPublicComment@co.monterey.ca.us). Para ayudar al personal de la Agencia a identificar el artículo de la agenda con el cual se relaciona el comentario, se solicita al público que indique el nombre del Comité (por ejemplo: Comité Asesor de la Operación de Embalses) y el número del artículo de la agenda (por ejemplo: Artículo # 10). Se hará todo lo posible para leer el comentario en el registro, pero algunos comentarios pueden no leerse en voz alta debido a limitaciones de tiempo. Los comentarios recibidos después del cierre del período de comentarios públicos sobre un artículo de la agenda serán parte del registro si se reciben antes que



termine la reunión del Comité.

5. Si los oradores u otros miembros del público tienen documentos que desean distribuir al Comité para un artículo de la agenda, se les recomienda enviar dichos documentos antes de las 5:00 P.M. el Miércoles antes de la reunión a: [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us). Para ayudar al personal de la Agencia a identificar el número del artículo de la agenda con el cual se relaciona el comentario, se solicita al público que indique la fecha de la reunión del Comité y el número de agenda en la línea de asunto.

6. Si los miembros del público desean presentar documentos o presentaciones de PowerPoint mientras hablan, deben enviar el documento electrónicamente antes de las 5:00 P.M. del Miércoles antes de la reunión a [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us) (Si se presenta después de ese plazo, el personal hará los mejores esfuerzos, pero no puede garantizar que esté disponible su PowerPoint para presentar durante la reunión del Comité).

7. Las personas con discapacidades que deseen solicitar una modificación o modificación razonable para observar o participar en la reunión pueden realizar dicha solicitud enviando un correo electrónico a [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us). La solicitud debe hacerse a más tardar el mediodía del Miércoles antes de la reunión del Comité para dar tiempo a la Agencia para que atienda la solicitud .

8. El Presidente y / o Secretario pueden establecer reglas razonables según sea necesario para llevar a cabo la reunión de manera ordenada.

#### Call to Order

#### Roll Call

#### Public Comment

#### Committee Member Comments

#### Consent Calendar

1. Approve the Minutes of the Reservoir Operations Advisory Committee Meeting held on August 25, 2022.

Attachments: [Draft Minutes ResOps August 25, 2022](#)

2. Consider finding, pursuant to AB 361 and in order for the Monterey County Water Resources Agency Reservoir Operations Advisory Committee to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Reservoir Operations Advisory Committee has

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](#)

### **Scheduled Items**

3. Consider receiving an update on the Monterey County Water Resources Agency's Cloud Seeding program.

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

4. Consider receiving an update on the Salinas Valley Water Project Flow Monitoring Report: 10-Year Review

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

5. Consider receiving an update on the status of the Salinas River Habitat Conservation Plan

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

### **Staff Reports**

6. Reservoir Storage and Release Update

**Attachments:** [Reservoir Storage Release Update](#)  
[Reservoir Elevation and Storage](#)

7. Release Schedule Update

**Attachments:** [Reservoir Release Schedule Update](#)

8. Dam Safety/DSOD Update

9. Dock Program Report

**Attachments:** [Dock Program Report](#)

10. Update on Operations and Maintenance Activities at the Reservoirs

### **Status Reports**

- 11.
- Lake Recreation by Concessionaire and Parks Department
  - Quagga/Zebra Mussel Plan
  - San Luis Obispo County Activities

- National Marine Fisheries Service

### **Calendar**

- 12.** Set next meeting date and discuss future agenda items

### **Adjournment**



# Monterey County

## Item No.1

### Board Report

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

Legistar File Number: WRARO 22-079

September 29, 2022

Introduced: 9/22/2022

Current Status: Draft

Version: 1

Matter Type: WRA ResOps Item

Approve the Minutes of the Reservoir Operations Advisory Committee Meeting held on August 25, 2022.

# Monterey County

1441 Schilling Place  
Saffron Room  
Salinas, CA 93901



## Meeting Minutes

Thursday, August 25, 2022

1:30 PM

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

## Water Resources Agency Reservoir Operations Advisory Committee

*John Baillie, Chair*  
*Ken Ekelund*  
*Mark Gonzalez*  
*Matthew Simis*

*Jon Anthony*  
*Bill Lipe*  
*Wes Thomson*  
*Layla Decker*  
*Richard Ortiz*  
*Matthew Panziera*

*Eric Morgan*  
*Kevin Piearcy*  
*Patrick Collins*  
*Doug Scattini*  
*Zach Barnes*  
*Steve Blois*

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**While the meeting is open to the public, you are strongly encouraged to observe and address the Committee telephonically or electronically. If you attend the meeting in person, you will be required to maintain appropriate social distancing, i.e., maintain a 6-foot distance between yourself and other individuals.**

**To participate in this Reservoir Operations Advisory Committee meeting remotely instructions for public participation are below:**

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#### **AVISO IMPORTANTE SOBRE COVID 19 Y PARTICIPACIÓN EN LA REUNIÓN DEL COMITE ASESOR DE LA OPERACION DE EMBALSES**

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

Si bien la reunión está abierta al público, se le recomienda encarecidamente que observe y se dirija al Comité por teléfono o electrónicamente. Si asiste a la reunión en persona, deberá

mantener un distanciamiento social adecuado, es decir, mantener una distancia de 6 pies entre usted y otras personas.

Para participar en esta reunión del Comité Asesor de Operaciones de Embalses de forma remota, las instrucciones para la participación pública se encuentran a continuación:

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Comité y serán colocados en el registro.

4. Los miembros del público que deseen hacer un comentario público general para temas que no están en la agenda del día o que deseen comentar en un artículo específico mientras se escucha la presentación, lo pueden hacer enviando un comentario por correo electrónico, preferiblemente limitado a 250 palabras o menos, a [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us). Para ayudar al personal de la Agencia a identificar el artículo de la agenda con el cual se relaciona el comentario, se solicita al público que indique el nombre del Comité (por ejemplo: Comité Asesor de la Operación de Embalses) y el número del artículo de la agenda (por ejemplo: Artículo # 10). Se hará todo lo posible para leer el comentario en el registro, pero algunos comentarios pueden no leerse en voz alta debido a limitaciones de tiempo. Los comentarios recibidos después del cierre del período de comentarios públicos sobre un artículo de la agenda serán parte del registro si se reciben antes que termine la reunión del Comité.

5. Si los oradores u otros miembros del público tienen documentos que desean distribuir al Comité para un artículo de la agenda, se les recomienda enviar dichos documentos antes de las 5:00 P.M. el Miércoles antes de la reunión a: [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us). Para ayudar al personal de la Agencia a identificar el número del artículo de la agenda con el cual se relaciona el comentario, se solicita al público que indique la fecha de la reunión del Comité y el número de agenda en la línea de asunto.

6. Si los miembros del público desean presentar documentos o presentaciones de PowerPoint mientras hablan, deben enviar el documento electrónicamente antes de las 5:00 P.M. del Miércoles antes de la reunión a [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us) (Si se presenta después de ese plazo, el personal hará los mejores esfuerzos, pero no puede garantizar que esté disponible su PowerPoint para presentar durante la reunión del Comité).

7. Las personas con discapacidades que deseen solicitar una modificación o modificación razonable para observar o participar en la reunión pueden realizar dicha solicitud enviando un correo electrónico a [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us). La solicitud debe hacerse a más tardar el mediodía del Miércoles antes de a la reunión del Comité para dar tiempo a la Agencia para que atienda la solicitud .

8. El Presidente y / o Secretario pueden establecer reglas razonables según sea necesario para llevar a cabo la reunión de manera ordenada.

#### Call to Order

The meeting was called to order at 1:00 p.m.

#### Roll Call

Present: John Baillie, Mark Gonzalez, Matthew Simis, Jon Anthony, Bill Lipe, Wes Thomson,

Richard Ortiz, Eric Morgan, Doug Scattini, Steve Blois, Layla Decker joined the meeting at 2:23 p.m.

Absent: Matthew Panziera, Kevin Piearcy, Patrick Collins, Zach Barnes

### Public Comment

None

### Committee Member Comments

Steve Blois, John Baillie

### Consent Calendar

Upon Motion by Matthew Simis and Second by Mark Gonzales the Committee approved the Consent Calendar.

Ayes: John Baillie, Mark Gonzalez, Matthew Simis, Jon Anthony, Bill Lipe, Wes Thomson, Richard Ortiz, Eric Morgan, Doug Scattini, Steve Blois

Noes: None

Absent: Layla Decker, Matthew Panziera, Kevin Piearcy, Patrick Collins, Zach Barnes

1. Approve the Minutes of the Reservoir Operations Advisory Committee Meeting held on July 28, 2022.

Attachments:     [Draft ResOps Minutes July 28, 2022](#)

### Scheduled Items

2. Consider recommending that the Monterey County Water Resources Board of Directors find the revised Interim Operations Plan for San Antonio and Nacimiento Reservoirs qualifies as a Class 6 Categorical Exemption pursuant to section 15306 of the CEQA Guidelines; and Adopt the revised Interim Operations Plan for San Antonio and Nacimiento Reservoirs based on natural condition triggers, in response to consecutive dry year conditions.

Attachments:     [Board Report](#)  
                          [Revised Draft Interim Operations Plan](#)  
                          [Presentation Slides](#)

Upon Motion by Steve Blois and Second by Richard Ortiz the Committee recommends that staff consider the comments made at this meeting and address them, bringing this item back to the Reservoir Operations Advisory Committee at the next scheduled meeting.

Ayes: John Baillie, Mark Gonzalez, Matthew Simis, Jon Anthony, Bill Lipe, Wes Thomson, Richard Ortiz, Eric Morgan, Doug Scattini, Steve Blois, Layla Decker

Noes: None

Absent: Matthew Panziera, Kevin Piearcy, Patrick Collins, Zach Barnes

Public Comment: Nancy Isakson, George Fontes, Bill Stevens

### **Staff Reports**

3. Reservoir Storage and Release Update

**Attachments:**    [Reservoir Storage Release Update](#)  
                              [Reservoir Elevation and Storage](#)  
                              [Presentation Slides](#)

4. Release Schedule Update

**Attachments:**    [Reservoir Release Schedule Update](#)

5. Update on Operations and Maintenance Activities at the Reservoirs

### **Status Reports**

6.
  - Lake Recreation by Concessionaire and Parks Department
  - Quagga/Zebra Mussel Plan
  - San Luis Obispo County Activities
  - Cloud Seeding
  - National Marine Fisheries Service

### **Calendar**

7. Set next meeting date and discuss future agenda items

### **Adjournment**

The meeting adjourned at 3:15 p.m.



# Monterey County

## Item No.2

### Board Report

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

Legistar File Number: WRARO 22-090

September 29, 2022

**Introduced:** 9/23/2022

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** WRA ResOps Item

Consider finding, pursuant to AB 361 and in order for the Monterey County Water Resources Agency Reservoir Operations Advisory Committee to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Reservoir Operations Advisory Committee has 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.

#### RECOMMENDATION:

It is recommended that the Monterey County Water Resources Agency Reservoir Operations Advisory Committee:

Find, pursuant to AB 361 and in order for the Reservoir Operations Advisory Committee to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Reservoir Operations Advisory Committee has 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.

#### SUMMARY/DISCUSSION:

On September 16, 2021, Governor Newsom signed AB 361. This legislation amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361 rather than under the Brown Act's more narrow standard rules for participation in a meeting by teleconference. AB 361 provides that if a state or local health official recommends social distancing, a legislative body may meet remotely after September 30, 2021, provided that within 30 days of the first meeting after November 3, and every 30 days thereafter, the legislative body finds 1) the Governor's proclaimed state of emergency is still in effect; 2) the legislative body has reconsidered the circumstances of the state of emergency, and 3) either the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies or the state of emergency continues to directly impact the ability of the members to meet in person.

The Monterey County Health Officer has recommended social distancing measures for meetings of legislative bodies, so the Reservoir Operations Advisory Committee of the Water Resources Agency was able to meet remotely the first time after September 30, 2021. In order to continue meeting remotely, the Reservoir Operations Advisory Committee must make the findings outlined above.

Accordingly, staff recommends making the appropriate findings. This action will be required every 30

days in order to keep meeting remotely; a special meeting may be necessary for that purpose.

OTHER AGENCY INVOLVEMENT:

The General Manager concurs in the recommendation.

FINANCING:

The only financial impact is the continuing cost of teleconferencing.

Prepared by: Jessell Fenley, Administrative Services Assistant

Approved by: Brent Buche, General Manager



# Monterey County

## Item No.2

### Board Report

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

Legistar File Number: WRARO 22-090

September 29, 2022

**Introduced:** 9/23/2022

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** WRA ResOps Item

Consider finding, pursuant to AB 361 and in order for the Monterey County Water Resources Agency Reservoir Operations Advisory Committee to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Reservoir Operations Advisory Committee has 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.

#### RECOMMENDATION:

It is recommended that the Monterey County Water Resources Agency Reservoir Operations Advisory Committee:

Find, pursuant to AB 361 and in order for the Reservoir Operations Advisory Committee to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Reservoir Operations Advisory Committee has 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.

#### SUMMARY/DISCUSSION:

On September 16, 2021, Governor Newsom signed AB 361. This legislation amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361 rather than under the Brown Act's more narrow standard rules for participation in a meeting by teleconference. AB 361 provides that if a state or local health official recommends social distancing, a legislative body may meet remotely after September 30, 2021, provided that within 30 days of the first meeting after November 3, and every 30 days thereafter, the legislative body finds 1) the Governor's proclaimed state of emergency is still in effect; 2) the legislative body has reconsidered the circumstances of the state of emergency, and 3) either the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies or the state of emergency continues to directly impact the ability of the members to meet in person.

The Monterey County Health Officer has recommended social distancing measures for meetings of legislative bodies, so the Reservoir Operations Advisory Committee of the Water Resources Agency was able to meet remotely the first time after September 30, 2021. In order to continue meeting remotely, the Reservoir Operations Advisory Committee must make the findings outlined above.

Accordingly, staff recommends making the appropriate findings. This action will be required every 30

days in order to keep meeting remotely; a special meeting may be necessary for that purpose.

OTHER AGENCY INVOLVEMENT:

The General Manager concurs in the recommendation.

FINANCING:

The only financial impact is the continuing cost of teleconferencing.

Prepared by: Jessell Fenley, Administrative Services Assistant

Approved by: Brent Buche, General Manager



# Monterey County

## Item No.3

### Board Report

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

Legistar File Number: WRARO 22-088

September 29, 2022

**Introduced:** 9/22/2022

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** WRA ResOps Item

Consider receiving an update on the Monterey County Water Resources Agency's Cloud Seeding program.

#### RECOMMENDATION:

It is recommended that the Reservoir Operations Advisory Committee:

Receive an update on the Monterey County Water Resources Agency's Cloud Seeding program.

#### SUMMARY/DISCUSSION:

In March of 2015, the fourth year of the prior extended drought, the Monterey County Water Resources Agency Board of Directors approved a recommendation by the Reservoir Operations Advisory Committee (ROAC) to direct Staff to begin researching cloud seeding options "utilizing the currently allocated Cloud-seeding funds in the amount of \$125,000." In 2016, the Agency contracted with North American Weather Consultants, Inc (NAWC) to conduct a cloud seeding feasibility analysis. In 2017 NAWC completed the study which included a recommended cloud seeding program design for implementation in Monterey County.

By the time of completion of the study, wet conditions had ended the five year drought, shifting operational focus to flood control and the resumption of conservation releases. ROAC interest in the program also waned with awareness that the cost of a necessary CEQA process would dwarf the remaining \$110,000 program budget.

More recently, San Luis Obispo (SLO) County developed a cloud seeding program for the Lopez Reservoir. This program began with NAWC performing a feasibility study, similar to the one completed in 2017 for MCWRA. SLO County then performed an environmental assessment in the form of a Mitigated Negative Declaration. They then prepared an Operations Plan which includes "go"/"no go" triggers (e.g., flooding, etc.). Compliance reporting to the State as well as public noticing were required as part of the process. The result was approved program to begin seeding. In 2019 SLO County approved a contract in the amount of \$540,800 for three years of implementing the program.

If the Board of Directors directs staff move forward with investigating potential cloud seeding, staff would recommend hiring an environmental consultant to prepare an initial study pursuant to CEQA to conduct a preliminary analysis to determine if the potential project may have a significant effect on the environment.



This process aligns with Monterey County Water Resources Agency Strategic Plan Goal B (planning and new projects); Strategy 7 (Use data and analysis to make informed decisions) and Goal E (Community Relations) Strategy 4 (Provide information on Agency Operations to stakeholders).

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

There is no financial impact in receiving this report.

Prepared by: Peter Kwick, Associate Hydrologist (831) 755-4860



# Monterey County

## Item No.3

### Board Report

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

Legistar File Number: WRARO 22-088

September 29, 2022

**Introduced:** 9/22/2022

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** WRA ResOps Item

Consider receiving an update on the Monterey County Water Resources Agency's Cloud Seeding program.

#### RECOMMENDATION:

It is recommended that the Reservoir Operations Advisory Committee:

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#### SUMMARY/DISCUSSION:

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If the Board of Directors directs staff move forward with investigating potential cloud seeding, staff would recommend hiring an environmental consultant to prepare an initial study pursuant to CEQA to conduct a preliminary analysis to determine if the potential project may have a significant effect on the environment.

This process aligns with Monterey County Water Resources Agency Strategic Plan Goal B (planning and new projects); Strategy 7 (Use data and analysis to make informed decisions) and Goal E (Community Relations) Strategy 4 (Provide information on Agency Operations to stakeholders).

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

There is no financial impact in receiving this report.

Prepared by: Peter Kwick, Associate Hydrologist (831) 755-4860



# Monterey County

## Item No.4

### Board Report

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

Legistar File Number: WRARO 22-086

September 29, 2022

Introduced: 9/22/2022

Current Status: Agenda Ready

Version: 1

Matter Type: WRA ResOps Item

Consider receiving an update on the Salinas Valley Water Project Flow Monitoring Report: 10-Year Review

#### RECOMMENDATION:

It is recommended that the Reservoir Operations Advisory Committee:

Receive an update on the Salinas Valley Water Project Flow Monitoring Report: 10-Year Review.

#### SUMMARY/DISCUSSION:

The Salinas River Diversion Facility (SRDF) began operating in 2010 while adhering to provisions of the *Salinas Valley Water Project (SVWP) Flow Prescription for Steelhead Trout in the Salinas River* (Flow Prescription) and the National Marine Fisheries Service Biological Opinion (BO). Since that time, the Monterey County Water Resources Agency (Agency) has produced annual Flow Reports on the provisions of these documents. Some provisions of the Flow Prescription, such as adult steelhead upstream migration days, were intended to be met across a 10-year average. To demonstrate compliance with the Flow Prescription and evaluate the effectiveness of Flow Prescription actions, the Agency has elected to perform an evaluation of Flow Prescription operations during the first 10 SRDF operational seasons.

The 10-Year Review examines migration opportunities for adult and juvenile steelhead as well as the Agency's execution of the provisions in the Flow Prescription. The goal of the review is to provide a detailed accounting of Flow Prescription operations between 2010 and 2019 as a starting point for further discussions regarding reoperation of the Nacimiento and San Antonio Reservoirs to meet the long-term goals of the SVWP and inform the development of the Salinas River Habitat Conservation Plan (HCP).

The Flow Prescription specifies a series of flow thresholds that define conditions suitable for adult steelhead trout upstream migration and juvenile and kelt outmigration as well as spawning and rearing below Nacimiento Dam. Triggers based on year type, reservoir storage volume, Salinas River Lagoon status, and natural flow conditions in the Salinas River watershed and tributaries are used to determine the timing and magnitude of reservoir release actions to supplement natural flow conditions and enhance steelhead passage opportunities. A primary goal of the Flow Prescription is to ensure that SVWP operations do not result in a decrease in steelhead migration opportunities when compared to historical baseline conditions.

A key finding of the 10-Year Review is that the Agency complied with the terms of the Flow

Prescription throughout the 10-year evaluation period. One of the more important goals of the Flow Prescription was to provide the median number of historical annual adult steelhead passage days in the lower Salinas River for each water year type, and all water year types combined, across a 10-year period, with a 10 percent variance. The Agency achieved adult steelhead upstream passage goals, on average across all water year types for the 10-year evaluation period, and for the wet-normal year (2011). It did not achieve adult upstream passage goals in the two dry-normal years. Adult steelhead passage opportunities in wet years and dry years occurred as expected in the Flow Prescription: precipitation during wet years provided enough water to enable substantial passage opportunities, whereas there were few or no passage opportunities during dry years. Although the Flow Prescription largely performed as intended, extended and severe drought conditions during the 10-Year Review period limited natural migration opportunities for steelhead. Due to a variety of circumstances, triggers for supplemental migration releases were not met during the dry-normal years of 2013 and 2016, and adult steelhead upstream passage days as defined by the Flow Prescription only occurred during four of the first 10 years of operation.

The 10-Year Review resulted in a summary of Flow Prescription operations and recommendations for further study that are helping to inform the ongoing development of the Interim Operations Plan as well as the development of the Salinas River HCP.

#### OTHER AGENCY INVOLVEMENT:

Results from the 10-Year Review were presented to the National Marine Fisheries Service and U.S. Fish and Wildlife Service during regular meetings held to discuss core components of the HCP.

#### FINANCING:

The 10-Year Review was conducted by Agency staff and consultant ICF. Analysis that overlapped with Salinas River HCP development was funded through existing grant funding agreements. Staff time and non-HCP related consultant time was budgeted in the FY22 and FY23 approved budgets.

Prepared by: Jason Demers, Associate Water Resources Engineer, (831) 755-4860

Approved by: Brent Buche, General Manager, (831) 755-4860



# Monterey County

## Item No.4

### Board Report

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

Legistar File Number: WRARO 22-086

September 29, 2022

Introduced: 9/22/2022

Current Status: Agenda Ready

Version: 1

Matter Type: WRA ResOps Item

Consider receiving an update on the Salinas Valley Water Project Flow Monitoring Report: 10-Year Review

#### RECOMMENDATION:

It is recommended that the Reservoir Operations Advisory Committee:

Receive an update on the Salinas Valley Water Project Flow Monitoring Report: 10-Year Review.

#### SUMMARY/DISCUSSION:

The Salinas River Diversion Facility (SRDF) began operating in 2010 while adhering to provisions of the *Salinas Valley Water Project (SVWP) Flow Prescription for Steelhead Trout in the Salinas River* (Flow Prescription) and the National Marine Fisheries Service Biological Opinion (BO). Since that time, the Monterey County Water Resources Agency (Agency) has produced annual Flow Reports on the provisions of these documents. Some provisions of the Flow Prescription, such as adult steelhead upstream migration days, were intended to be met across a 10-year average. To demonstrate compliance with the Flow Prescription and evaluate the effectiveness of Flow Prescription actions, the Agency has elected to perform an evaluation of Flow Prescription operations during the first 10 SRDF operational seasons.

The 10-Year Review examines migration opportunities for adult and juvenile steelhead as well as the Agency's execution of the provisions in the Flow Prescription. The goal of the review is to provide a detailed accounting of Flow Prescription operations between 2010 and 2019 as a starting point for further discussions regarding reoperation of the Nacimiento and San Antonio Reservoirs to meet the long-term goals of the SVWP and inform the development of the Salinas River Habitat Conservation Plan (HCP).

The Flow Prescription specifies a series of flow thresholds that define conditions suitable for adult steelhead trout upstream migration and juvenile and kelt outmigration as well as spawning and rearing below Nacimiento Dam. Triggers based on year type, reservoir storage volume, Salinas River Lagoon status, and natural flow conditions in the Salinas River watershed and tributaries are used to determine the timing and magnitude of reservoir release actions to supplement natural flow conditions and enhance steelhead passage opportunities. A primary goal of the Flow Prescription is to ensure that SVWP operations do not result in a decrease in steelhead migration opportunities when compared to historical baseline conditions.

A key finding of the 10-Year Review is that the Agency complied with the terms of the Flow

Prescription throughout the 10-year evaluation period. One of the more important goals of the Flow Prescription was to provide the median number of historical annual adult steelhead passage days in the lower Salinas River for each water year type, and all water year types combined, across a 10-year period, with a 10 percent variance. The Agency achieved adult steelhead upstream passage goals, on average across all water year types for the 10-year evaluation period, and for the wet-normal year (2011). It did not achieve adult upstream passage goals in the two dry-normal years. Adult steelhead passage opportunities in wet years and dry years occurred as expected in the Flow Prescription: precipitation during wet years provided enough water to enable substantial passage opportunities, whereas there were few or no passage opportunities during dry years. Although the Flow Prescription largely performed as intended, extended and severe drought conditions during the 10-Year Review period limited natural migration opportunities for steelhead. Due to a variety of circumstances, triggers for supplemental migration releases were not met during the dry-normal years of 2013 and 2016, and adult steelhead upstream passage days as defined by the Flow Prescription only occurred during four of the first 10 years of operation.

The 10-Year Review resulted in a summary of Flow Prescription operations and recommendations for further study that are helping to inform the ongoing development of the Interim Operations Plan as well as the development of the Salinas River HCP.

OTHER AGENCY INVOLVEMENT:

Results from the 10-Year Review were presented to the National Marine Fisheries Service and U.S. Fish and Wildlife Service during regular meetings held to discuss core components of the HCP.

FINANCING:

The 10-Year Review was conducted by Agency staff and consultant ICF. Analysis that overlapped with Salinas River HCP development was funded through existing grant funding agreements. Staff time and non-HCP related consultant time was budgeted in the FY22 and FY23 approved budgets.

Prepared by: Jason Demers, Associate Water Resources Engineer, (831) 755-4860

Approved by: Brent Buche, General Manager, (831) 755-4860



# Monterey County

## Item No.5

### Board Report

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

Legistar File Number: WRARO 22-087

September 29, 2022

Introduced: 9/22/2022

Current Status: Agenda Ready

Version: 1

Matter Type: WRA ResOps Item

Consider receiving an update on the status of the Salinas River Habitat Conservation Plan

#### RECOMMENDATION:

It is recommended that the Reservoir Operations Advisory Committee:

Receive an update on the status of the Salinas River Habitat Conservation Plan.

#### SUMMARY/DISCUSSION:

As the result of a formal consultation under section 7 of the Endangered Species Act (ESA) with the Army Corps of Engineers, the National Marine Fisheries Service (NMFS) issued a Biological Opinion (BO) for the Salinas Valley Water Project (SVWP) in 2007. The BO incorporated the 2005 Salinas Valley Water Project Flow Prescription for Steelhead Trout in the Salinas River (Flow Prescription) which provided SVWP operational requirements to reduce potential impacts of project operations on steelhead. On February 20, 2019 NMFS notified the Agency that the 2007 BO and associated incidental take statement was being withdrawn.

In 2018, prior to the withdrawal of the BO, the Agency began the process of developing a Habitat Conservation Plan (HCP) under Section 10 of the ESA. Funded through a grant from the California Coastal Conservancy, the 2019 Salinas River Long-Term Management Plan was developed to document historical and current conditions in the lower Salinas River watershed, identify long-term management goals, and serve as a foundational document for the HCP.

Beginning in April 2020, the Agency was awarded a series of grants to fund HCP development. Delays in executing grant funding agreements slowed the progress of HCP development but by April 2022 three grant agreements were in place providing reimbursable grant funding of \$2.75M.

While waiting on the grant agreements, the Agency and consultants ICF and FISHBIO continued to perform technical studies and surveys with limited Agency funds to help define the activities, species, and locations that will be covered by the HCP. Once all three grant agreements were in place Agency staff and consultants drafted a revised work plan and timeline that incorporated the specific tasks and funding associated with the grants. The timeline for HCP development is influenced by a number of factors including the timing and availability of grant funding, occurrence of hydrologic conditions required for species surveys and fish passage analysis, participation of State and Federal Agencies in the development and review process, and public and stakeholder participation. Based on the current timeline, the administrative drafts of the HCP are estimated to be completed in 2025 with the final HCP and associated permits completed in 2027.

Accomplishments to date include:

- Adoption of the HCP Charter between the Agency, NMFS, USFWS



- Completion of the Gabilan/Tembladero watershed assessment
- Completion of least Bell's vireo surveys
- Completion of a Salinas River Lagoon wetland delineation
- Assessment of habitat and fish passage barriers in the Arroyo Seco
- A report on striped bass in the Salinas basin
- Completion of Salinas Lagoon surveys for steelhead and tidewater goby
- Development of draft HCP chapters 1-3

Current priorities include:

- Development of a Low-Effect HCP for emergency sandbar management
- A critical riffle analysis to determine fish passage needs in the lower Salinas and Arroyo Seco rivers
- Dam passage feasibility study

OTHER AGENCY INVOLVEMENT:

MCWRA meets regularly with staff from the National Marine Fisheries Service and U.S. Fish and Wildlife Service to discuss core components of the HCP.

FINANCING:

The grant funding agreements will make available a total of two million dollars in reimbursable Federal funds and \$750,000 in reimbursable State funds.

The 2019 Section 6 grant from the United States Fish and Wildlife Service (USFWS) provides \$1,000,000 in grant funds and will require \$375,860 of in-kind funding to be provided through Agency staff time and Agency-funded consultant expenses. A significant portion of the in-kind funding for the 2019 grant was accrued through staff and consultant work performed while waiting on the completion of the grant agreement.

The 2021 Section 6 grant from USFWS provides \$1,000,000 in grant funds and will require \$459,096 of in-kind funding. In-kind funding will be met through a combination of work performed using State funds provided by an Integrated Regional Water Management (IRWM) grant and staff hours.

The Agency was awarded \$750,000 in State of California Proposition 1 grant funding through the IRWM Program that will assist with identifying flow requirements for steelhead passage in the Salinas River and identify reservoir operational scenarios necessary to meet the identified passage requirements. A portion of this State grant funded work will be applied as non-Federal in-kind funding in the amount of \$375,000 toward the 2021 Section 6 Grant.

The approved FY23 Agency budget contains staff time and reimbursable funds for HCP development within Agency Fund 116. The remaining reimbursable and in-kind funds under this grant will be identified in future Agency budgets.

Prepared by: Jason Demers, Associate Water Resources Engineer, (831) 755-4860

Approved by: Brent Buche, General Manager, (831) 755-4860



# Monterey County

## Item No.5

### Board Report

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

Legistar File Number: WRARO 22-087

September 29, 2022

Introduced: 9/22/2022

Current Status: Agenda Ready

Version: 1

Matter Type: WRA ResOps Item

Consider receiving an update on the status of the Salinas River Habitat Conservation Plan

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While waiting on the grant agreements, the Agency and consultants ICF and FISHBIO continued to perform technical studies and surveys with limited Agency funds to help define the activities, species, and locations that will be covered by the HCP. Once all three grant agreements were in place Agency staff and consultants drafted a revised work plan and timeline that incorporated the specific tasks and funding associated with the grants. The timeline for HCP development is influenced by a number of factors including the timing and availability of grant funding, occurrence of hydrologic conditions required for species surveys and fish passage analysis, participation of State and Federal Agencies in the development and review process, and public and stakeholder participation. Based on the current timeline, the administrative drafts of the HCP are estimated to be completed in 2025 with the final HCP and associated permits completed in 2027.

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The approved FY23 Agency budget contains staff time and reimbursable funds for HCP development within Agency Fund 116. The remaining reimbursable and in-kind funds under this grant will be identified in future Agency budgets.

Prepared by: Jason Demers, Associate Water Resources Engineer, (831) 755-4860

Approved by: Brent Buche, General Manager, (831) 755-4860



# Monterey County

## Item No.6

### Board Report

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

Legistar File Number: WRARO 22-080

September 29, 2022

Introduced: 9/22/2022

Current Status: Draft

Version: 1

Matter Type: WRA ResOps Item

Reservoir Storage and Release Update

## Reservoir Storage & Release Update

### SUMMARY/DISCUSSION:

The Board of Directors receives monthly updates on the status of Agency reservoirs.

**RESERVOIR ELEVATION / STORAGE:** As of today September 21, 2022, San Antonio Reservoir has a water surface elevation of approximately 676.25 feet (NGVD 29), with 32,363 acre-feet of storage. Nacimiento Reservoir has a water surface elevation of approximately 721.55 feet, with 72,333 acre-feet of storage. San Antonio Reservoir is currently at 10% of storage capacity and Nacimiento Reservoir is at 19% of capacity.

Recent rainfall did not produce any inflow to reservoirs. Trace amounts were seen over the reservoirs, with totals in the Santa Lucia mountains between 1.5 and 5 inches. No significant streamflow was generated.

**RESERVOIR RELEASES:** The Agency continues to release approximately 60 cfs from Nacimiento Reservoir and 10 cfs from San Antonio Reservoir to support fish habitat below the dams.

The Lagoon has been closed to the ocean since February 17<sup>th</sup>.

Minor deviations in release rates are not presented in this report but are documented in the Salinas Valley Water Project Annual Flow Reports.

Releases as of September 21, 2022:

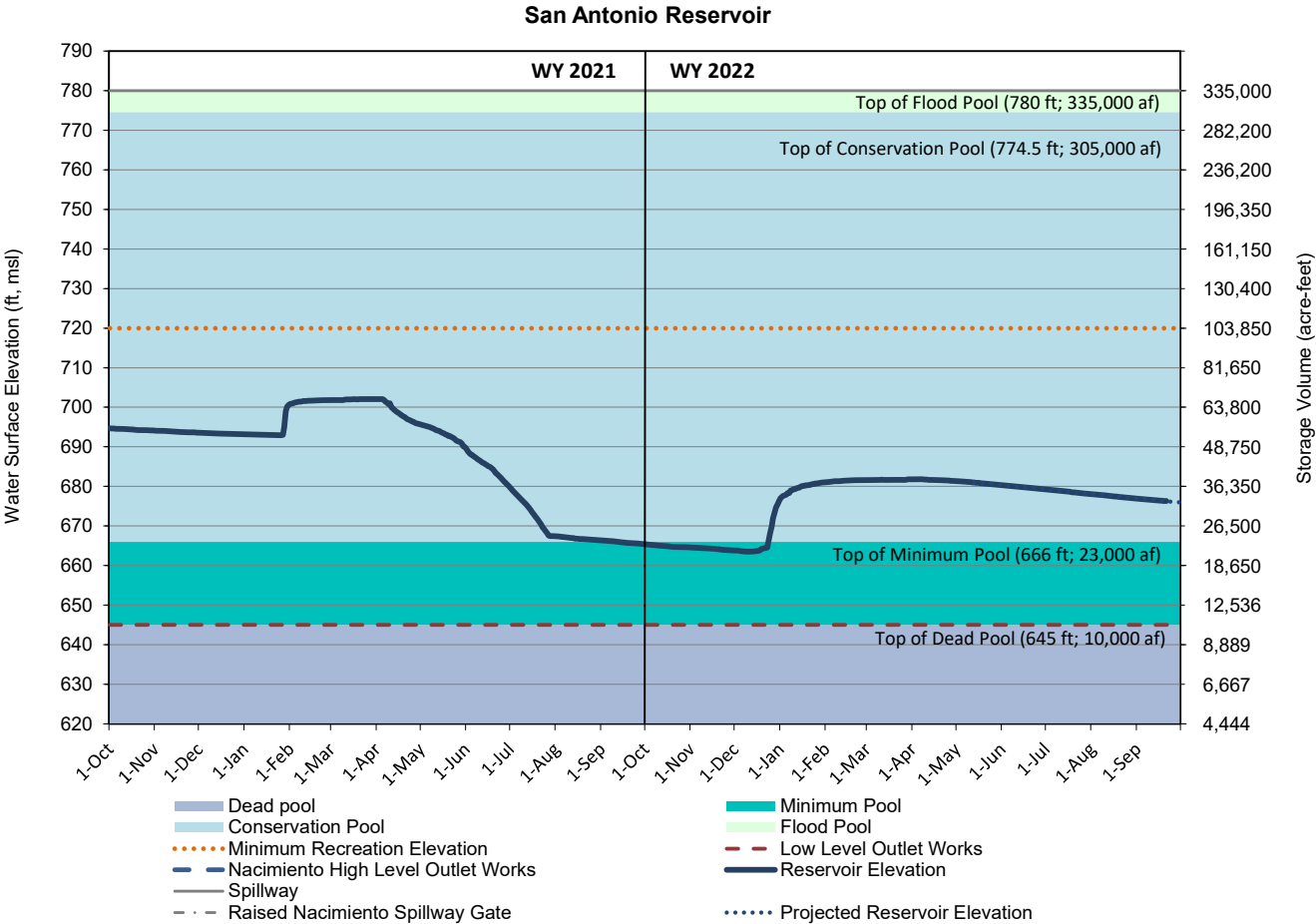
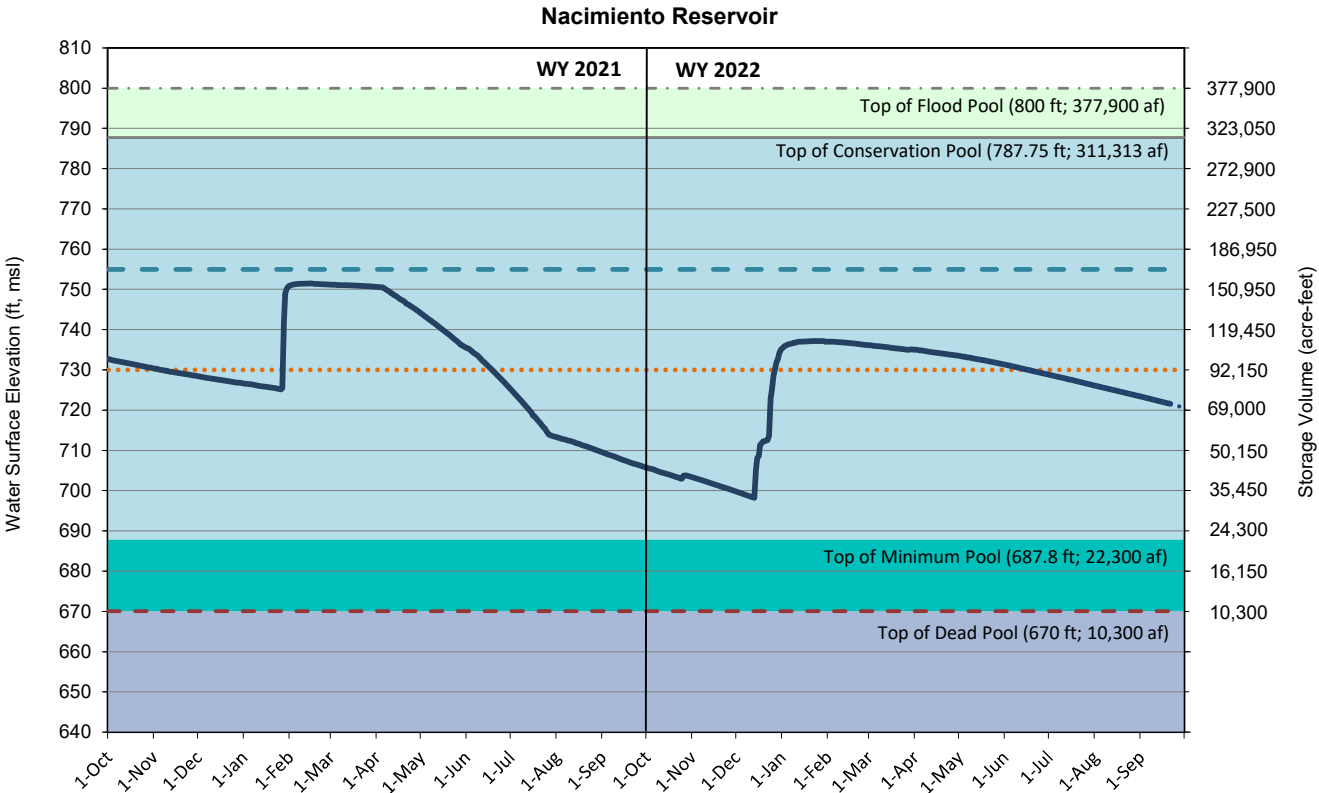
- Nacimiento Reservoir: 60 cfs
- San Antonio Reservoir: 10 cfs

Total releases from both reservoirs to the Salinas River are approximately 70 cfs. The following “provisional” flows have been recorded by the USGS:

- Salinas River near Bradley: 59 cfs
- Salinas River at Soledad: 0 cfs
- Salinas River near Chualar: 0 cfs
- Salinas River near Spreckels: 0 cfs

Prepared by: Joseph Klein, Hydrologist (831) 755-4860

Reservoir Elevation and Storage







# Monterey County

## Item No.7

### Board Report

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

Legistar File Number: WRARO 22-081

September 29, 2022

Introduced: 9/22/2022

Current Status: Draft

Version: 1

Matter Type: WRA ResOps Item

Release Schedule Update

## RESERVOIR RELEASE SCHEDULE FOR 2022

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	NACIMIENTO										SAN ANTONIO					
Month	Combined Releases (cfs) <sup>1</sup>	Combined Releases (ac-ft)	Evap. Losses (ac-ft)	Reservoir Releases (cfs) <sup>1</sup>	Reservoir Releases (ac-ft)	NWP Orders (ac-ft)	NWP Diversions (ac-ft)	Beginning of Month Storage		Elev. (ft)	Evap. Losses (ac-ft)	Reservoir Releases (cfs) <sup>1</sup>	Reservoir Releases (ac-ft)	Beginning of Month Storage		Elev. (ft)
Jan	76	4,645	424	66	4,030	483	353	106,350	28%	735.4	151	10	615	33,045	10%	676.9
Feb	76	4,394	364	66	3,819	653	448	110,750	29%	737.0	158	10	575	37,557	11%	681.1
Mar	74	4,546	642	64	3,931	905	506	108,138	29%	736.1	263	10	615	38,190	11%	681.6
Apr	72	4,288	888	62	3,693	1,242	506	105,115	28%	735.0	409	10	595	38,420	11%	681.8
May	74	4,580	1,308	64	3,965	1,481	651	100,828	27%	733.4	598	10	615	37,845	11%	681.3
Jun	70	4,165	1,874	60	3,570	2,043	1,122	95,170	25%	731.2	795	10	595	36,638	11%	680.3
Jul	70	4,304	1,724	60	3,689	2,131	1,091	88,843	24%	728.7	740	10	615	35,415	11%	679.2
Aug	70	4,304	1,413	60	3,689	2,181	1,110	82,400	22%	726.0	676	10	615	34,200	10%	678.0
Sep	70	4,165	1,217	60	3,570	2,143		76,063	20%	723.3	539	10	595	32,993	10%	676.9
Oct	70	4,304	839	60	3,689	1,535		69,871	18%	720.4	383	10	615	31,973	10%	675.9
Nov	70	4,165	413	60	3,570	1,115		63,836	17%	717.5	198	10	595	30,982	9%	674.9
Dec	70	4,304	245	60	3,689	496		58,766	16%	714.8	122	10	615	30,193	9%	674.0
Jan 2023								54,481	14%	712.5				29,480	9%	673.3
Totals		52,167	11,352		44,907	16,408	5,789				5,033		7,260			

Draft Date: 9/21/22

Notes:

1. Mean daily flow for the month in cubic feet per second.
2. Shaded areas denote actual values. Non-shaded areas are projected values.
3. Nacimiento Reservoir storage capacity: 377,900 acre feet; San Antonio Reservoir storage capacity: 335,000 acre feet.
4. Reservoir Operations Advisory Committee may make release considerations for fish spawn and holiday periods to benefit recreation.
5. Schedule assumes no inflow to reservoirs after April 1st. Actual elevations may be influenced by inflow.
6. "NWP Diversions" are San Luis Obispo County - Nacimiento Water Project conveyance facilities diversions. Max. allowable water year (Oct. 1 - Sept. 30) diversions: 15,750 ac-ft.
7. Nacimiento "NWP Diversions" do not include lakeside water use which is estimated at approximately 1,750 acre feet per year.
8. Updated Release Schedule developed by the Drought Operations Technical Advisory Committee, Adopted by Agency Board of Directors, 4/18/2022





# Monterey County

## Item No.8

### Board Report

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

Legistar File Number: WRARO 22-089

September 29, 2022

Introduced: 9/22/2022

Current Status: Draft

Version: 1

Matter Type: WRA ResOps Item

Dam Safety/DSOD Update



# Monterey County

## Item No.9

### Board Report

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

Legistar File Number: WRARO 22-085

September 29, 2022

Introduced: 9/22/2022

Current Status: Draft

Version: 1

Matter Type: WRA ResOps Item

Dock Program Report

## Dock Program Update

### SUMMARY/DISCUSSION:

The Reservoir Operations Advisory Committee receives updates on the status of the Agency's Dock Licensing and Inspection Program for Nacimiento Reservoir.

### SUMMARY/DISCUSSION:

Over the past two years the Agency has performed multiple dock program inspections. During the inspections performed in Licensing Year 2021 (April 1, 2021 – March 31, 2022), there were 24 docks found without license numbers affixed in a readily visible manner, and in Licensing Year 2022 (April 1, 2022 – March 31, 2023) there were an additional 13. Identification of who owns these docks is critical, otherwise they are considered unlicensed, a public nuisance, and may be summarily abated by the General Manager. Earlier this year, together with ITD the Agency started a webpage publishing these 24 docks and emailed the boat dock clubs and associations to help identify them. As of today, we have identified 10 out of the 24 docks for 2021 and found 3 out of the 13 dock owners for 2022. The Agency has sent out notices to the total of 10 property owners with these unidentified and potentially unlicensed docks but have had no response. The next step is to run a second publishing of these unidentified docks and contact our stakeholders to help us identify these docks once again.

The inspections of Licensing Year 2022 have also been utilized to manage other dock nuisances. The revocation of licenses is required by the Dock Program Ord. 4065, for those docks that fail to comply with licensing conditions (Attachment 1). At the beginning of Licensing Year 2022, staff presented a list of 15 nuisance boat docks who had not renewed the dock license for 2 years or more and were subject to revocation. As a result of considerable staff time and resources the list as of today is reduced to 5 (Attachment 2). For these 5 nuisance docks, there is 1 dock owner that is behind 20 years in completing the required license renewal, and 4 dock owners that are behind 5 – 9 years. This totals \$3,080 of back renewal licensing fees, missing insurance documentation, and increased liability and exposure to reservoir users and the Agency's dam facilities. The Agency has done significant outreach to contact these nuisance dock owners to try and achieve compliance. Staff will confer with County Counsel prior to any summarily abatement activities for the 5 docks in need of retrieval and removal from the Reservoir.

The Agency finally sent revocation notices on August 5, 2022, for the nuisance docks to respective dock owners and property owners including Boat Clubs and Associations. In these revocation notices the licensees have been notified that their dock license has been revoked and that they have 10-days to appeal per Ord. 4065. If the licensees choose not to appeal, then they are required to remove their dock from the reservoir. If the licensee fails to comply with the standards and requirements in Ord. 4065 the property owner shall assume full responsibility for all fees owed to the Agency including disposal and removal fees as appropriate.

As stated earlier, the Agency is responsible for performing boat dock inspections. The purposes were to find and notice nuisance docks and to find more unidentified docks. Last year staff attempted to GPS the docks but was unsuccessful. In the spring of 2022, the Agency purchased new equipment to achieve better quality GPS points. The 2022 inspection effort was a success. It allowed staff to identify exactly which property owners including Boat Clubs and Associations

the docks belonged or were moored to. Staff was able to identify which parcels the docks are located. This enabled staff to contact property landowners for noticing and more information.

Prepared by: Jess Barreras, Hydrologist (831) 755-4860

Attachments:

1. Ordinance No 4065
2. Revocation List
3. Boat Dock Survey Map
4. Example of Revoked Dock Map
5. Example of Unidentified Dock Map

ORDINANCE NO. 04065

AN ORDINANCE OF THE MONTEREY COUNTY WATER RESOURCES AGENCY  
REPEALING ORDINANCE NO. 3672 AND ENACTING IN ITS PLACE, THIS ORDINANCE  
REGULATING THE LICENSING OF DOCKS AT NACIMIENTO LAKE AND  
ESTABLISHING DOCK LICENSING FEES

**County Counsel Summary**

*This ordinance repeals Ordinance No. 3672 and enacts in its place, this ordinance, pertaining to licensing of docks at Lake Nacimiento, to provide (1) for an increase in dock fees from \$40 to \$60, (2) for an increase in additional slip fee from \$15 to \$20, (3) that a dock use commercially acceptable flotation material and specified dock anchorage, (4) that applicant show proof of property ownership, such as a copy of tax bill or deed, where the dock is to be moored, or, in the alternative, provide a letter from a property owner granting permission for mooring, (5) that a dock constructed prior to the effective date of this ordinance be accepted for licensure if it meets the provisions of this ordinance, (6) that a disposal fee shall be charged to the property owner and/or licensee for any dock determined to be a nuisance, with such a fee being \$300 for single slip docks and \$125 for each additional slip, and (7) that the Agency has the right to remove moored docks not in compliance with this ordinance.*

The Board of Supervisors of the Monterey County Water Resources Agency repeals Ordinance No. 3672 and enacts, in its stead, this ordinance, to read as follows:

SECTION 1. REPEAL OF PRIOR ORDINANCE

Ordinance No. 3672 is hereby repealed.

SECTION 2. DEFINITIONS

The following definitions apply in this ordinance:

- (a) "Agency" is the Monterey County Water Resources Agency.
- (b) "Lake Nacimiento" or "lake" is the reservoir impounded by Nacimiento Dam in the County of San Luis Obispo.
- (c) "General Manager" is the General Manager of the Agency, or an employee of the Agency authorized to act on behalf of the General Manager.
- (d) "Dock" is any structure, raft, or vessel designed to float on water and not designed primarily for transport.
- (e) "Supervisors" is the Board of Supervisors of the Agency.

(f) "Licensing year" is the period from April 1 of any year to March 31 of the succeeding year.

(g) "Highwater mark" means the elevation or contour line that would be reached by the water in Lake Nacimiento when the lake is at the top of the dam spillway, elevation 800 feet. The lake is considered full when it is at the highwater mark.

(h) "Licensee" is the person who applies for a dock license and the person to whom the license is issued.

### SECTION 3. DOCK LICENSE REQUIRED

It shall be unlawful for any person to construct, moor, maintain, own, operate or use any dock on or in the waters of Lake Nacimiento unless said dock is first licensed by the Agency in conformity with this ordinance.

### SECTION 4. INITIAL AND RENEWAL LICENSES

(a) A dock license must be obtained from the Agency for each dock initially proposed to be constructed or placed within the highwater mark at Lake Nacimiento, in anticipation of floating such dock in the waters of Lake Nacimiento, before such dock is so constructed or placed. Such license shall be required, even though, at the time the dock is placed or constructed within the highwater mark, the lake bed is dry or partially dry. The license so issued shall expire on March 31 of the calendar year following the year in which the license is issued.

(b) Following the initial year of issuance, each dock license must be renewed on or before April 1 each licensing year during which the dock is left, reinstalled, or refloated on or in the waters of Lake Nacimiento. The renewal license shall expire on March 31 of the succeeding year. If a previously registered dock has been removed from the water or left high and dry and is not refloated until after April 1, the renewal of the license may be deferred, provided that the dock shall not be refloated until after issuance of the renewal license. Renewal is not required during any year in which the dock remains out of the water for the entire licensing year.



### SECTION 5. ANNUAL LICENSING FEE

Prior to issuance of an initial or renewal license, the licensee shall pay to the Agency an annual fee of \$60.00 per dock for all single-slip docks, or \$60.00 for the first slip plus \$20.00 for each additional slip for all multiple-slip docks. The General Manager shall determine the number of slips for which any particular dock is designed.

### SECTION 6. INDEMNITY AND INSURANCE

Before any initial license and any renewal license is issued by the General Manager, the licensee must file with the General Manager (a) a certificate of insurance issued by a company



authorized to do insurance business in the state of California, providing that the insurer will give to the Agency thirty days' notice of cancellation, and (b) an agreement executed by the applicant holding the Agency and Monterey County and their officers, agents, and employees harmless for any damage or injury resulting from the installation or use of the dock. The insurance shall have a combined single limit of not less than \$500,000 for public liability and property damage. The Supervisors may amend the required amount of insurance by resolution, and such amendment shall be effective for all initial and renewal licenses issued after the effective date of the resolution.

## SECTION 7. LICENSING CONDITIONS

(a) Each dock must be designed, constructed and maintained so that the dock or any of its parts will not capsize, break up, or slip its moorings and float at large on the surface of the lake.

(b) Styrofoam, poly-foam, or some other waterproof plastic foam material, or a commercially-constructed float manufactured specifically for dock flotation acceptable to the General Manager, shall be used for dock flotation. All foam material shall be encapsulated or enclosed by an outer layer sufficiently durable to withstand abrasion by normal contact with water and water-borne debris without damage to outer layer. Steel barrels may not be used for dock flotation. Plastic barrels, or barrel-like floats designed and manufactured specifically for flotation may be used but must meet all of the following conditions: (i) they must be completely filled with a waterproof plastic foam material, (ii) contain no toxic material, (iii) structurally designed to be attached securely to the dock in such a manner that they cannot become detached even if the dock is completely upset, and (iv) be approved by the Agency prior to being placed within the highwater mark of the Lake.

(c) Main dock anchorage shall consist of at least ½ inch diameter galvanized steel cable attached to anchorage with a combined weight of 2,500 pounds minimum. The anchorage shall be in two locations, one at or above the highwater mark elevation (800 feet above sea level) and one at the lowest Lake elevation that the dock is expected to float. The steel cable shall be strung between the two anchorage weights and the dock attached to the cable with a steel cable sling at each end of the dock. A light anchor or shore stake shall hold the dock near shore. The cable size and anchorage listed above are suitable for a dock with a dimension of 6 by 10 feet. Larger cable and heavier anchorage shall be used for larger docks (e.g., a 15 by 20 foot dock would require a 7/8 inch diameter main cable and an anchorage weight of at least 9,000 pounds).

(d) An applicant shall submit proof of property ownership for the land on which his or her dock is to be moored. Proof must be in the form of a copy of a deed or a recent San Luis Obispo County Tax Assessor's bill showing the parcel number of the property on which the dock is to be moored. If permission is granted by a property owner, other than the applicant, allowing the applicant to moor the dock, a letter shall be submitted by the property owner stating that permission is so granted, listing the name, address and telephone number of the applicant.

(e) Any dock(s) constructed prior to the effective date of this ordinance shall be accepted for licensure provided it is in compliance with the provisions of this ordinance.

(f) The General Manager shall not issue a license if in the opinion of the General Manager the dock does not comply with paragraphs (b) through (e), or there is a substantial danger that the dock will not comply with paragraph (a).

#### SECTION 8. DOCK LICENSE NUMBER

Each license issued pursuant to this ordinance shall be given an identifying number. The licensee shall forthwith paint or affix in a permanent manner said number in three-inch high numerals on said dock such that the number is readily visible at a distance from a boat on the lake.

#### SECTION 9. DOCKS FLOATING AT LARGE.

No licensee shall cause, suffer or permit any dock licensed to such licensee, or any part of such dock, to float at large upon the lake, without being tethered securely to a fixed location.

#### SECTION 10. REVOCATION OF LICENSES

A license may be revoked for any of the following reasons:

- (a) the dock is used or maintained in violation of any of the requirements of this ordinance;
- (b) deterioration, damage, or inadequate maintenance renders the dock a hazard;
- (c) at any time during the licensing year the dock fails to meet any of the conditions required to be met at the time of licensure;
- (d) the insurance required to be maintained expires or is terminated without renewal during the licensing year;
- (e) the licensee transfers ownership or responsibility for the dock, without issuance of a new license for the new owner or responsible party; or
- (f) the dock, or any part of the dock, is found floating at large on the lake causing a hazard to other users of the lake, to the reservoir's outlet works, to any other Agency property, or to Agency personnel.

#### SECTION 11. DISPOSAL FEE

Upon notice being provided to the property owner and/or licensee pursuant to Section 13, a disposal fee shall be charged to the property owner and/or licensee for any dock determined to

be a nuisance pursuant to Section 15. The disposal fee for a single-slip dock is \$300 and \$125 for each additional slip for all multiple-slip docks.

## SECTION 12. NON-TRANSFERABILITY OF LICENSES

Licenses issued under this ordinance are not transferable. If a dock is sold or if responsibility for the dock changes hands, a new license shall be applied for and issued for the dock. When such a transfer occurs before expiration of the license, there will be no new license fee for the licensing year in which the transfer occurs.

## SECTION 13. APPEALS

(a) Any decision by the General Manager concerning the granting or revocation of a license under this ordinance may be appealed. Such appeal shall be in writing and shall be filed with the General Manager within ten days after the date on which the General Manager gives notice of the decision to the owner.

(b) At the time of the filing of the appeal, the appellant shall pay to the Agency a filing fee of twenty-five dollars.

(c) An appeal shall set forth specifically the points at issue, the reasons for the appeal, and wherein the appellant believes there was an error or abuse of discretion by the General Manager.

(d) The appeal shall be heard by the Appeals Board established by Ordinance No. 3539, or by any successor body established by the Agency by ordinance or resolution for the purpose of hearing administrative appeals. Upon receipt of the notice of appeal, the Appeals Board shall set a date for public hearing thereon, giving notice thereof to the appellant. The Appeals Board may reverse or affirm, wholly or partly, or may modify the decision appealed from, and may make such order, requirement, decision or determination as should be made in light of the existing requirements set forth in this ordinance or any resolutions enacted pursuant to this ordinance. The decision of the Appeals Board shall be final.

(e) If no decision is made by the Appeals Board within sixty days after the date the appeal was filed with the General Manager, the appeal shall be deemed granted, except that this sixty-day period shall be extended by the length of all time extensions granted at the appellant's request in the appeal process.

## SECTION 14. NOTICES

(a) Any notice required under this ordinance shall be in writing and shall be given as provided in this section.

(b) Except as otherwise provided in (c), below, notice shall be given by depositing the notice in the U.S. Mail, first class postage or better prepaid, addressed to the party to

be noticed at his or her address last known to the General Manager. In such event, the notice shall be deemed given three days after the date on which the notice is so deposited in the mail.

(c) If no address for the party to be noticed is known to the General Manager, then notice shall be given by affixing to the dock in question a copy of the notice and, if the dock in question is moored, then either before such posting or promptly thereafter, by depositing a copy of the notice in the U.S. Mail, first class postage or better prepaid, addressed to the owner of record of the land to which the dock is moored, at said owner's address shown on the tax assessor's records or other public documents. In such event, the notice shall be deemed given on the date the notice is posted on the dock.

## SECTION 15. NUISANCES

(a) Any licensed or unlicensed dock or any part thereof is a public nuisance and may be summarily abated by the General Manager if such dock or part thereof is not properly maintained in accordance with the standards in this ordinance, tethered securely to a fixed location, and is (i) floating on the surface of the lake or (ii) aground within the highwater mark of the Lake and is subject to flotation on a rise of the Lake level.

(b) Summary abatement may include destruction of the dock. However, if the dock has been licensed, the dock shall not be destroyed until after (i) the General Manager gives notice to the licensee that the dock may be retrieved if the mooring facilities are brought into compliance with Agency regulations, and (ii) the licensee fails to bring the mooring into compliance within thirty days of said notice or within such further time as the General Manager may grant.

## SECTION 16. PENALTIES

(a) Any person violating any of the provisions of this ordinance shall be guilty of an infraction which is punishable by a fine not to exceed \$100.00 for each violation.

(b) Any violation which occurs or continues to occur from one day to the next shall be deemed a separate violation for each day during which such violation occurs or continues to occur.

(c) If licensee fails to comply with the standards and requirements in this ordinance, the property owner shall assume full responsibility for all fees owed to the Agency, including any and all disposal fees and removal expenses as appropriate.

(d) Agency shall have the right to remove, at the property owner's and/or licensee's expense, all licensed or unlicensed, tethered or untethered, boat docks not complying with the licensing conditions set forth herein.

SECTION 17. SEVERABILITY

If any provision of this ordinance, or the application thereof to any person or circumstance, is held invalid by a court of competent jurisdiction, the remainder of the ordinance, or the application of such provision to other persons or circumstances, shall not be affected thereby.

SECTION 18. EFFECTIVE DATE

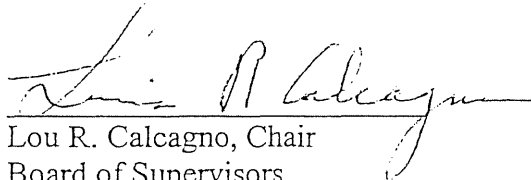
This Ordinance shall take effect on the thirty-first (31<sup>st</sup>) day after its adoption.

PASSED AND ADOPTED this 30 day of May, 2000, by the following vote:

AYES: Supervisors Salinas, Pennycook, Calcagno, Johnsen and Potter.

NOES: None.

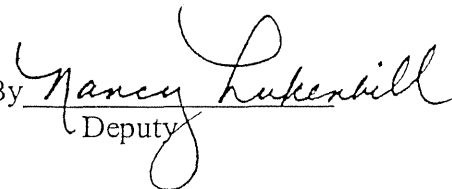
ABSENT: None.



Lou R. Calcagno, Chair  
Board of Supervisors  
Monterey County Water Resources Agency

ATTEST:

SALLY REED  
Clerk of the Board

By   
Deputy

Boat Dock #	Total Due	Years Delinquent	Updated Status
109*	\$1,350.00	21	REVOKED
26401	\$990.00	15	PAID
26543	\$930.00	14	PAID
26467	\$930.00	14	NONE
26468	\$670.00	9	ACCEPTED
26385	\$630.00	9	OOW
26392	\$630.00	9	REVOKED
26569	\$630.00	9	NONE
26489	\$570.00	8	REVOKED
26553	\$510.00	7	ACCEPTED
11292	\$450.00	6	REVOKED
26362	\$330.00	4	ACCEPTED
26434	\$300.00	3	ACCEPTED
78	\$210.00	2	REVOKED
152	\$210.00	2	ACCEPTED

Revoked = Agency reached out multiple times with no response

Accepted = Owner has submitted annual fee and insurance

Paid = Owner has submitted annual fee only

OOW = Planned Out-of-Water

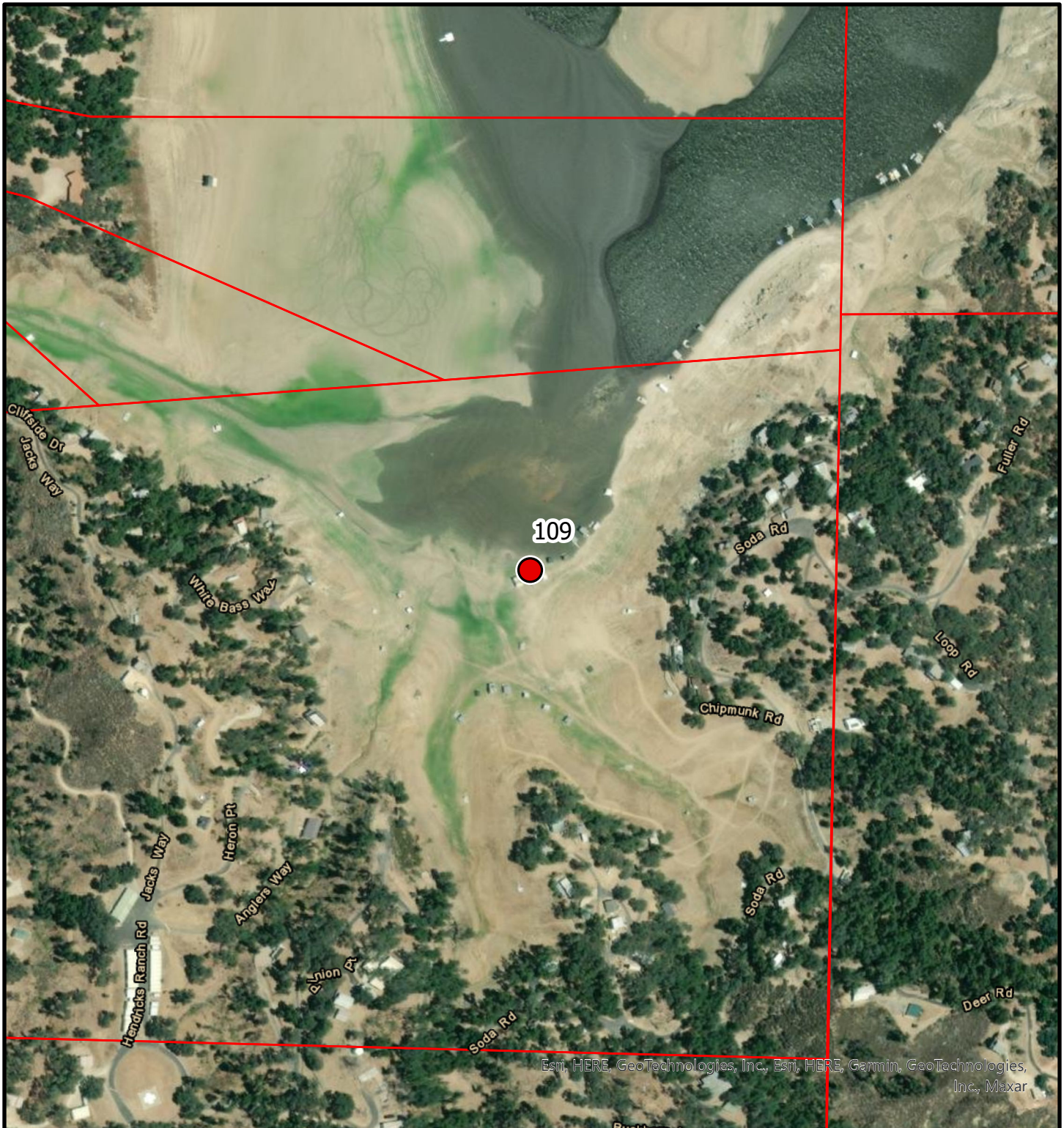
None = Dock inactive

\* Known location





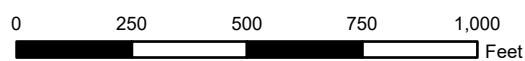






Dock #109  
080-067-005  
Cal Shasta Club

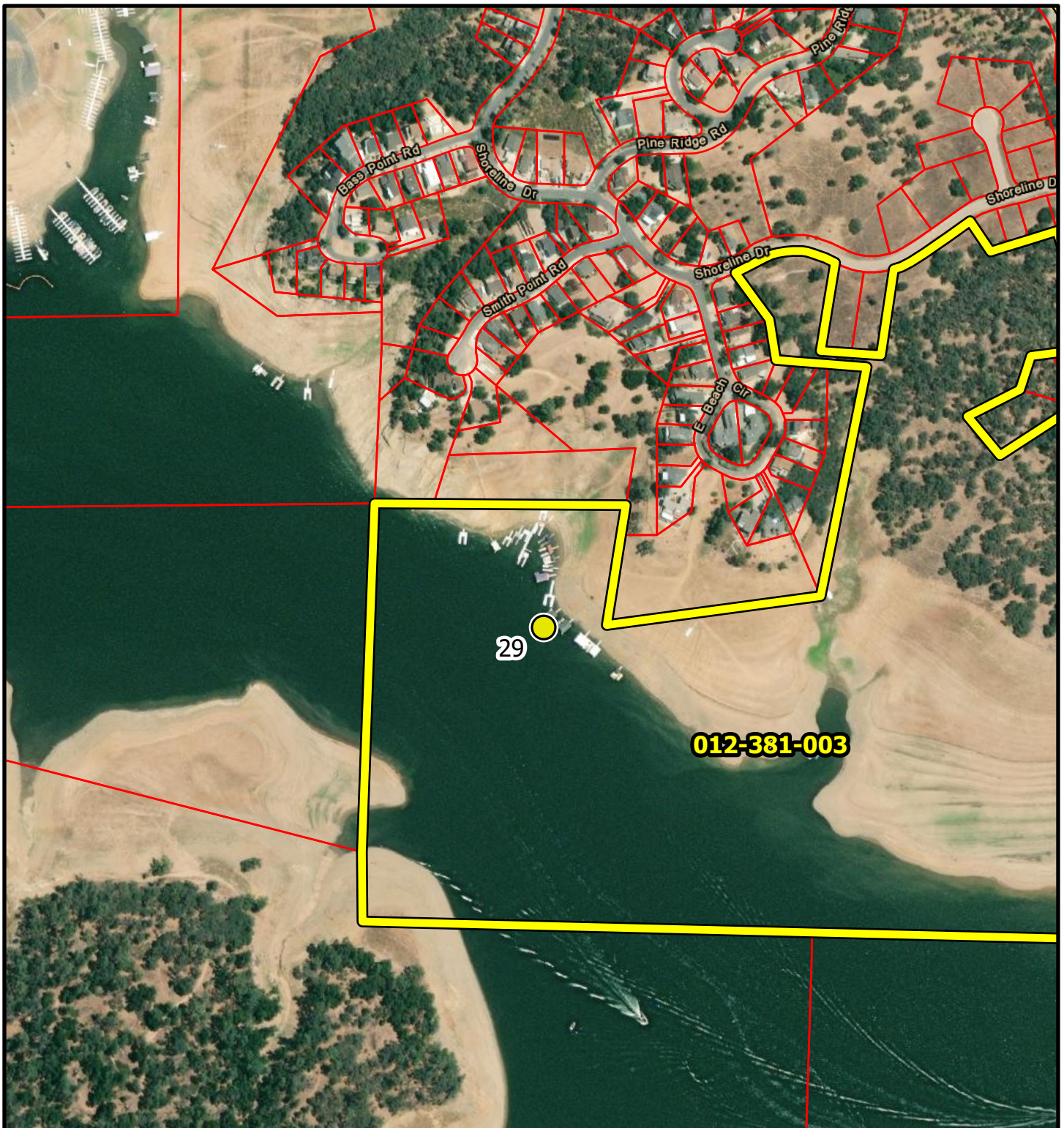
-  Revoked Docks
-  SLO Parcels






The scale and configuration of all project boundaries and information shown herein are not intended as a guide for design or survey work.

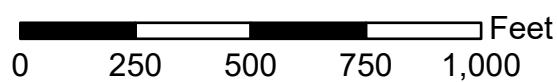
Image Source: Google (2018)  
Map Date: 8/8/2022





Unidentified 30  
OAK SHORES SPE LLC

-  Unlicensed Docks
-  Unidentified Dock Parcels
-  SLO Parcels



The scale and configuration of all project boundaries and information shown herein are not intended as a guide for design or survey work.

Image Source: Google (2018)  
Map Date: 8/8/2022



# Monterey County

## Item No.10

### Board Report

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

Legistar File Number: WRARO 22-082

September 29, 2022

Introduced: 9/22/2022

Current Status: Draft

Version: 1

Matter Type: WRA ResOps Item

Update on Operations and Maintenance Activities at the Reservoirs



# Monterey County

## Item No.11

### Board Report

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

**Legistar File Number: WRARO 22-083**

**September 29, 2022**

**Introduced:** 9/22/2022

**Current Status:** Draft

**Version:** 1

**Matter Type:** WRA ResOps Item

- Lake Recreation by Concessionaire and Parks Department
- Quagga/Zebra Mussel Plan
- San Luis Obispo County Activities
- National Marine Fisheries Service



# Monterey County

## Item No.12

### Board Report

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

Legistar File Number: WRARO 22-084

September 29, 2022

**Introduced:** 9/22/2022

**Current Status:** Draft

**Version:** 1

**Matter Type:** WRA ResOps Item

Set next meeting date and discuss future agenda items