

County of Monterey

*Saffron Room
1441 Schilling Place, 1st Floor
Salinas, CA 93901*



Meeting Agenda

Wednesday, May 1, 2024

1:30 PM

**Monterey County District 2 to host the public and participate via
Zoom: 26100 Sherwood Dr. Pioneer, Ca**

**Monterey County District 3(Conference Room)to host the public
and participate via Zoom: 599 El Camino Real, Greenfield, Ca**

Joint Water Resources/Board of Supervisors

Leadership Committee

To participate in this Joint Water Resources/Board of Supervisors Leadership Committee meeting through the following methods:

1. You may attend in person,

2. For ZOOM participation please join by computer audio at:

<https://montereycty.zoom.us/j/93714796324>

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

3. Enter this Meeting ID number: 937 1479 6324, PASSWORD: 392367 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.

PLEASE NOTE: IF ALL BOARD MEMBERS ARE PRESENT IN PERSON, PUBLIC PARTICIPATION BY ZOOM IS FOR CONVENIENCE ONLY AND IS NOT REQUIRED BY LAW. IF THE ZOOM FEED IS LOST FOR ANY REASON, THE JOINT WATER RESOURCES/BOARD OF SUPERVISORS LEADERSHIP COMMITTEE MEETING MAY BE PAUSED WHILE A FIX IS ATTEMPTED BUT THE MEETING MAY CONTINUE AT THE DISCRETION OF THE CHAIRPERSON.

4. If you choose not to attend the Board 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.

Participar en esta reunión conjunta del Comité de Liderazgo de Recursos Hídricos / Junta de Supervisores a través de lo siguiente métodos:

1. Puede asistir en persona,

2. Para participar for ZOOM, por favor únase for audio de computadora por:

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3. Se le colocará en la reunion 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.

TENGA EN CUENTA: SI TODOS LOS MIEMBROS DE LA JUNTA ESTÁN PRESENTES EN PERSONA, LA PARTICIPACIÓN PÚBLICA DE ZOOM ES SOLO POR CONVENIENCIA Y NO ES REQUERIDA POR LA LEY. SI LA TRANSMISIÓN DE ZOOM SE PIERDE POR CUALQUIER MOTIVO, LA REUNIÓN CONJUNTA DEL COMITÉ DE LIDERAZGO DE RECURSOS HÍDRICOS / JUNTA DE SUPERVISORES PUEDE PAUSARSE MIENTRAS SE INTENTA UNA SOLUCIÓN, PERO LA REUNIÓN PUEDE CONTINUAR A DISCRECIÓN DEL PRESIDENTE.

4. Si prefiere no asistir a la reunión de la Junta 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 reunion. Envíe su comentario al Secretario de la junta al correo electronico 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 linea de asunto del correo electronico el cuerpo de la reunion (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 reunion de esta Junta.

Call to Order

Roll Call

Public Comment

Approval of Action Minutes

1. Approve the Action Minutes of December 8, 2023.

Attachments: [Draft JBL Minutes December 8, 2023](#)

Action Items

2. Nominate and appoint Chair and Vice-Chair of the Joint Water Resources/Board of Supervisors Leadership Committee and determine length of term.

Regular Agenda

3. Receive an update on Groundwater Extraction Monitoring System (GEMS) Expansion Ordinance, and provide staff direction as appropriate.
(Staff: Ara Azhderian)

Attachments: [GEMS Expansion Ordinance Memo & Attachments](#)

4. Receive an update on FYE 2025 Budget overview, and provide directions to staff as appropriate. (Staff: Ara Azhderian)
5. Receive an update on Proposed rate studies, and provide direction to staff as appropriate. (Staff: Ara Azhderian)
 - a. Castroville Seawater Intrusion Project (CSIP) Master Plan
 - b. Groundwater Extraction Management System (GEMS) Expansion
 - c. Dam Safety Regulatory Program
6. Receive an update on Castroville Seawater Intrusion Project (CSIP) chlorine cost, and provide staff direction as appropriate. (Staff: Ara Azhderian)
7. Receive an update on the Interlake Tunnel Project, and provide direction to staff as appropriate. (Staff: Ara Azhderian)
8. Receive an update on necessary safety projects to Nacimiento and San Antonio dams, and provide direction to staff as appropriate. (Staff: Shaunna Murray)
9. Update on the Pajaro Levee storm repairs and transition to the Pajaro Regional Flood Management Agency, and provide direction to staff as appropriate.
(Staff: Shaunna Murray)

Committee Member Comments

Adjournment



County of Monterey

Item No.1

Board Report

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

Legistar File Number: JBL 24-001

May 01, 2024

Introduced: 4/25/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Joint Board Leadership

Approve the Action Minutes of December 8, 2023.

County of Monterey

*Thyme Conference Room
1441 Schilling Place
Salinas, CA 93901*



Meeting Minutes

Friday, December 8, 2023

4:00 PM

**Following Location for Monterey County District 3 (Conference Room) to
host the public and participate via Zoom:**

599 El Camino Real, Greenfield, Ca 93927

**Joint Water Resources/Board of Supervisors Leadership
Committee**

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1. You may attend in person,

2. For ZOOM participation please join by computer audio at:

<https://montereycty.zoom.us/j/91742136342>

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

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3. Enter this Meeting ID number: 917 4213 6342, PASSWORD: 174509 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.

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WRAPubliccomment@co.monterey.ca.us

<mailto:WRAPubliccomment@co.monterey.ca.us> In an effort to assist the Secretary in

identifying the

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(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.

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Call to Order

The meeting was called to order at 4:01 p.m.

Roll Call

Present: John Baillie, Mike LeBarre, Supervisor Glenn Church, Supervisor Lopez
Absent: None

Public Comment

None

Approval of Action Minutes

Upon Motion by Director Baillie and Second by Director LeBarre the Committee approved the Consent Calendar.

Ayes: John Baillie, Mike LeBarre, Supervisor Chris Lopez
Noes: None
Absent: None
Abstained: Supervisor Glenn Church

1. Approve the Action Minutes of August 3, 2023.

Attachments: [DRAFT Special JBL Meeting Minutes August 3, 2023](#)

Regular Agenda

2. Receive an update on Dam Safety projects, and provide direction to staff, as appropriate. (Staff Presenting: Ara Azhderian)
 - San Antonio Dam Spillway replacement
 - Nacimiento Plunge Pool rehabilitation
 - 2024-25 State and Federal funding requests

Committee Member Comment: Mike LeBarre
Public Comment: None

3. Receive an update on the 2024-25 Agency Budget preparation, and provide direction to staff, as appropriate. (Staff Presenting: Ara Azhderian)
- Budget approach
 - Schedule
 - Financial Forecasting model update
 - WRA Facilities Real Estate analysis

Committee Member Comments: Mike LeBarre, Supervisor Chris Lopez
Public Comment: None

4. Receive an update on Monterey One Water 2023 reconciliation process, and provide direction to staff, as appropriate. (Staff Presenting Ara Azhderian)
- Financial Audit
 - Water operations assessment
 - Capital Improvement Plan and rate setting analysis

Committee Member Comments: Supervisor Chris Lopez, Mike LeBarre, John Baillie
Public Comment: Sarah Hardgrave, Bill Lipe

5. Receive an update on Monterey County Water Resources Agency cooperative efforts, and provide direction to staff, as appropriate. (Staff Presenting: Ara Azhderian)
- Pajaro River
 - Salinas River
 - Bolsa Knolls
 - Carmel River
 - Big Sur River

Committee Member Comments: Mike LeBarre, John Baillie, Supervisor Glenn Church, Supervisor Chris Lopez
Public Comment: Bill Lipe

Committee Member Comments

None

Adjournment

The meeting adjourned at 5:00 p.m.



County of Monterey

Item No.2

Board Report

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

Legistar File Number: JBL 24-009

May 01, 2024

Introduced: 4/26/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Joint Board Leadership

Nominate and appoint Chair and Vice-Chair of the Joint Water Resources/Board of Supervisors
Leadership Committee and determine length of term.



County of Monterey

Item No.3

Board Report

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

Legistar File Number: JBL 24-008

May 01, 2024

Introduced: 4/26/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Joint Board Leadership

Receive an update on Groundwater Extraction Monitoring System (GEMS) Expansion Ordinance,
and provide staff direction as appropriate.

(Staff: Ara Azhderian)



WATER RESOURCES AGENCY

MEMORANDUM

Monterey County

DATE: April 26, 2024

TO: Joint Boards Leadership Committee

FROM: Ara Azhderian – General Manager

SUBJECT: GEMS Expansion

Since the summer of 2023, the Agency and the Salinas Valley Basin Groundwater Sustainability Agency (SVB) have been meeting extensively to formulate a plan to provide for the necessary expansion of the Agency's Groundwater Extraction Monitoring System (GEMS) to support the SVB's work to comply with the Sustainable Groundwater Management Act. In addition, together, the Agency and SVB have met with numerous organized and individual stakeholders to hear perspectives about how to move forward and have presented options and recommendations jointly to the Boards of Directors of both the Agency and SVB, as well as the Agency's Board of Supervisors. Through the course of these discussions, the Agency and SVB have been able to formulate a proposed path forward that aims to leverage the Agency's institutional knowledge and experience in monitoring the Salinas Valley's groundwater basin by expanding the GEMS historical scope to align with the SVB's current jurisdictional boundaries, as defined by the California Department of Water Resources. For many in the existing GEMS program, expansion of the registration and reporting requirements will be status quo; however, for some, the expansion will bring new registration and reporting requirements. For all within the Salinas Groundwater Basin, a new fee will need to be developed to recover the necessary cost to implement this regulatory program.

The existing GEMS program was implemented by three separate ordinances adopted by the Agency in the early 1990s. Going forward, we propose to repeal these three ordinances and adopt one, new ordinance to affirm the Agency's authority and jurisdiction under its enabling legislation to perform groundwater monitoring and reporting duties, to enact well registration and groundwater extraction reporting requirements, and to establish a fee to recover the cost of this regulatory program. The Agency may develop well registration and extraction reporting requirements for its own purposes as well as provide service to other entities engaged in the management of groundwater resources within Monterey County. Currently, the SVB has requested such service from the Agency rather than establishing its own, parallel program.

The proposed ordinance is intended to provide broad and general authority to the Agency to perform groundwater monitoring and reporting work. We envision two other tiers of

documents being developed to fully implement the GEMS expansion. The second tier of documentation would be the specific deliverables being requested by the Agency, for its own purposes, or by another entity for its own regulatory compliance needs. As an example, included with this memorandum is a draft list developed by the SVB illustrating the work they would like the Agency to perform. Under this approach, this list would evolve into specific criteria and deliverables that would be periodically reviewed and revised as necessary and attached as an exhibit to a master service agreement, which would be the third tier of documentation. The aim is to minimize the administrative burden of implementing the GEMS expansion while providing opportunity and flexibility for other entities, besides the SVB, to request service from the Agency.

Looking forward, the Agency will be presenting the draft ordinance to its committees, Directors, and Supervisors for direction. Meanwhile, the SVB will be working with its committees and Directors to vet its draft list of requested deliverables. Together, the Agency and SVB will continue outreach to stakeholders to solicit feedback on these draft documents and proposed approach. We aim to have the ordinance and associated supporting documents finalized by late summer for implementation this coming November 1, 2024.

Attachments:

- A Draft Agency Ordinance
- The SVB Draft List of Requested Deliverables
- A Draft GEMS Expansion Implementation Timeline

ORDINANCE NO. _____

AN ORDINANCE OF THE MONTEREY COUNTY WATER RESOURCES AGENCY TO REPEAL ORDINANCE NUMBERS 3660, 3717, AND 3718, AND ADOPT WELL REGISTRATION AND EXTRACTION REPORTING REQUIREMENTS

County Counsel Summary

This Ordinance repeals Ordinance Numbers 3660, 3717, and 3718, which established Monterey County Water Resources Agency's ("Agency") well registration and extraction reporting regulations for certain areas of the Salinas Valley. This Ordinance adopts new Agency regulations to establish the authority to require well owners and operators within Monterey County to register wells with the Agency, and periodically report well extraction data if further action is taken by the Agency Board of Supervisors by resolution. This Ordinance also allows the Agency to enter into groundwater management support service agreements to provide groundwater monitoring and data reporting with requesting entities. The Ordinance also provides for Agency collection of a regulatory fee to be set by resolution of the Agency Board of Supervisors. Lastly, the Ordinance provides for a variance process, and establishes penalties for violations.

The Board of Supervisors of the Monterey County Water Resources Agency ordains as follows:

SECTION 1. Findings and purpose.

A. Pursuant to authority granted to it by the Monterey County Water Resources Agency Act, California Water Code, Appendix Chapter 52, on January 26, 1993, the Board of Supervisors ("Board") of the Monterey County Water Resources Agency ("Agency") adopted Ordinance Number 3660, which enacted new registration provisions for groundwater extraction facilities with a discharge pipe having an inside diameter of at least three inches in Agency Zones 2, 2A, and 2B.

B. On February 2, 1993, the Agency Board adopted Ordinance Number 3663, which enacted groundwater extraction reporting requirements in Agency Zones 2, 2A and 2B in the Salinas Valley Groundwater Basin, commonly known as the Groundwater Extraction Reporting System ("GEMS").

C. On July 27, 1993, the Agency Board adopted Ordinance Number 3696, which amended portions of Ordinance Number 3663 to advance the time by which flow meters must be installed in certain areas.

D. On October 5, 1993, the Agency Board adopted Ordinance Numbers 3717 and 3718, repealing Ordinance Numbers 3663 and 3696, but reestablishing GEMS requirements in Agency Zones 2, 2A, 2B which encompass a portion of the Salinas Valley Groundwater Basin.

E. Since 1993, the Agency has been collecting GEMS data subject to the provisions of Ordinance Numbers 3717 and 3718, and has consistently produced annual reports thereafter, including ordinance mandated agricultural and urban water conservation plan reports.

F. In the fall of 2014, the California State Legislature adopted, and the Governor signed into law, three bills commonly known as the Sustainable Groundwater Management Act (“SGMA”) generally set forth in Water Code section 10720 *et seq.*

G. SGMA was signed into law mandating the sustainability of groundwater basins throughout the state by at least 2040 for “high priority basins in a critical state of overdraft”, and 2042 for “high priority” and “medium priority” basins, as determined by the Department of Water Resources (“DWR”).

H. SGMA assigns responsibility to the DWR for regulatory oversight through the evaluation and assessment of groundwater sustainability plans (“GSPs”), and the provision of ongoing assistance to local agencies through the development of best management practices, guidance, planning assistance, technical assistance, and financial assistance.

I. SGMA provides for the formation of local groundwater sustainability agencies (“GSAs”) to formulate and implement GSPs throughout the state, in lieu of county or state control.

J. DWR has identified five groundwater basins, and six subbasins, in Monterey County. There are six GSAs in Monterey County, all dependent upon groundwater data to inform, develop, implement, update, and demonstrate to the DWR progress of their GSPs towards sustainability, that may want to engage and leverage the existing institutional knowledge, data collection and reporting practices of the Agency.

K. The Agency Board hereby adopts this Ordinance to affirm the Agency’s roles and responsibilities with regard to the monitoring and reporting of groundwater status in Monterey County; to authorize well registration and extraction quantity reporting for its own purposes, and at the request of other entities with groundwater management responsibilities; to establish a regulatory fee to support implementation of this Ordinance; and to promote improved service to stakeholders dependent upon Monterey County’s groundwater resources.

L. This Ordinance 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 will allow for continued and new groundwater extraction data reporting to aid the Agency and other entities engaged in the management and scientific investigation of groundwater resources within Monterey County. Specifically, the groundwater extraction data will provide information concerning groundwater level, usage, and quality. If any projects stem of the use of this data, such project will appropriately be evaluated under CEQA.

SECTION 2. Authority.

A. The Agency's enabling legislation is located at California Water Code, Appendix Chapter 52, and the Agency's authority and jurisdiction derive from this legislation.

B. The Agency has jurisdiction over matters pertaining to water within the entire area of Monterey County, including both incorporated and unincorporated areas. The Agency has authority to carry on technical and other necessary investigations, make measurements, collect data, make analyses, studies, and inspections pertaining to water supply. For those purposes, the Agency has the right of access through its authorized representatives to all properties within the Agency and may enter upon those lands and make examinations, surveys, and maps thereof.

C. The Agency Board of Supervisors may adopt, by ordinance, reasonable procedures, rules, and regulations to implement the Agency Act, and may specify that a violation of an ordinance is an infraction. The Agency Board further has power to perform all other acts necessary or proper, including, as allowed by law, establishing fees, taxes, or assessments to be levied and collected, to accomplish the purposes of the Agency Act and this Ordinance.

SECTION 3. Repeal.

The Board of Supervisors of the Monterey County Water Resources Agency hereby repeals Ordinance Numbers 3660, 3717, and 3718, which enacted similar but not identical provisions, and adopts this Ordinance as fully described herein.

SECTION 4. Definitions.

- A. "Agency" means the Monterey County Water Resources Agency.
- B. "Agency Act" means the Monterey County Water Resources Agency Act, California Water Code, Appendix Chapter 52 (Stats. 1990, Chap. 1159).
- C. "Board" means the Board of Supervisors of the Monterey County Water Resources Agency.
- D. "County" means the County of Monterey.
- E. "Monterey County" means the geographical area of Monterey County.
- F. "Requesting Entity" means an entity engaged in the management of groundwater resources within Monterey County, either through the monitoring and reporting of groundwater level, usage, and/or quality data; scientific investigations; or in the administration and compliance of a regulatory program(s).
- G. "Water Year" means the 12-month period between October 1, of any given year, through September 30, of the following year, as defined by the United States Geological Survey.
- H. "Well" means any artificial excavation constructed by any method for the purpose of extracting water from, or injecting water into, the underground. "Well" includes abandoned wells, inactive wells, monitoring wells, and observation wells. For the purposes of this ordinance,

“well” does not include: (1) oil and gas wells, or geothermal wells constructed under the jurisdiction of the Department of Conservation, except those wells converted to use as water wells; (2) wells used for the purpose of dewatering excavation during construction, or stabilizing hillsides or earth embankments; (3) cathodic protection wells; or (4) test wells or dry wells.

I. “Well Operator” means a person or entity to whom the rights to occupy and control a property and the use of its resources, including groundwater, have been transferred by the Well Owner.

J. “Well Owner” means a landowner or landowners that have the legal right to possess, occupy, and control property and the use of its resources, including groundwater, and bear the ultimate responsibility for any Well subject to this Ordinance.

SECTION 5. Provision of Services.

Upon mutual agreement between the Agency and any Requesting Entity, the Agency may provide groundwater monitoring, data reporting, and groundwater management support services. Such action shall be taken by Board approval.

SECTION 6. Well Registration.

A. All permits, which are required to construct, repair, alter, or destroy a Well in Monterey County, are issued by the County pursuant to Monterey County Code Chapter 15.08. The Agency collaborates with the County during the application review process for many, but not all, Wells, and will rely upon information provided to the County to fulfill this Ordinance’s registration requirements, to the extent practicable, as determined solely by the Agency.

B. The Agency may, for its own purposes, require registration of Wells within Monterey County for the purposes of implementing this Ordinance or for any other authority under the Agency Act. Such action shall be taken through a Board resolution.

C. The Agency may require registration of Wells within Monterey County on behalf, and for the purpose of implementing a policy or program, of a Requesting Entity, pursuant to an executed agreement between the Agency and Requesting Entity. Such action shall be taken through a Board resolution.

D. No Well Owner or Well Operator may operate or maintain a Well that is subject to this Ordinance, unless the Well is first registered with the Agency.

E. A Well Owner or Well Operator must properly register within 30 days of a request by the Agency to do so, in a manner prescribed by the Agency, with such request being acceptably transmitted through direct written correspondence with the Well Owner or Well Operator.

F. The Agency may periodically require Well Owners or Well Operators to update registration information. No Well Owner or Well Operator may operate or maintain a Well that is subject to this Ordinance if the requested information has not been properly and timely provided to the Agency. Notwithstanding, Well Owners or Well Operators shall provide updated Well

registration information to the Agency within 30 days of a change to the Well Owner's name or contact information, the Well Operator's name or contact information, or upon completion of a change to the physical structure of the Well.

G. Upon proper completion of registration, the Agency will issue a certificate of registration to the Well Owner and the Well Operator, if applicable.

H. If a Well subject to this Ordinance is abandoned, the Well Owner or Well Operator shall report such abandonment to the Agency within 30 days of abandonment. The report shall indicate the steps taken to comply with all legal requirements regarding such abandonment.

SECTION 7. Extraction Reporting.

A. The Agency may, for its own purposes, require reporting of groundwater extraction quantities from Wells within Monterey County for the purposes of implementing this Ordinance or for any other authority under the Agency Act.

B. The Agency may require reporting of groundwater extraction quantities within Monterey County on behalf, and for the purpose of implementing a policy or program, of a Requesting Entity, pursuant to a written, executed agreement between the Agency and Requesting Entity. Such action shall be taken by Board approval.

C. The Agency, for its own purposes or on behalf of a Requesting Entity, may adopt and periodically revise, a Board resolution establishing acceptable standards and methods for measuring the extraction of groundwater. Every Well Owner or Well Operator required to report groundwater extractions shall meet the requirements of such resolution and request approval from the Agency of their measurement method, on a per Well basis.

D. Every Well Owner or Well Operator subject to reporting is required to keep records tallying the total monthly extraction of groundwater, per Well, and to report those extractions in a manner prescribed by the Agency. The annual reporting period shall be the Water Year.

E. Every Well Owner or Well Operator required to report groundwater extractions must do so no later than November 1, following each Water Year, in a manner prescribed by the Agency. Any Well Owner or Well Operator may report more frequently for convenience or if required by Agency Board resolution. In addition, the report shall include any information necessary to keep Well registration information current.

F. Every Well Owner or Well Operator required to report groundwater extractions must exercise due diligence to maintain and promptly repair all approved measuring equipment. In the event of a measuring method failure, the Well Owner or Well Operator shall immediately notify the Agency in writing to report the data gap and to determine if utilization of one of the alternate methods of measurement authorized by Agency policy is practicable, if restoration of the primary measuring method cannot be achieved within one week of failure. The Agency may impose an alternative measurement method if the Well Owner or Well Operator fails to address a measuring failure within two weeks. The Agency may calculate an unmeasured extraction value

by averaging usage from the month before and after to fill a data gap, or by averaging historical usage over the same period, if available. The Well Owner is ultimately responsible for the maintenance and prompt repair of all approved measuring equipment and any costs incurred by the Agency to impose an alternative measurement method will be billed to the Well Owner.

G. The Agency may, from time to time, test the accuracy of extraction measuring methods approved for Wells subject to this Ordinance, to ensure that measuring methods and equipment remain operational and in conformity with acceptable standards, as defined by the Agency. The Agency may, for its own purposes or on behalf of a Requesting Entity, develop policies and procedures through Board resolution, which may include random sampling, to ensure consistent and equitable measurement of extractions. If a measuring method is determined to be inaccurate, the Agency shall immediately notify the Well Owner or Well Operator in writing to determine if utilization of one of the alternate methods of measurement authorized by the Agency is practicable, if proper calibration of the primary measuring method cannot be achieved within one week. The cost to correct the calibration a measuring method shall be borne by the Well Owner or Well Operator. The Agency may impose an alternative measurement method if the Well Owner or Well Operator fails to address a measuring inaccuracy within two weeks. The Agency may recalculate an extraction value based upon the measured discrepancy and revise Well extraction data up to the beginning of the then current Water Year. The Well Owner is ultimately responsible for the maintenance and prompt repair of all approved measuring equipment and any costs incurred by the Agency to correct an inaccuracy or impose an alternative measurement method will be billed to the Well Owner.

H. The Agency may, from time to time, for its own purposes or on behalf of a Requesting Entity, require additional data pertaining to a particular well, extraction measuring method, or groundwater extraction. Any Well Owner or Well Operator receiving a written request by the Agency shall, within 30 days of receipt of the request, provide the information requested.

I. Extraction data obtained through this Ordinance shall be used only for purposes consistent and compatible with the authorities of the Agency. Access and distribution of personally identifiable information will be restricted to the fullest extent allowed by law.

SECTION 8. Variance.

A. Any Well Owner or Well Operator may, at any time, apply in writing for a variance from the strict application of this Ordinance. The application for the variance shall be filed with the Agency, on a form prescribed by the Agency. The Agency General Manager may dispense with the requirement of a written application upon finding that an emergency condition requires immediate action on the variance request.

B. The Well Owner or Well Operator shall submit an action plan within 30 days after the variance request is filed, describing how and when the Well Owner or Well Operator will comply with this Ordinance without the need for a variance. Compliance with this plan, as presented by the Well Owner or Well Operator, or as modified by the General Manager, shall be a condition of granting the variance.

C. The Agency General Manager may grant a variance to the terms of this Ordinance upon making both of the following written findings:

1. The strict application of this Ordinance would create an undue hardship, or an emergency condition requires that the variance be granted; and
2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other water consumers and will not cause a significant loss in the accuracy or completeness of groundwater extraction provided to the Agency.

D. In granting a variance, the Agency General Manager may impose time limits and any other conditions in order to ensure that the variance is consistent with this Ordinance. The variance, and all time limits and other conditions attached to the variance, shall be set forth in writing, and a copy of the written variance shall be provided to the Well Owner or Well Operator. The decision of the Agency General Manager shall be final.

E. No Well Owner or Well Operator shall operate or maintain a Well for which a variance has been granted hereunder, or use water therefrom, in violation of any of the terms or conditions of the variance.

SECTION 9. Recovery of Regulatory Program Costs.

The Agency may, for its own purposes, allocate and recover costs associated with the development, implementation, update, enforcement, and perpetuation of regulatory groundwater management activities on a per-Well basis within Monterey County for the purposes of implementing this Ordinance. Such regulatory fees shall be as established by a resolution of the Board.

SECTION 10. Enforcement and Penalties.

A. No Well Owner or Well Operator shall operate or maintain a Well, or use water therefrom, in violation of this Ordinance.

B. Any Well Owner or Well Operator who violates any provision of this Ordinance is guilty of an infraction.

C. Any violation of this Ordinance is hereby declared to be a public nuisance. The Agency may commence civil proceedings to abate such nuisance and seek civil penalties which may be imposed by a court against persons found by the court to have committed the nuisance.

D. 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.

E. Any Well Owner or Well Operator who violates any provision of this Ordinance is guilty of an infraction and shall be assessed: (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding two hundred dollars (\$200) for a second violation of

this Ordinance within one year of the first violation; (3) a fine not exceeding five hundred dollars (\$500) for each additional violation of this Ordinance within one year of the first violation.

F. Any Well Owner or Well Operator who violates this Ordinance shall be liable for the cost of enforcement, which shall include, but need not be limited to, the cost of investigation, court costs, attorney's fees, and the cost of monitoring future compliance.

SECTION 11. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Agency Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 12. Effective Date.

This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED this ____ day of ____ 2024, by the following vote:

AYES:

NOES:

ABSENT:

Glenn Church

Chair, Monterey County Water Resources Agency
Board of Supervisors

A T T E S T:

VALERIE RALPH

Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM

Kelly L. Donlon
Assistant County Counsel

Draft list of SVBGSA requests for MCWRA GEMS and Well Registration

- Initial agreement between SVBGSA and MCWRA with annual opportunities to update
- Scope of work will develop over the next 2 years

Desired Deliverables:

- Comprehensive database of wells (location, type, depth, status) for SVBGSA's jurisdiction
- Accurate and reliable groundwater extraction data for SVBGSA's jurisdiction (non-de minimis users¹ for now)
- Data by well and reports by subbasin and basin
- Agricultural Wells: Summary of irrigated acres and subbasin
- Domestic Wells: Water system name, number of connections to water system and subbasin
- Data also reported to eWRIMS (to eliminate double counting)

Groundwater Extraction Data

Timing (Changes to existing GEMS program will be phased in)

- Reporting period:
 - Water Year - October thru the following September of any given year.
- Reporting increment:
 - Monthly
- Data reporting timeframe:
 - Water Year data available by March the following year

Data Collection

- Extraction by all non-de minimis users within SVBGSA's jurisdiction
 - agricultural users (WY25)
 - domestic users (15+ connections) (WY25)
 - domestic users (5-14 connections) (WY26)
- Method:
 - Well owners can report extractions based on flowmeters, electrical meters, or hour meters.
 - Develop outline of the process for SVBGSA to ask MCWRA for a different or specific data collection method
 - Calibration- To be developed further
 - Field calibration of flowmeters
 - Assessment of correct flowmeter placement and installation

¹ "De minimis extractor" is defined in Water Code Section 10721 (e) to be "a person who extracts, for domestic purposes, two acre-feet or less per year."

- Use appropriate calibration equipment to compare flow measurements (example: Panametrics PT900)
- Develop meter standards
- Pump tests for calibration of electrical meter reporting

Well Registration

Develop a shareable (inter-Agency) well database that contains the following fields:

- Well identification (Facility Code, State Well ID, and Owner Well ID)
- Well owner name and address
- Well operator name and address
- Well status (i.e. active, inactive, abandoned, standby, destroyed)
- APN
- Well location (Lat, Long)
- Groundwater basin
- Construction/Physical characteristics (driller, construction date, drilling method, depth, reference point elevation, depth of screens and seals)
- Primary water use (domestic, irrigation, municipal, commercial, other)
- Associated appurtenances (meter type and serial number, pumps, boosters)
- Geologic log (geologic descriptors based on well completion report and well completion report number) Link to Well Completion Report (if applicable)
- Program types (GEMS, groundwater level, groundwater quality)

Database already exists but additional data to be added to reflect all wells.

Associated Workstreams:

- Outreach
- WRA Funding/Well Fees
- Database or data collection tool interface
- Data management (long-term)
- Investigating data gaps / field verification of wells
- Inter-agency coordination (EHB, Pres Inc)

Well Registration and GEMS Activities		FY 2024 Jul-Sep Q3 2023	FY 2024 Oct-Dec Q4 2023	FY 2024 Jan-Mar Q1 2024	FY 2024 Apr-Jun Q2 2024	FY 2025 Jul-Sep Q3 2024	FY 2025 Oct-Dec Q4 2024	FY 2025 Jan-Mar Q1 2025	FY 2025 Apr-Jun Q2 2025	FY 2026 Jul-Sep Q3 2025	FY 2026 Oct-Dec Q4 2025	FY 2026 Jan-Mar Q1 2026	FY 2026 Apr-Jun Q2 2026	FY 2027 Jul-Sep Q3 2026	FY 2027 Oct-Dec Q4 2026	FY 2027 Jan-Mar Q1 2027	FY 2027 Apr-Jun Q2 2027
GEMS Expansion Extraction Data Collection	Development of new ordinance, agreements and policies																
	Stakeholder outreach (general information about ordinance and includes well registration general information)-MCWRA's ordinance																
	Adoption of new ordinance																
	Development of agreements, policies																
	Stakeholder outreach (agreement, what SVBGSA is asking for from MCWRA)-																
	Joint agency outreach																
	Adoption of new agreement (between WRA and GSA)																
	Adoption of a new policy (WRA) (same time as agreement)																
	GEMS Data Collection in Expansion Areas																
	Contact Ag well owners (see steps in well reg)																
	Contact water system managers (see steps in well reg)																
	Collection of data for WY 2025 (1st GEMS collection year for expansion area)																
Well Registration Require registration of all production wells (including de minimis) with MCWRA	GEMS Expansion and Enhancement Feasibility Report										SGM R2 D						
	Submittal of data for WY 2025 (1st GEMS collection year)																
	Collection of data for WY 2027 (1st GEMS collection year all areas)																
	Desktop Data Collection																
	Develop list of parcel APNs by searching all existing databases																
	Data Assessment																
	SVBGSA sets goals on data acquisition targets without initial data (goes into agreement)																
	Analyze data and data gaps: agricultural wells, wells with partial data, etc., WCR, small water systems, etc.																
	Well Registration Program Report (includes SVBGSA's reassessment of goals on data acquisition targets - what is feasible- how much will it cost)																
	Data management scoping (portal, well registration, 3rd party option)																
	Data Management Tool Development																
	- mapping / data collection tool																
	- stakeholder input (outreach or potential web-based tools)																
	Outreach Activities and Data Solicitation																
	Develop outreach strategy for various audiences																
	- Ag well owners																
	- Water systems with 5-15 connections																
	- De Minimis users less than 2 AF (single well owners and 2-4 connections)																
	Domestic (larger than 15), New Ag Wells																
	Outreach to add extractors to current GEMS portal																
	- Send letters (describe new ordinance, new requirements)																
	- Field visits by staff (collect GPS Coordinates for well)																
	- Create new record for each well, add to portal																
	- Offer GEMS portal training																
	De Minimis Users (single well owners - 2-4 connections)																
	Workshop about Well Reg																
	Outreach to confirm domestic well reg data with new or updated data management tool																
	Small System Domestic Wells (less than 15 connections)																
	Workshops about Well Reg and GEMS																
	Outreach to confirm domestic well reg data with new or updated data management tool																
	Outreach on extraction reporting 6-15 connections																

L: Langley Aquifer Subbasin
M: Monterey Subbasin
E: Eastside Aquifer Subbasin
UV: Upper Valley Aquifer Subbasin
F: Forebay Aquifer Subbasin
180/400: 180/400-Foot Aquifer Subbasin

Work related to outreach
Work related to WRA Ordinance, Agreements and Policies
Work related to data collection & analysis

SGM R1: Sustainable Groundwater Management Round 1 Implementation Grant (End date for activities March 2025)
SGM R2: Sustainable Groundwater Management Round 1 Implementation Grant (End date for activities March 2026)
"D": Grant Deliverable

DRAFT



County of Monterey

Item No.4

Board Report

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

Legistar File Number: JBL 24-002

May 01, 2024

Introduced: 4/25/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Joint Board Leadership

Receive an update on FYE 2025 Budget overview, and provide directions to staff as appropriate.

(Staff: Ara Azhderian)



County of Monterey

Item No.5

Board Report

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

Legistar File Number: JBL 24-003

May 01, 2024

Introduced: 4/25/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Joint Board Leadership

Receive an update on Proposed rate studies, and provide direction to staff as appropriate. (Staff: Ara Azhderian)

- a. Castroville Seawater Intrusion Project (CSIP) Master Plan
- b. Groundwater Extraction Management System (GEMS) Expansion
- c. Dam Safety Regulatory Program



County of Monterey

Item No.6

Board Report

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

Legistar File Number: JBL 24-004

May 01, 2024

Introduced: 4/25/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Joint Board Leadership

Receive an update on Castroville Seawater Intrusion Project (CSIP) chlorine cost, and provide staff direction as appropriate. (Staff: Ara Azhderian)



County of Monterey

Item No.7

Board Report

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

Legistar File Number: JBL 24-005

May 01, 2024

Introduced: 4/25/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Joint Board Leadership

Receive an update on the Interlake Tunnel Project, and provide direction to staff as appropriate.
(Staff: Ara Azhderian)



County of Monterey

Item No.8

Board Report

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

Legistar File Number: JBL 24-006

May 01, 2024

Introduced: 4/25/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Joint Board Leadership

Receive an update on necessary safety projects to Nacimiento and San Antonio dams, and provide direction to staff as appropriate. (Staff: Shaunna Murray)



County of Monterey

Item No.9

Board Report

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

Legistar File Number: JBL 24-007

May 01, 2024

Introduced: 4/25/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Joint Board Leadership

Update on the Pajaro Levee storm repairs and transition to the Pajaro Regional Flood Management Agency, and provide direction to staff as appropriate.

(Staff: Shaunna Murray)