



# County of Monterey

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

## Legislation Details (With Board Report)

<b>File #:</b>	WRAG 18-110	<b>Name:</b>	Reclamation Ditch Easement
<b>Type:</b>	WR General Agenda	<b>Status:</b>	Consent Agenda
<b>File created:</b>	5/11/2018	<b>In control:</b>	Board of Supervisors of the Monterey County Water Resources Agency
<b>On agenda:</b>	5/15/2018	<b>Final action:</b>	
<b>Title:</b>	a. Approve an agreement to allow conveyance of a Non-Exclusive Permanent Easement and a Non-Exclusive Temporary Construction Easement to Monterey One Water to construct the Reclamation Ditch Diversion Pump Station for the Pure Water Monterey (PWM) Project; b. Quitclaim the Non-Exclusive Permanent Easement granted previously for the same purpose; c. Approve the new permanent and temporary construction easement deeds; and d. Authorize the General Manager to execute the quitclaim deed, extension of temporary construction easement term, agreements, and easements.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Board Report, 2. Easement Deed (Non-Exclusive), 3. Temporary Construction Easement (Non-Exclusive), 4. Draft Agreement to Purchase, 5. Appraisal Report, 6. WRAG 1 Completed Board Order		

Date	Ver.	Action By	Action	Result
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- a. Approve an agreement to allow conveyance of a Non-Exclusive Permanent Easement and a Non-Exclusive Temporary Construction Easement to Monterey One Water to construct the Reclamation Ditch Diversion Pump Station for the Pure Water Monterey (PWM) Project;
- b. Quitclaim the Non-Exclusive Permanent Easement granted previously for the same purpose;
- c. Approve the new permanent and temporary construction easement deeds; and
- d. Authorize the General Manager to execute the quitclaim deed, extension of temporary construction easement term, agreements, and easements.

### RECOMMENDATION:

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

- a. Approve an agreement for grant and purchase of easement and escrow instructions;
- b. Quitclaim the non-exclusive permanent easement granted previously for the Reclamation Ditch pump station;
- c. Approve the new permanent easement deed and temporary construction easement deed for the Pure Water Monterey Reclamation Ditch pump station; and
- d. Authorize the General Manager to execute the quitclaim deed, extension of temporary construction easement term, agreements, and easements.

### SUMMARY/DISCUSSION:

Monterey One Water (M1W, formerly MRWPCA) is constructing the Pure Water Monterey Project. The Project diverts water from the Reclamation Ditch (as well the Blanco Drain) to the Regional Treatment Plant for processing. Ultimately, the treated water will be used for injection into the Seaside Aquifer and for augmenting the Monterey County Water Recycling Projects water supply.

M1W had previously acquired Temporary Construction and Permanent Easements for the Reclamation Ditch Diversion Pump Station, on property owned by the Monterey County Water Resources Agency. Additional easements from other property owners were required for access and construction. An easement on property owned by the Union Pacific Railroad was denied and therefore, the Reclamation Ditch Diversion Facility had to be redesigned. As a result, the primary change includes relocating the facility to the other (north) side of the Reclamation Ditch and moving it approximately 200 feet downstream. Because of this, a new Permanent easement and Temporary Construction easement needs to be acquired on MCWRA's land.

The previous non-exclusive permanent easement will no longer be necessary for the Pure Water Monterey Project and therefore will be quitclaimed during this process giving all rights of ownership back to MCWRA and nullifying the past agreement. The previous temporary construction easement may still be utilized in the new design and therefore will be retained as per the executed agreement.

The Pure Water Monterey Project was evaluated in a final EIR by the M1W. The project evaluated and approved the placement of project pipeline and pump stations at the Reclamation Ditch and the Blanco Drain. The Blanco Drain pump station easements were approved by the Agency Board of Directors at their April 17, 2017 meeting and by the Agency Board of Supervisors at their May 2, 2017 meeting. The construction contract was awarded to Anderson Pacific and the Notice to Proceed was issued on May 1, 2017. Construction is anticipated to commence on July 1, 2018.

#### OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the quitclaim deed, easements and the agreements.

#### FINANCING:

All related escrow and closing costs will be paid by M1W as per the agreements. In addition, MCWRA will receive \$9,801 for the permanent easement, and \$3,159 for the temporary construction easement at the Reclamation Ditch Site, based on the appraisal. A credit may be given for the permanent easement to be quitclaimed, in the amount of \$3,920.

Prepared by: Shaunna Murray, Associate Water Resources Engineer, (831) 755-4860

Approved by:

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David E. Chardavoyne, General Manager, (831) 755-4860

#### Attachments

1. Easement Deed (Non-Exclusive) for Reclamation Ditch Diversion Pump Station
2. Temporary Construction Easement Deed (Non-exclusive) for Reclamation Ditch Diversion Pump Station
3. Agreement for Grant and Purchase of Easements and Escrow Instructions
4. An Appraisal Report Of: Two Hypothetical Permanent Easements and Several Temporary Construction Easements Located off Davis and Boronda Roads, Salinas, Monterey County, CA