



County of Monterey

Item No.

Board Report

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

Legistar File Number: WRAG 24-153

October 01, 2024

Introduced: 9/23/2024

Current Status: Agenda Ready

Version: 1

Matter Type: WR General Agenda

- a. Find that an ordinance to repeal Ordinance Numbers 3660, 3717, and 3718 and adopt well registration and groundwater reporting requirements is categorically exempt per California Environmental Quality Act (“CEQA”) Guidelines Section 15306 as data collection, and no exceptions pursuant to Section 15300.2 can be made;
- b. Adopt an ordinance to repeal Ordinance Numbers 3660, 3717, and 3718 and adopt well registration and groundwater reporting requirements; and
- c. Adopt a resolution to approve and implement the “Monterey County Water Resources Agency’s Groundwater Monitoring Program Manual”.

RECOMMENDATION

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

- a. Find that an ordinance to repeal Ordinance Numbers 3660, 3717, and 3718 and adopt well registration and groundwater reporting requirements is categorically exempt per California Environmental Quality Act (“CEQA”) Guidelines Section 15306 as data collection, and no exceptions pursuant to Section 15300.2 can be made;
- b. Adopt an ordinance to repeal Ordinance Numbers 3660, 3717, and 3718 and adopt well registration and groundwater reporting requirements; and
- c. Adopt a resolution to approve and implement the “Monterey County Water Resources Agency’s Groundwater Monitoring Program Manual”.

SUMMARY:

The Monterey County Water Resources Agency (“Agency”) and Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”) have been collaborating on the expansion of the Agency’s well registration, groundwater extraction, and groundwater monitoring programs to meet the SVBGSA’s current regulatory requirements under the Sustainable Groundwater Management Act (“SGMA”). To modernize, accommodate the needs of the SVBGSA, and meet the requirements of SGMA, the Agency is proposing a new ordinance that will affirm the Agency’s ability to perform groundwater monitoring throughout Monterey County and establish a cohesive Groundwater Monitoring Program (“GMP”) that is suited to current regulatory monitoring requirements (Attachment 1). On September 17, 2024, the Board of Supervisors of the Agency introduced and waived reading of the ordinance and advanced the ordinance for consideration of adoption at the meeting on October 1, 2024, at 10:30 a.m. A Groundwater Monitoring Program Manual (“Manual”) accompanies the ordinance.

DISCUSSION:

The ordinance set for consideration of adoption on October 1, 2024, repeals three existing

Agency ordinances, numbers 3660, 3717, and 3718, that pertain to the registration of groundwater wells and the reporting of groundwater extraction data. The new ordinance sets forth requirements for well registration and groundwater reporting requirements and is accompanied by a Manual that describes the breadth of the Agency's groundwater monitoring activities more fully. The Manual will be used to guide implementation of the GMP and provide clarity to the public about the GMP (Attachment 2).

The ordinance also allows the Agency to establish a regulatory fee under Proposition 26 that will cover the costs of implementing the GMP. A GMP regulatory fee nexus study was initiated in July 2024 and staff will bring the regulatory fee for Board consideration upon completion of the nexus study.

The Agency and SVBGSA initiated public outreach on the topic of a new ordinance in Fall 2023. Since that time, an initial draft of the proposed new ordinance was presented to the Agency's Personnel & Administration Committee on May 5, 2024; to the Agency's Planning Committee on July 3, 2024; to the Agency's Basin Management Advisory Committee on August 7, 2024; and has been the subject of meetings with stakeholder groups including, but not limited to, the Monterey County Farm Bureau, Salinas Basin Water Alliance, and Salinas Valley Water Coalition. The Agency has revised the draft ordinance throughout the process in response to public comments and questions received. The draft ordinance was presented to the Agency's Board of Directors for initial review on July 15, 2024, and again on August 8, 2024, at which time the Directors unanimously approved a recommendation that it be adopted by the Agency's Board of Supervisors. On September 17, 2024, the Board of Supervisors of the Agency introduced, waived reading, and set October 1, 2024, at 10:30 a.m. as the date and time to consider adoption of the ordinance and provided direction to staff to incorporate redline edits to the ordinance that were presented during the meeting in response to public comments.

ENVIRONMENTAL REVIEW:

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

OTHER AGENCY INVOLVEMENT:

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The County Counsel's Office and the SVBGSA were involved with preparation and review of the ordinance and Manual. The County Counsel's Office has approved the proposed ordinance as to form.

FINANCING:

Funding for staff time to develop the ordinance is being funded in part by Agency Fund 116 and by grant funding provided by the SVBGSA, as appropriate. Funding to implement the ordinance in the future will be provided by the regulatory fee, if approved, or by Agency Fund 116.

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

Approved by: 
Ara Azhderian, General Manager, (831) 755-4860
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The following attachments on file with the Clerk of the Board:

Attachment 1 - Well Registration Reporting Ordinance

Attachment 2 - Resolution to approve and implement the "Monterey County Water Resources Agency's Groundwater Monitoring Program Manual."