



**Notice of Regular Meeting**  
**NACIMIENTO PROJECT COMMISSION**

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
THURS., FEBRUARY 24, 2022 - 4:00 PM

Phone line: +1 (408) 650-3123

Access Code: 828-605-829

Webinar: <https://global.gotomeeting.com/join/828605829>

Public comments can be submitted to: [wthomson@co.slo.ca.us](mailto:wthomson@co.slo.ca.us)

For more information: <https://www.slocounty.ca.gov/Departments/Public-Works/Forms-Documents/Committees-Programs/Nacimiento-Project-Commission.aspx>

Chair: Grigger Jones; Vice-Chair: Andy Pease

**AGENDA**

- I. **CALL TO ORDER**
  - A. Roll Call for Quorum Count
  - B. Consider Adopting Resolution Regarding Virtual Meetings (AB 361)
- II. **PUBLIC COMMENT** *\*Non-agenda items within Commission jurisdiction; subject to three-minute limit each.*
- III. **MEETING MINUTES** *(Recommend Approval)*
  - A. Naci Commission, November 18, 2021
- IV. **COMMISSION INFORMATIONAL ITEMS** *(No Action Required):*
  - A. Utilities Division Report – Current NWP Operations with Reservoir Status & 2022 Outlook
  - B. Second Quarter Operations Budget Report – FY 2021-22
  - C. Annual Conflict of Interest (COI) filing – “Form 700”
- V. **PRESENTATIONS** *(No Action Required):*
  - A. FY 2022-23 Operating Fund Proposed Budget
- VI. **COMMISSION ACTION ITEMS** *(No Subsequent Action by BOS Required):*
  - A. Nomination & Election of Commission Officers
- VII. **COMMISSION ACTION ITEMS** *(Action Subsequently Required by BOS):* NONE
- VIII. **FUTURE AGENDA ITEMS DESIRED BY COMMISSION**  
Next Scheduled Commission Meeting: Apr. 28, 2022 (SPECIAL)

**ATTACHMENTS**

1. Item I.B – Draft Resolution
2. Item III.A – Commission Minutes, Nov. 18, 2021
3. Item IV.A – Staff Report
6. Item IV.B – Staff Report
7. Item IV.C – Staff Report
8. Item V.A – Staff Report
9. Item VI.A – Staff Report

**CONTACT:** *All Americans with Disabilities Act (ADA) accommodations shall be promptly reviewed and resolved.*

Persons who require accommodations for any audio, visual or other disability in order to review an agenda, or to participate in the meeting per the ADA, are encouraged to request such accommodation 48 hours in advance of the meeting from Wes Thomson at (805) 781-5252.

**TO: Nacimiento Project Commission (NPC)**

**FROM: Wes Thomson, Utilities Division Engineer**

**DATE: February 24, 2022**

**SUBJECT: Item 1.B: Consider Adopting Resolution to Continue Meeting Virtually**

### **Summary**

On March 4, 2020, California State Governor Gavin Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic. That proclamation remains in effect to date. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting Law, the Brown Act (Government Code Section 54950 et seq.). On June 11, 2021, Governor Newsom issued Executive Order N-08-21, clarifying the suspension of the teleconferencing rules set forth in the Brown Act, noting that those provisions would remain suspended through September 30, 2021.

On September 16, 2021, Governor Newsom signed Assembly Bill 361 (AB 361), which allows legislative bodies subject to the Brown Act to continue meeting by teleconference, provided they make certain findings, including that meeting in person would present imminent risks to the health or safety of attendees. AB 361 requires that certain findings be made by the legislative body every 30 days.

This staff report is presented today for the NPC to consider the finding that holding in person meetings would present imminent risks to the health or safety of board members, staff and all attendees of NPC public meetings.

### **Recommendation**

Staff recommends that the Committee adopt the attached resolution, invoking the provisions of AB 361 related to the holding of teleconferencing/virtual public meetings.

### **Attachment**

- Resolution acknowledging the Governor's State of Emergency and Authorizing Teleconference Meetings for 30 Days per AB 361

**In The NACIMIENTO PROJECT COMMISSION**  
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, February 24, 2022

**PRESENT:**

**ABSENT:**

RESOLUTION NO. 2022-001

**A RESOLUTION OF NACIMIENTO PROJECT COMMISSION ACKNOWLEDGING GOVERNOR NEWSOM'S PROCLAMATION OF A STATE OF EMERGENCY AND AUTHORIZING MEETINGS BY TELECONFERENCE MEETINGS FOR A PERIOD OF THIRTY DAYS PURSUANT TO THE RALPH M. BROWN ACT**

The following resolution is now offered and read:

**WHEREAS**, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and

**WHEREAS**, the proclaimed state of emergency remains in effect; and

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed; and

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

**WHEREAS**, on September 16, 2021, Governor Newsom signed AB 361, allowing legislative bodies subject to the Brown Act to continue meeting by teleconference if the legislative body determines that meeting in person would present imminent risks to the health or safety of attendees, and further requires that certain findings be made by the legislative body every thirty (30) days; and

**WHEREAS**, California Department of Public Health and the federal Centers for Disease

Control and Prevention (“CDC”) caution that the Omicron variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than original SARS-CoV-2 variant of the virus, and that even fully vaccinated individuals can be infected and may spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations (<https://www.cdc.gov/coronavirus/2019-ncov/variants/omicron-variant.html>); and

**WHEREAS**, the CDC has established a “Community Transmission” metric with 4 tiers designed to reflect a community’s COVID-19 case rate and percent positivity; and

**WHEREAS**, the County of San Luis Obispo currently has a Community Transmission metric of “high” which is the most serious of the tiers; and

**WHEREAS**, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Nacimiento Project Commission (the “NPC”) deems it necessary to find holding in person meetings would present imminent risks to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by NPC that:

1. The recitals set forth above are true and correct.
2. The Proclamation of State of Emergency in response to the COVID-19 pandemic issued by Governor Newsom on March 4, 2020, remains in effect.
3. The NPC finds that the proclaimed state of emergency continues to impact the ability of members to meet safely in person and meeting in person would present imminent risks to the health or safety of attendees.
4. Staff is directed to return with an item for NPC to consider making the findings required by AB 361 to continue meeting under its provisions.

Upon motion of Member \_\_\_\_\_, seconded by Member \_\_\_\_\_, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

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Grigger Jones  
Chairperson of Nacimiento Project Commission

ATTEST:

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Wes Thomson  
Secretary of the Nacimiento Project Commission



## **NACIMIENTO PROJECT COMMISSION MEETING MINUTES**

November 18, 2021

QUORUM: **YES**  
(5/5 Seats & Voting Share > 51%)

COMMISSIONERS PRESENT (Voting Share %)  
Atascadero MWC (17%): Grigger Jones (Chair)  
City of SLO (28%): Andy Pease (Vice Chair)  
District (20%): John Peschong  
Paso Robles (33%): John Hamon  
Templeton CSD (2%): Wayne Petersen

CLERK (District): Wes Thomson

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**1. CALL TO ORDER**

Roll Call

The special quarterly meeting of the Nacimiento Project Commission was held on Thursday, Nov 18th, 2021, at 4:00 P.M., with G. Jones in the Chair, and W. Thomson sitting in as the Clerk. Present: Hamon, Petersen, Jones, Pease, and Peschong. *Quorum established.*

Consider Adopting Resolution Regarding Virtual Meetings (AB 361)

G. Jones identified Resolution 2021-001 authorizing the Commission to meet by teleconference for a period of thirty days. *Motion for approval: J. Hamon; Seconded by W. Petersen. All approved.*

**2. PUBLIC COMMENT:** *None.*

**3. REVIEW OF PREVIOUS MEETING MINUTES**

Minutes from August 2021 meeting were presented and approved without changes. *Motion for approval: J. Hamon; Seconded by W. Petersen. All approved.*

**4. COMMISSION INFORMATIONAL ITEMS** (No Action Required):

Utilities Division Manager's Report

Staff report provided as informational update-only. W. Thomson clarified that this report includes the Nacimiento Water Project's operations update, the Nacimiento Water Project's delivery capacity report as requested at last commission, and the 2022 Calendar for TSG and Commission. A. Pease brought up a question relating to the noted complaint over a fee for Lakeside property owners and their request for an investigation. W. Thomson clarified the item, explaining that the NRWMAC representative, Don Bullard questioned the validity of this fee.

First Quarter Operations Budget Report – FY 2021-22

Katie Franco presented the first quarter update.

**5. PRESENTATIONS** (No Action Required): NONE

**6. COMMISSION ACTION ITEMS**

Consider Approving the Tesla Battery Energy Storage Project

Christopher Alakel (Paso) spoke to Paso's concerns about the Tesla battery project, including the possibility for one year of NWP outage eliminating the potential savings, and the limited benefit to NWP operational reliability. J. Neil (AMWC) expressed related unresolved concerns over the financial risk to the Participants due to the cycling requirement. Brief discussion followed. A. Pease identified benefits of the project, including energy cost savings associated with using the batteries during peak price periods. She expressed her support of the project, stating that it was worth the risk, but was interested in hearing if there was opportunity to mitigate the 104-day limitation (referring to the cycling requirement and its related cost penalty). J. Peschong acknowledged the concerns from Paso and AMWC, and the support from SLO, and as such, was uncomfortable with moving forward, but was open to tabling the decision. W. Thomson noted the time constraints including Tesla's aim to begin installation in February and to be operational in April. G. Jones agreed with J. Neil comments and that there were too many unknowns. W. Petersen was not in favor, saying the benefit was not worth the risk, but said he wouldn't object to tabling the decision. G. Jones asked for a motion to deny or table the decision on the project. J. Hamon motioned to "get rid" of the Tesla Project, "not to hear it again." Motion seconded by W. Petersen. A. Pease then asked, as a point of clarification before the vote, if the Commission could reopen the matter should new information become available to consider. J. Hamon responded yes, at any time, if new information is available to consider, the Commission can revisit the opportunity. W. Thomson added that the cycling requirement is a condition of the State's program, and as such, it's unlikely there'd be opportunity to change it. G. Jones then called the vote, on the motion to deny the project, and all Commissioners (except A. Pease, who voted no), voted in support; motion passed 4 to 1.

**7. COMMISSION ACTION ITEMS** (*Action Subsequently Required by BOS*): NONE

**8. FUTURE AGENDA ITEMS DESIRED BY COMMISSION:**

Resolution in upcoming meeting regarding continuing meeting virtually.

Next commission meeting: Feb. 24, 2022

The meeting was adjourned by Jones at approximately 4:27 P.M.

Wes Thomson, Secretary



**TO: Nacimiento Project Commission**  
**FROM: Nola Engelskirger, Utilities Division Manager**  
**DATE: February 24, 2022**  
**SUBJECT: NWP Operations Update**

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### **SUMMARY**

- In January 2022, the TSG decided to shift their monthly meetings to be held on the third Thursday of the month. *See attached calendar.*
- The NWP is operational with no current active non-routine or capital outlay (CIP) project updates to report on. Staff have been focused on general routine O&M. *See attached Project Update and Delivery Report for January 2022.*
- Conditions at Nacimiento Reservoir improved significantly since last reported to the Commission in November. As of February 18, 2022, storage at Nacimiento was at 109,513 AF (736.55 ft elev., 29% capacity). Monterey County Water Resources Agency (MCWRA) is currently developing their 2022 reservoir release schedule for Nacimiento Reservoir that will go to their Board for approval in March. *For more on recent MCWRA activities, see attached agenda packet and staff notes from the January 2022 ResOps meeting.*

### **ATTACHMENTS**

1. 2022 NWP Calendar, Revised 1/13/22.
2. NWP Project Update, 2/17/22.
3. Delivery Report, Jan 2022.
4. ResOps Committee Notes and Agenda Packet, Jan 2022.



## 2022 CALENDAR OF ACTIVITIES (REVISED 1/13/22) TECHNICAL SUPPORT GROUP (TSG) & NACIMIENTO PROJECT COMMISSION

**TSG** (Participants & District Staff Only): Monthly, Thursdays at 2:00 PM.

**Commission** (Public Meetings): Quarterly, Thursdays at 4:00 PM.

<p><u>JAN</u> TSG – Jan 13</p> <p><b>Commission</b> – Dark</p>	<p><u>FEB</u> TSG – Feb 17</p> <p><b>Commission</b> – Feb 24 <i>Annual election of Chair &amp; Vice Chair; COI forms and proposal of draft FY 22-23 budget.</i></p>	<p><u>MAR</u> TSG &amp; Finance Committee – Mar 17</p> <p><b>Commission</b> – Dark</p>
<p><u>APR</u> TSG – Apr 21</p> <p><b>Commission</b> – Apr 28 Budget approval (<i>special mtg.</i>)</p>	<p><u>MAY</u> TSG – May 19</p> <p><b>Commission</b> – May 26</p>	<p><u>JUN</u> TSG – Jun 16</p> <p><b>Commission</b> – Dark</p>
<p><u>JUL</u> TSG – Jul 21</p> <p><b>Commission</b> – Dark</p>	<p><u>AUG</u> TSG – Aug 18</p> <p><b>Commission</b> – Aug 25</p>	<p><u>SEP</u> TSG – Sep 15 <i>Request for 2023-2025 water delivery schedules.</i></p> <p><b>Commission</b> – Dark</p>
<p><u>OCT</u> TSG – Oct 20</p> <p><b>Commission</b> – Dark</p>	<p><u>NOV</u> TSG – Nov 10</p> <p><b>Commission</b> – Nov 17 <i>Distribution of Next Year's Calendar of Activities.</i></p>	<p><u>DEC</u> TSG – Dec 15</p> <p><b>Commission</b> – Dark</p>

**\*Meeting logistics are subject to change.** Please contact County Public Works at 805-781-5252 or [pwd@co.slo.ca.us](mailto:pwd@co.slo.ca.us) for confirmation of date, location & time.



**TO: Naci Technical Support Group**  
**FROM: Chris Summers, Wes Thomson**  
**DATE: February 17, 2022**  
**SUBJECT: NWP Operations, Maintenance and Projects – Monthly Update**

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#### **ROUTINE O&M**

##### **Updates on Workplan Focus Areas – December 2021**

- Repaired Air Vac struck by hit and run driver on Rocky Canyon Road
- Repaired leaking Air Vac behind Rabbit Ridge Winery
- Performed Vibration Testing on all Vertical Turbine Pumps
- Replaced Drainage Sump Pumps for Vaults at Pump Stations

##### **NON-ROUTINE MAINTENANCE (NRM) PROJECT UPDATES (No Change)**

- Procurement of replacement parts Naci Intake (680' Valve) (IN-PROCESS)

##### **CAPITAL OUTLAY (CIP) PROJECT UPDATES (No Change)**

None

##### **COMPLETED PROJECTS (No Change)**

None

##### **UPCOMING PROJECTS**

###### Pipeline Relocation at Santa Margarita Creek (No Change)

- Construction of the El Camino Real Bridge Replacement Project was delayed due to funding. Summer 2023 is the soonest construction might start.

## NWP Delivery Report – January 2022 DRAFT

### Deliveries<sup>1,2</sup>

	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	TOTAL
<b>Paso (T2)</b>	351.73	115.21	6.21	56.76	0	0	0	0	0	0	0	0	529.91
Ops Water													0.00
<b>TCSD (T4)</b>	18.90	15.02	0.00	0.00	0	0	0	0	0	0	0	0	33.92
Ops Water			0.70										0.70
<b>AMWC (T6)</b>	19.20	0.00	0.00	0.00	0	0	0	0	0	0	0	0	19.20
Ops Water													0.00
<b>SMR (T9)</b>	0.00	0.00	0.00	0.00	0	0	0	0	0	0	0	0	0.00
Ops Water													0.00
<b>SLO (T11)</b>	412.94	313.22	262.88	281.77	0	0	0	0	0	0	0	0	1270.81
Ops Water													0.00
<b>TOTAL</b>	<b>803</b>	<b>443</b>	<b>269</b>	<b>339</b>	<b>0</b>	<b>1854.54</b>							
<i>Cumulative</i>	803	1246	1515	1854	1854	1854	1854	1854	1854	1854	1854	1854	
<b>Intake Flow Meter</b>	787.70	437.14	296.03	353.35	0	0	0	0	0	0	0	0	1874.22
Variance (UW)	15.07	6.31	(26.94)	(14.82)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	(20.38)
Ops Water <sup>4</sup>	0.00	0.00	0.70										0.70

### Requests<sup>1,3</sup>

	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	TOTAL
<b>Paso (T2)</b>	560	265	119	123	111	301	636	658	636	658	658	636	5361
<b>TCSD (T4)</b>	11.88	11.50	0.00	0.00	0.00	0.00	11.50	11.88	11.50	11.88	11.88	11.50	94
<b>AMWC (T6)</b>	0	0	0	0	0	0	0	0	500	500	500	500	2000
<b>SMR (T9)</b>	0	0	0	0	0	0	7.3	7.3	7.3	7.3	7.3	7.3	44
<b>SLO (T11)</b>	504	488	228	260	455	504	488	504	488	504	504	488	5415
<b>TOTAL</b>	<b>1076</b>	<b>765</b>	<b>347</b>	<b>383</b>	<b>566</b>	<b>805</b>	<b>1143</b>	<b>1181</b>	<b>1643</b>	<b>1681</b>	<b>1681</b>	<b>1643</b>	<b>12913</b>
<i>Cumulative</i>	1076	1840	2187	2570	3136	3941	5084	6265	7908	9589	11271	12913	

#### NOTES

- All table values listed are in units of acre-feet (AF).
- Deliveries are based on monthly reporting provided by County Operations.
- Requests based on latest schedule request submitted for project "Water Year 2022" deliveries. WY = Oct thru Sep.
- "Ops Water" is water sent through the turnout for O&M needs and not counted against Participants' Delivery Entitlement.

#### NACIMIENTO WATER PROJECT

SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
 G:\NWP\O&M Phase\DELIVERY & REQUESTS\Actuals\2022\220214-NWP 2022 Delivery Report\_Jan-DRAFT

## **Reservoir Operations Advisory Committee (ROAC / ResOps)**

Monterey County Water Resources Agency (MCWRA)

1441 Schilling Place, Saffron Room, Salinas, CA

<https://www.co.monterey.ca.us/government/government-links/water-resources-agency/governance/reservoir-operations-advisory-committee>

Notes by W. Thomson

1/27/2022 , 1:30 PM – 3:45 PM

Roll call, quorum established.

John Baillie, Chair

Shaunna Murray, MCWRA staff representative

### Committee appointments for 2022

J. Baillie has requested that everyone who is serving would stay on for the new year; asked if it is possible for the committee to make a motion to continue to stay status quo with the current membership. S. Murray said she'd follow up on this question.

Public Comment – None.

### Committee Member Comments

J. Baillie – noted that on Jan 14 – a letter was sent to the Governor, concerning dam safety and climate resilience, requesting funding from State budget to address – included funding for MCWRA, \$145M (to address post-Oroville infrastructure DSOD-driven dam safety needs). George Fontes (via conf call) commented on the question, said the \$313M total mentioned was for several projects – that it included a request for funding for dam maintenance, Interlake Tunnel, and a pipeline for domestic supply. Additional comments from B. Buche on the topic – said the domestic waterline is to extend from San Ardo to King City.

### Consent Calendar

Minutes from Dec 21, 2021. Steve Blois (NRWMAC) spoke to items he wants to see included in the minutes. Committee discussion in response, included reminder of “action minutes” approach due to the lack of gov’t resources, stating this as a more widely adopted approach by MCWRA on minutes. Minutes were approved with minor updates to reflect S. Blois’s attendance and the S. Blois paper submitted for the record at the last meeting.

- Consent calendar approved, and included approval of finding concerning AB 361, allowing committee to meet virtually.

## **STAFF REPORTS**

### Update on the Committee Seat for the Salinas River Channel Coalition

Update by Shaunna Murray, MCWRA

- Noted there were outstanding questions not yet resolved. More to come.

### Reservoir Conditions and Release Schedule Update

Update by Peter Kwiek, MCWRA

Reservoir Conditions, 2021 ended on a good note.

- Nacimiento – 78 TAF from the storms, 15 TAF at San Antonio.
- Nacimiento is at 737.1 ft, 111,035 TAF, 29% of storage capacity.
- San Antonio is at 680.8 ft, 32+ TAF, 11% capacity.
- 148+ TAF, combined.
- Still in drought. The D-TAC will meet in February if we do not exceed the thresholds.

Salinas River flow

- Bradley gauge at 80 CFS, min release 10 San Antonio, 67 cfs from Naci (probably a high reading at Naci). "Unit 2" is at 22-25 cfs, and the remainder of the flow is from one of the valves. Seeing vibration at the valves, so sometimes MCWRA has to release more than they'd like to protect the equipment. B. Lipe asked about the flow at Soledad. P. Kwiek said he didn't believe there was flow from the upper Salinas, but said he was aware there was backwater coming from the Arroyo Seco. And J. Baillie said flow tracked in Salinas didn't even make it to Hudson Rd.

Release Schedule

- Review of "Approved vs. Updated," for 2021. P. Kwiek noted that 699.3 was expected elevation target for Naci the end of calendar year 2021, but 735.4 was how it ended – so the "actual" was about 36 ft higher. Due to limited inflows, last year, MCWRA was only able to make limited conservation releases between Apr – Jul 2021.
- S. Blois raised question on the gauges. P. Kwiek said there are two separate gauges – one recently added (last year?), and one below the dam that measures stream flow.
- B. Lipe raised question on the NWP exports. W. Thomson responded to say that on Oct 1, the clock resets on the 17,500 AF contract, and whatever was not taken from the 17,500, reverts to the common pool.
- Brief committee discussion on releases. Nathan Merkle asked what triggers to operate SRDF. P. Kwiek said he didn't have the number handy. S. Murray responded to say that it hasn't been determined yet. Discussion continued. B. Lipe referenced the Naci Ops Manual, commented. Brief discussion on stream flows, and the releases to support for upstream fish migration.
- N. Isakson (SVWC) asked for copy of presentation made by P. Kwiek, since it wasn't included in the packet. B. Lipe said he would like it emailed out to the committee email list as well. Alice Henault, MCWRA secretary, said she could email.

Salinas River Lagoon Sandbar Management Update

Update by S. Murray, MCWRA

- Overview of the management plan. Plan only requires one of the triggers to force response actions to establish a pilot channel opening. History of Salinas River lagoon openings back to 1965. Happens frequently. Actions were taken in late Dec to establish the pilot channel. River flow and tidal action become factors in play.
- Brief Discussion. Eric Morgan (Forebay Subbasin rep) asked what happens if you don't breach? S. Murray said there are minor floods, in the old river channel, ag fields impacted, and some residential. J. Baillie noted that a good king tide will close it.

- <https://www.co.monterey.ca.us/government/government-links/water-resources-agency/programs/salinas-river-lagoon-management-and-enhancement-plan/overview>

### Update on Drought Conditions

Update by S. Murray, MCWRA

- Reviewed new drought maps, issued today by US Drought Monitor. Improved conditions from last month. Equal chances of above/below normal precipitation. From Jan 20 monthly outlook (NOAA) (<https://www.wrh.noaa.gov/mtr/droughtmtr.php>). Drought outlook is still showing that significant precipitation deficits exist.

### Update on Drought Technical Advisory Committee (D-TAC)

Update by S. Murray, MCWRA

- See website. Link under programs on MCWRA site.
- D-TAC Program website: <https://www.co.monterey.ca.us/government/government-links/water-resources-agency/governance/drought-tac>
- Settlement Agreement: <https://www.co.monterey.ca.us/home/showpublisheddocument/98911/637462352974570000>

*Settlement Agreement between the Salinas Valley Water Coalition ("SVWC" or "Coalition"), and Monterey County Water Resources Agency ("Agency" or "MCWRA") and the County Board of Supervisors ("County"), executed Nov. 15, 2019.*

- o The Settlement resulted in the establishment of the Drought Technical Advisory Committee (D-TAC), to establish standards and guiding principles for MCWRA "drought operations" as defined in Exhibit B (Drought Procedures" of the settlement agreement. The principal purpose of the TAC is for the express purpose of providing technical input and advice regarding operations of Nacimiento and San Antonio Reservoirs during a multiple year drought cycle.
- Meetings will happen weekly, and D-TAC will dev proposed release schedule. April – Dec 2022, then development of a narrative for next winter, should dry conditions continue, for Jan – Mar. Typically, MCWRA staff would develop a winter schedule, so D-TAC will replace that effort.
- J. Baillie said it's important for folks to keep in mind, the release schedule is "written in pencil." S. Murray affirmed, saying the approved schedule is "guidance" (i.e., the schedule to be adopted by the board).
- Bill Stevens, NMFS, asked question on the triggers, and how they were determined. Concern that DTAC won't do any good for steelhead this year. Since the DTAC is effectively a delayed response. Brief response by S. Murray, pointing to the settlement that established the triggers, noted that the current set of rules do not have provisions to make that determination. B. Buche added that the "litigious environment" and "required procedures" impact the ability of the Agency (MCWRA) to respond. B. Stevens said he's looking for more real time, adaptive management options. B. Buche said, "Life and property – if you can link it to that, we can respond in emergency." Brief committee discussion.

Public Comment – Nancy Isakson, Salinas Valley Water Coalition (SVWC) said SVWC has advocated for additional water for fisheries, and consideration.

### Boat Dock Program Update

Update by Jess Barreras, MCWRA

- Reported on Boat Dock Licensing, and MCWRA wants to collect on delinquent fees. \$20K+ in fees are outstanding, described effort to address/remedy the situation. J. Baillie asked about verification of the docks – are they even still there? Go out with Tom Shepherd to inspect? J. Barreras said it takes about 3 days to go around the whole reservoir. T. Shepherd said we believe most of the delinquent docks are out there. Brief discussion.
- Additional update from J. Barreras on log boom catching stray docks, debris, etc. Committee comment on need for a “secondary” cable to secure docks.

### Update on O&M at the Reservoirs

Update by S. Murray, MCWRA

Brief comments. Hydro plant started up (Hydro Unit 2) with rise in reservoir levels. Gauges, USGS are available on the website. This is relatively new, and a huge improvement, provides “real time” updates.

### Update on DSOD Requirements

Update by Chris Moss, MCWRA

Introductory comments:

- DSOD inspected both dams on Tues, this week, nothing found that we don’t already know about and are working on. Recent presentation noted seven of the outstanding dam safety concerns, status.
- Outstanding Dam Safety Concerns (from slide):
  - o Spillway plunge pool erosion
  - o Seismic stability of embankment and dam foundation (Rinconada Fault Zone, only one mile away)
  - o Sand boils downstream of dam
  - o Improving notification for downstream residents
  - o Ongoing spillway chute repairs
  - o The need to restore the low-level outlet works to full capacity (only 4 out of 6 valves are currently operational)
  - o Geologic hazard evaluation of the slop above the powerhouse.

Outlets – Low Level Outlet – there are (6) 24-inch diameter valves, four of the six valves are operational, two are new as of June 2020. Two new and enroute – install date is TBD, pending MCWRA’s ability to dewater the low-level conduit. Noted that MCWRA was presented options for improving flow control with the valve complex. \$2M cost, per analysis from consulting engineer. Cost is prohibitive and thus delayed action. Currently regulating flow via orifice plates using 5 valves (new) and then using one existing. Discussion on whether you could make a safety argument if the valve complex is being used in a way that it isn’t intended/designed. Eric Morgan commented on the issue, saying it is unacceptable for it to be operated this way. J.

Baillie responded that O&M budget is not set aside to address this issue. Brief discussion. B. Buche stated that MCWRA has full operational capacity with the four valves. The primary constraint/limiting factor on valve flow control is the reservoir elevation. He said these are plug valves, designed to be either open or closed, so they are operating outside of what they are designed to do. The orifice plate enables some additional capability, but staff are working with aged infrastructure and doing a good job with it.

3:23p

#### Review of listed Dam Safety Concerns

- Spillway plunge pool erosion is considered severe. AECOM is completing a report that identifies alternative solutions for consideration. Report on track to be finalized in April. More details to come.
- Seismic stability on embankment, and foundation. Unknown if liquefaction will occur during strong seismic event. Samples to be collected for analysis and develop model to better understand how the structures would perform under seismic conditions. DSOD and FERC involved in the effort to develop a plan to address the situation. End of calendar year is target for completion of plan or repair?
- Sand boil – In the low flow channel, not connected to the reservoir u/s of the dam, but b/c it is near the toe of the dam, this is not desirable. However, we anticipate that this issue will be reduced or resolved by the solution developed to address the plunge pool erosion. The two front runner solutions for the erosion – (Option 1) Grouted rip rap – to form a seal on the right bank of the plunge pool, which is the primary entry point for the water into the low flow channel. (Option 2) Roller compacted concrete.
- Notification for the residents downstream – Development of an early warning system, automated. 8,000 cfs is the max release observed to date, and that hasn't come near impacting the releases, so that would probably be on the low end.
- Spillway chute repair – Delaminated concrete, repairs in progress, and continuing. In some cases, the full slab needs to be replaced, and consultant engineer is developing plan for FERC/DSOD review. February mentioned for review.
- Geologic hazard evaluation of slope above. A 1995 landslide that ended up on the low-level conduit and side of the powerhouse, was excavated and cleaned out; geologist investigated slope above powerhouse, determined to be sound, no imminent threat of slide event, recommended regular visual monitoring, report is in draft, anticipated will be finalized in the spring and submitted to FERC/DSOD for review.

#### Interlake Tunnel Project (ILT)

Update by Brent Buche, MCWRA

- Staff is reviewing the administrative draft EIR, and then will bring an update for the committee. The draft EIR could potentially be available this summer.

#### **STATUS REPORTS**

##### Lake Recreation by Concessionaire and Parks Dept.

Update from Jon Anthony, Monterey Co. (Parks Dept.)

- Things are relatively slow, boat sank. Debris field has more-or-less dissipated – in the lake itself. Elk and pigs are out in force.

#### Concessionaire –

Update from Nathan Merkle, Monterey County (Parks Dept.)

- Not much to report, incident at the retail store – repairs are in process, preparing for the upcoming recreation year.

#### Quagga/Zebra Mussels Plan

No update from SLO Co. (Wes Thomson) or MCWRA (Jason Demers); no comments/questions.

#### Cloud Seeding

Update by Wes Thomson, SLO Co. FC&WCD

- SLO County completed five seeding operations in Dec 2021. The program is scheduled to continue through April 1, 2022, and then SLO County will have a final report once the “seeding” program for the season is complete.

#### SLO County Activities

Update by W. Thomson, SLO Co. FC&WCD

- Nothing to report at this time, SLO County continues to monitor conditions at the reservoir, with its fingers crossed for more rain.

#### National Marine Fisheries Service (NMFS)

Update from Bill Stevens, NMFS

- Continuing to engage on HCP development.

#### Calendar

- Feb 24 – next meeting. TBD if Zoom or in-person, but Zoom is an option, so there is the flexibility to do what is needed.

#### Adjournment

3:45p

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# Monterey County

1441 Shilling Place  
Salinas, CA 93901



## Meeting Agenda

Thursday, January 27, 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*

*Vacancy (1)*

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

Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of the COVID 19 virus, please do the following:

While the Reservoir Operations and Advisory Committee members will be meeting in person, the public is asked 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 press # 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. 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.

6. 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**

Según la orientación del Departamento de Salud Pública de California y la Oficina del Gobernador de California, para minimizar la propagación del virus COVID 19, haga lo siguiente:

Si bien los miembros del Comité Asesor y de Operaciones de Embalses se reunirán en persona, se le pide al público que observe y se dirija al Comité por teléfono o electrónicamente. Las instrucciones para la participación pública se encuentran a continuación:

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

+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

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. 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 .

6. 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**

**Committee Appointments**

1. Appointment of Reservoir Operations Advisory Committee Members for 2022

**Public Comment**

**Committee Member Comments**

**Consent Calendar**

2. Approve the Minutes of the Reservoir Operations Advisory Committee Meeting held on December 21, 2021.

**Attachments:** [Draft Minutes December 21, 2021](#)

3. 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](#)  
[Committee Order](#)

**Staff Reports**

4. Update on Committee Seat for the Salinas River Channel Coalition

5. Reservoir Conditions and Release Schedule Update

**Attachments:** [Reservoir Storage & Release Update Report](#)

6. Salinas River Lagoon Sandbar Management Update

7. Update on Drought Conditions

8. Update on Drought Technical Advisory Committee (DTAC)

9. Boat Dock Program Update

**Attachments:** [Boat Dock Program Update](#)  
[Ordinance No. 4065](#)  
[2021 Delinquent List](#)  
[Revocation Letter](#)

- 10. Update on Operations and Maintenance Activities at the Reservoirs
- 11. Update on Division of Safety of Dams Requirements
- 12. Update on Interlake Tunnel Project

**Status Reports**

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

**Calendar**

- 14. Set next meeting date and discuss future agenda items.

**Adjournment**

# Monterey County

1441 Shilling Place  
Salinas, CA 93901



## Meeting Minutes

Tuesday, December 21, 2021

1:30 PM

**SPECIAL MEETING**

**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 Piarcy  
Patrick Collins  
Doug Scattini  
Zach Barnes  
Steve Blois*

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

The Reservoir Operations Advisory Committee meeting will be held by teleconference in order to minimize the spread of the COVID 19 virus, in accordance with the State of Emergency proclaimed by Governor Newsom on March 4, 2020, Executive Order N 29 20 issued by Governor Newsom on March 17, 2020, and the Shelter in Place Order issued by the Monterey County Health Officer on March 17, 2020, as may be periodically amended.

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/94953013656>

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

+1 669 900 6833 US (San Jose)

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+1 929 205 6099 US (New York)

+1 253 215 8782 US

+1 301 715 8592 US

Enter this Meeting ID number: 949 5301 3656 PASSWORD: 181726 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 Monday 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. Monday 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 Monday 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 Monday 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**

La reunión del Comité Asesor de la Operación de Embalses se llevará a cabo por teleconferencia para minimizar la propagación del virus COVID 19, de acuerdo con el Estado de Emergencia proclamado por el Gobernador Newsom el 4 de Marzo del 2020, Orden

Ejecutiva N 29 20 emitida por el Gobernador Newsom el 17 de Marzo del 2020, y la Orden de Refugio en el Lugar”) emitida por el Oficial de Salud del Condado de Monterey el 17 de Marzo del 2020, según se pueda enmendar periódicamente.

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/94953013656>

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

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Cuando se le solicite el código de acceso para entrar a la reunión, presione los siguientes números: 949 5301 3656 PASSWORD: 181726. 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 Lunes 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 Lunes 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 Lunes 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 Lunes 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 1:30 p.m.

### Roll Call

**Present:** John Baillie, Ken Ekelund, Mark Gonzalez, Matthew Simis, Eric Morgan, Wes Thomson, Kevin Pearcey, Jon Anthony, Bill Lipe, Richard Ortiz, Zach Barnes, Matt Panziera

**Absent:** Layla Decker, Patrick Collins, Doug Scattini

### Public Comment

None

### Committee Member Comments

### Consent Calendar

Upon Motion by Mark Gonzalez and Second by Bill Lipe, the Committee approved the Consent Calendar.

**Ayes:** John Baillie, Ken Ekelund, Mark Gonzalez, Matthew Simis, Eric Morgan, Wes Thomson, Kevin Pearcey, Jon Anthony, Bill Lipe, Richard Ortiz, Zach Barnes, Matt Panziera

**Noes:** NOne

**Absent:** Layla Decker, Patrick Collins, Doug Scattini

1. Approve the Minutes of the Reservoir Operations Advisory Committee Meeting held on November 22, 2021.

**Attachments:** [Draft Minutes November 22, 2021](#)

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](#)  
[Committee Order](#)

### Staff Reports

3. Committee Membership Update
4. Reservoir Conditions and Release Schedule Update

- Attachments:**    [Reservoir Release Update Report](#)  
[Reservoir Elevation and Storage Chart](#)  
[3\\_Synopsis of Reservoir Release Changes](#)  
[Release Schedule Update](#)

5.     Update on Drought Conditions

**Status Reports**

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

**Calendar**

7.     Set next meeting date and discuss future agenda items.

**Adjournment**



# Monterey County

Item No.

## Board Report

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

Legistar File Number: WRARO 22-009

January 27, 2022

**Introduced:** 1/19/2022

**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



***Before the Reservoir Operations Advisory Committee of the Monterey County  
Water Resources Agency  
County of Monterey, State of California***

COMMITTEE ORDER No.

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 )

Upon motion of \_\_\_\_\_, and Seconded by \_\_\_\_\_, and carried by those members present, the Reservoir Operations Advisory Committee hereby:

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.

PASSED AND ADOPTED on this **27th** day of **January 2022**, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
BY John Baillie, Chair  
Reservoir Operations  
Advisory Committee

\_\_\_\_\_  
ATTEST: Brent Buche  
General Manager

## Reservoir Release Update

### SUMMARY/DISCUSSION:

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

**RESERVOIR ELEVATION / STORAGE:** A series of late December storms brought a combined 93,000 acre-feet of water into the reservoirs, including approximately 78,000 acre-feet at Nacimiento and 15,000 acre-feet at San Antonio. As of January 19, 2022, San Antonio Reservoir has a water surface elevation of approximately 680.25 feet (NGVD 29), with 36,638 acre-feet of storage. Nacimiento Reservoir has a water surface elevation of approximately 737.1 feet, with 111,035 acre-feet of storage. San Antonio Reservoir is currently at 11% of storage capacity and Nacimiento Reservoir is at 29% of capacity. Both reservoirs continue to receive inflow as of the time of this report.

**RESERVOIR RELEASES:** From April 5 until July 27, 2021, the Agency made conservation releases from both reservoirs to recharge the Salinas Valley Groundwater Basin and provide flow to the Salinas River Diversion Facility. Due to limited volume in the reservoirs, conservation releases were halted on July 28. The Agency has since made releases of approximately 60 cfs from Nacimiento Reservoir and 10 cfs from San Antonio Reservoir to support fish habitat below the dams.

The Salinas River Lagoon has been open to the ocean since December 27, 2021 and the Salinas River continued to flow through the Spreckels stream gage site until January 5, 2022. There is currently no flow at the stream gage.

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 January 19, 2022:

- Nacimiento Reservoir: 63 cfs
- San Antonio Reservoir: 10 cfs

Total releases from both reservoirs to the Salinas River are approximately 73 cfs. The following “provisional” flows have been recorded by the USGS:

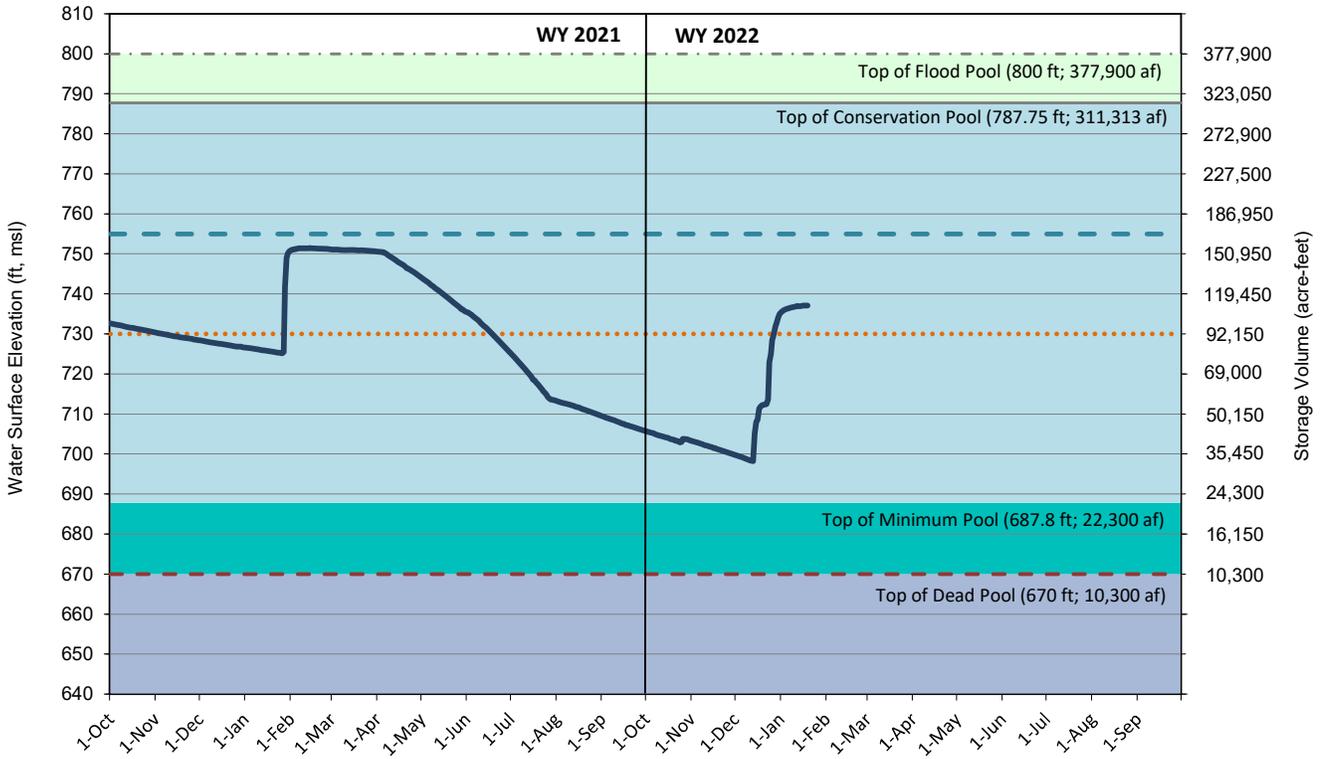
- Salinas River near Bradley: 84 cfs
- Salinas River at Soledad: 0 cfs
- Salinas River near Chualar: 0 cfs
- Salinas River near Spreckels: 0 cfs

Prepared by: Peter Kwiek, Associate Water Resources Hydrologist (831) 755-4860

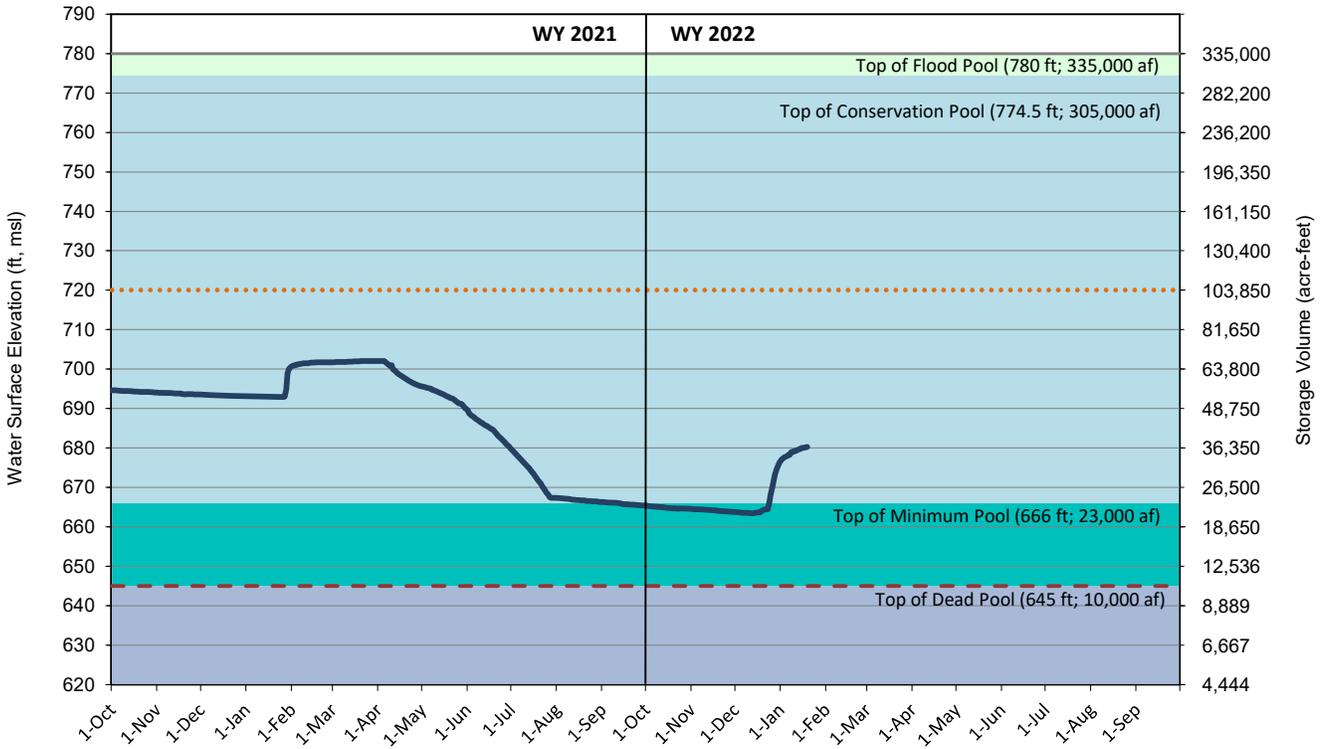


# Reservoir Elevation and Storage

## Nacimiento Reservoir



## San Antonio Reservoir



- Dead pool
- Minimum Pool
- Conservation Pool
- Flood Pool
- Minimum Recreation Elevation
- Low Level Outlet Works
- Nacimiento High Level Outlet Works
- Reservoir Elevation
- Spillway
- Raised Nacimiento Spillway Gate

**..Title**

Receive a report on the Monterey County Water Resources Agency's (Agency) Boat Dock Licensing and Inspection Program and license revocations for current and previous licensing years.

**..Report**

RECOMMENDATION:

It is recommended that the Reservoir Operations Advisory Committee:

Receive a report on the Agency's Boat Dock Licensing and Inspection Program and license revocations for current and previous licensing years.

SUMMARY/DISCUSSION:

The Agency is proposing licensing revocation for all non-renewed boat dock licenses for the current and previous licensing years. The 2021 licensing year term is from April 1, 2021 to March 30, 2022, and as of today 53 of the 407 licenses have not provided the required fee and insurance documentation for license renewal, as required per Ordinance 4065 (Attachment 1). There are 8 dock owners that owe 10 or more years of back fees, 13 dock owners that owe 5-9 years of back fees and 32 dock owners that owe 1-4 years of back fees. This totals \$20,380 of back fees owed to the Agency as well as a lack of insurance. This past year the Agency has done significant outreach to the delinquent dock owners to try and achieve compliance, which includes numerous phone calls, email and hard copy mailed letters. At this time, staff plans to move forward with the revocation process for the 53 delinquent dock owners included in the Attachment 2. A draft letter is included in Attachment 3.

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

For FY 2021/2022, the proposed revocation processing would be funded with dock licensing and inspection program funds (Fund 116).

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

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

Attachments:

1. Ordinance 4065 current version
2. License revocation list
3. Draft revocation letter dated January 2022

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

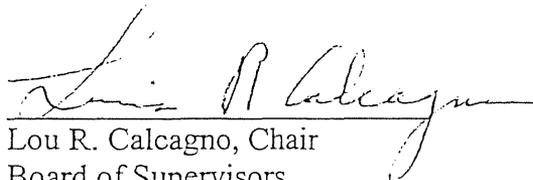
This Ordinance shall take effect on the thirty-first (31<sup>st</sup>) day after its adoption.

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
109	\$1,350.00	21
26528	\$990.00	15
26401	\$990.00	15
26467	\$930.00	14
26543	\$930.00	14
79	\$720.00	12
26530	\$690.00	10
26572	\$690.00	10
26468	\$670.00	9
26569	\$630.00	9
26385	\$630.00	9
26392	\$630.00	9
7171	\$570.00	8
26489	\$570.00	8
26473	\$570.00	8
26458	\$570.00	8
26479	\$510.00	7
26553	\$510.00	7
11292	\$450.00	6
26523	\$420.00	7
108	\$420.00	7
26362	\$330.00	4
26434	\$300.00	3
26513	\$210.00	2
26570	\$210.00	2
26602	\$210.00	2
78	\$210.00	2

Boat Dock #	Total Due	Years Delinquent
26312	\$210.00	2
26507	\$210.00	2
7254	\$210.00	2
707	\$210.00	2
26378	\$210.00	2
26406	\$210.00	2
8129	\$210.00	2
26535	\$210.00	2
26351	\$210.00	2
26443	\$180.00	3
26581	\$150.00	1
65	\$150.00	1
26533	\$150.00	1
26633	\$150.00	1
26632	\$150.00	1
26405	\$150.00	1
171	\$150.00	1
26437	\$150.00	1
3268	\$150.00	1
26410	\$150.00	1
5180	\$150.00	1
26432	\$150.00	1
7217	\$150.00	1
214	\$150.00	1
3298	\$150.00	1
26425	\$150.00	1

# MONTEREY COUNTY

## WATER RESOURCES AGENCY

PO BOX 930  
SALINAS, CA 93902  
P: (831) 755-4860  
F: (831) 424-7935

BRENT BUCHE  
GENERAL MANAGER



STREET ADDRESS  
1441 SCHILLING PLACE, NORTH BUILDING  
SALINAS, CA 93901

January 18, 2022

Dear Boat Dock Owner,

The Monterey County Water Resources Agency (Agency) is contacting you because you are delinquent in your 2021 boat dock renewal fee and insurance. We have attempted to contact you earlier in the year with no response.

- February – letter mailed to boat dock owner
- March – email sent to boat dock owner
- May – letter mailed and email sent to boat dock owner
- August – phone call to boat dock owner
- January 2022 – letter mailed to boat dock owner

Due to your delinquent status, the Agency is set to revoke your boat dock license. Per Ordinance 4065, a license may be revoked at any time during the license year the dock fails to meet any of the conditions required to be met at the time of licensure. After paying your balance in full for all your delinquent years you may apply for a new dock license and show current liability insurance no less than \$500,000.

The Agency is responsible for processing initial and renewal dock licenses and determining which docks licenses can and cannot be issued or renewed. Per Ordinance 4065, an unexpired license will result in the revocation of a unlicensed dock. An unlicensed dock is a public nuisance and may be summarily abated by the General Manager. The general administrative, finance, operations, and environmental services required to process these annual requests consists of customer service, communications, database management, a secure web-based payment option, fee payment processing, insurance handling, records evaluation, and license certificate issuance. The time and labor necessary to annually license all docks (approximately 410) is considerable.

Note that the boat dock fees increased from \$60 to \$150 in 2021. Fees will increase to \$200 in 2022 and to \$250 in 2023. This fee schedule was voted on and approved by the Monterey County Water Resources Agency Board of Supervisors in 2020.

Please visit this website to renew your dock license, <https://apps.co.monterey.ca.us/wrboatdock/>, or send us a check for all your delinquent years to have your license renewed. For information on our boat dock program, see, <https://www.co.monterey.ca.us/government/government-links/water-resources-agency/programs/boat-docks>.

Contact Jess Barreras, Hydrologist - Operation and Maintenance, at (831) 755-8903 or [barrerasj@co.monterey.ca.us](mailto:barrerasj@co.monterey.ca.us) for questions.



**TO: Nacimiento Project Commission**  
**FROM: Katie Franco, Finance Division**  
**VIA: Nola Engelskirger, Utilities Division Manager**  
**DATE: February 24, 2022**  
**SUBJECT: FY 2021-22 Second Quarter Operations Budget Update**  
*(Information Only – No Action Required)*

Figures summarizing the Fiscal Year 2021-22 First Quarterly Operating Fund Budget are provided for your information. With 50% of the year elapsed, total expenditures and purchase order commitments are at 19.2% of budget. This includes Non-Routine projects that fluctuate during the fiscal year. More notably, annual Routine Operations and Maintenance efforts are a less than budgeted levels at 23.3% of the budget.

	<u>Budget</u>	<u>Expenses &amp; Purchase Orders</u>	<u>Expenses and Purchase Orders as a % of Budget</u>	<u>Balance Available</u>
Routine O&M	4,598,523	1,069,434	23.3%	3,529,089
Non Routine O&M Projects	2,978,676	404,515	13.6%	2,574,161
Capital Outlay Projects	100,000	-	0.0%	100,000
<b>Total</b>	<b>7,677,199</b>	<b>1,473,949</b>	<b>19.2%</b>	<b>6,203,250</b>
Variable Energy	2,799,719	1,791,694	64.0%	1,008,025

*[a] PG&E invoices for Variable Energy usage. Costs are billed to participants based upon actual usage and are not included in Participants' Installment Billings or Final Billings.*

If you have any questions, please feel free to contact me at (805) 781-5250 or via e-mail at [kfranco@co.slo.ca.us](mailto:kfranco@co.slo.ca.us). Staff will be available to answer specific questions at the meeting.

**Nacimiento Water Operating Fund  
Budget Status Report  
FY 2021-22**

A	B	C	D	D	E	F	J	K	L	M		
carry			New Budget	Roll-Fwd Budget	Internal	Budget	Quarter 1	Quarter 2	Purchase	Total Expenses	Exps & POs	Available
fwd		WBS Element	FY 2021-22	FY 2020-21	Revisions	FY 2021-22	July-Sep	Oct-Dec	Orders (POs)	and POs	% of Budget	Budget
1		<b>Routine Operation and Maintenance</b>										
2		MASTER WATER CONTRACT	\$ 640,448			\$ 640,448	\$ -	\$ -	\$ -	\$ -	0.0%	\$ 640,448
3		WATER CONSERVATION MANAGEMENT	-			-	-	-	-	-	0.0%	-
4		WATER QUALITY SUPPORT/ANALYSIS	215,092			215,092	33,004	34,867	-	67,871	31.6%	147,221
5		REGULATORY AGENCY/DPH	12,476			12,476		-		-	0.0%	12,476
6		INVASIVE SPECIES/QUAGGA MUSSEL	128,081			128,081	12,881	23,735		36,616	28.6%	91,465
7		ENVIRONMENTAL MITIGATION	86,819			86,819	5,003	21,778		26,781	30.8%	60,038
8		UTILITIES OPERATIONS AND OFFICE ENGINEERING	224,663			224,663	42,340	63,795	1	106,136	47.2%	118,527
9		LAKESIDE CONTRACTS	14,442			14,442	197	697		894	6.2%	13,548
10		WATER RIGHTS	-	61,406		61,406	-	-		-	0.0%	61,406
11		GENERAL-ACCOUNTING	219,767			219,767	22,914	51,780		74,694	34.0%	145,073
12		COUNTY WIDE OVERHEAD	110,163			110,163	27,162	27,162		54,324	49.3%	55,839
13		CONTRIBUTION TO ISF/NEW EQUIP	20,750			20,750	(3,192)	10,817		7,625	36.7%	13,125
14		GENERAL UNITS	444,084			444,084	32,574	42,979	28,463	104,016	23.4%	340,068
15		UNIT A	244,959			244,959	74,401	94,024	26,450	194,875	79.6%	50,084
16		UNIT A1	55,964			55,964	5,599	7,098		12,697	22.7%	43,267
17		UNIT B	184,624			184,624	52,625	82,469		135,094	73.2%	49,530
18		UNIT C	33,291			33,291	1,065	2,328		3,393	10.2%	29,898
19		UNIT C1	36,758			36,758	1,331	11,888		13,219	36.0%	23,539
20		UNIT D	21,667			21,667	2,053	3,229		5,282	24.4%	16,385
21		UNIT E	20,623			20,623	416	2,007		2,423	11.7%	18,200
22		UNIT F	20,753			20,753	917	4,875		5,792	27.9%	14,961
23		UNIT F1	16,137			16,137	3,874	10,441		14,315	88.7%	1,822
24		UNIT F2	148,167			148,167	40,902	37,367		78,269	52.8%	69,898
25		UNIT G	27,967			27,967	5,091	14,235		19,326	69.1%	8,641
26		UNIT G1	29,152			29,152	3,182	9,362		12,544	43.0%	16,608
27		UNIT G2	19,052			19,052	414	1,131		1,545	8.1%	17,507
28		UNIT H	3,381			3,381	-	535		535	15.8%	2,846
29		UNIT H1	28,709			28,709	5,593	190		5,783	20.1%	22,926
30		UNIT T-2	46,892			46,892	1,233	3,920		5,153	11.0%	41,739
31		UNIT T-4	13,038			13,038	751	5,319		6,070	46.6%	6,968
32		UNIT T-6	13,859			13,859	145	5,335		5,480	39.5%	8,379
33		UNIT T-9	10,145			10,145	180	-		180	1.8%	9,965
34		UNIT T-11/11A	31,926			31,926	5,431	10,245		15,676	49.1%	16,250
35		UNIT T-11B	-			-	-	-		-	0.0%	-
36		REIMBURSABLE BILLINGS	-			-	197	197		394	0.0%	(394)
37		REIMB BILLINGS: EMERGENCY WTR LINE BREAK MAY 2018	-			-	(57,420)	-		(57,420)	0.0%	57,420
38	(*)	NACI WATER SALE PROGRAM	-	4,735		4,735	1,057	1,057	82,389	84,503	1784.6%	(79,768)
39	(*)	SAN ANTONIO SPILLWAY REHAB	-	98,916		98,916	-	-		-	0.0%	98,916
40	(*)	LEGAL	-	1,309,617		1,309,617	11,575	13,774	1	25,350	1.9%	1,284,267
41		<b>SUBTOTAL: ROUTINE OPERATIONS AND MAINTENANCE</b>	<b>\$ 3,123,849</b>	<b>\$ 1,474,674</b>	<b>\$ -</b>	<b>\$ 4,598,523</b>	<b>\$ 333,495</b>	<b>\$ 598,636</b>	<b>\$ 137,303</b>	<b>\$ 1,069,434</b>	<b>23.3%</b>	<b>\$ 3,529,089</b>
42		<b>Non-Routine O&amp;M</b>										
43		MISC. FIBER OPTIC REPAIR (rebudget annually) (\$6500 MISC FIBER)	\$ 6,500			\$ 6,500				-	0.0%	\$ 6,500
44		INTERLAKE TUNNEL PLANG (place holder)	-			-				-	0.0%	-
45	(*)	NORTH SALINAS RIVER CROSSING REPAIR (MAINT: TYPE 3)	-	1,654,536		1,654,536	10,219	7,470	299,740	317,429	19.2%	1,337,107
46	(*)	5 YR INTAKE INSPECTION (EVERY 5 YRS. 2022/23)	-			-				-	0.0%	-
47	(*)	5 YR PIPELINE CLOSE INTERVAL SURVEY (EVERY 5 YRS) (CLSD)	-			-				-	0.0%	-
48	(*)	SANTA MARG CRK BRIDGE PIPE RELOCATION	-	856,848		856,848			7,045	7,045	0.8%	849,804
49	(*)	INTAKE PUMP SYSTEM IMPROVEMENTS (5 SYSTEMS)	-			-				-	0.0%	-
50	(*)	INTAKE PS: SLOPE REPAIR AND DRAINAGE WORK (S/B CLSD Q1 20/21)	-			-				-	0.0%	-
51	(*)	POWER MONITORING AT INTAKE (CLSD)	-			-				-	0.0%	-
52	(*)	SCADA EFFORTS AT BOOSTER STN PROJECT	-	309,425		309,425	1,894	4,726	73,472	80,092	25.9%	229,333
53	(*)	SCADA EFFORTS AT BOOSTER STN O&M (REBUDGETED ANNUALLY)	-			-				-	0.0%	-
54	(*)	SYPS EFFICIENCY ALTERNATIVES (CXL)	-			-				-	0.0%	-
55	(*)	GENERATOR PAD AT BOOSTER STN INSTALL (33%)	-			-				-	0.0%	-
56	(*)	AIR VACS REPAIRS AND PREVENTION	-	51,367		51,367	(51)			(51)	-0.1%	51,418
57	(*)	RAISE VALVES ON ROCKY CANYON RD	-			-				-	0.0%	-
58	(*)	UNANTICIPATED NON-ROUTINE PROJECTS	100,000			100,000				-	0.0%	100,000
59		<b>SUBTOTAL: NON ROUTINE OPERATION &amp; MAINTENANCE - (NON-CAPITAL ACCOUNTS)</b>	<b>\$ 106,500</b>	<b>\$ 2,872,176</b>	<b>\$ -</b>	<b>\$ 2,978,676</b>	<b>\$ 12,062</b>	<b>\$ 12,196</b>	<b>\$ 380,257</b>	<b>\$ 404,515</b>	<b>13.6%</b>	<b>\$ 2,574,161</b>
60		<b>Capital Outlay</b>										
61	(*)	UNANTICIPATED NON-ROUTINE PROJECTS	100,000			100,000				-	0.0%	100,000
61		<b>SUBTOTAL: CAPITAL OUTLAY (CAPITAL ACCOUNTS)</b>	<b>\$ 100,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 100,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0.0%</b>	<b>\$ 100,000</b>
62		<b>TOTAL BUDGET / INSTALLMENT BILLINGS</b>	<b>\$ 3,330,349</b>	<b>\$ 4,346,850</b>	<b>\$ -</b>	<b>\$ 7,677,199</b>	<b>\$ 345,557</b>	<b>\$ 610,832</b>	<b>\$ 517,560</b>	<b>\$ 1,473,949</b>	<b>19.2%</b>	<b>\$ 6,203,250</b>
63		VARIABLE ENERGY COSTS (NON-CAPITAL ACCOUNT)	\$ 2,799,719			\$ 2,799,719	890,707	900,987		1,791,694	64.0%	\$ 1,008,025
64		BUDGET FOR UNANCITPATED CAPITAL PROJECT - (CAPITAL ACCT)	103,750			103,750				-	0.0%	103,750
65		<b>TOTAL</b>	<b>\$ 6,233,818</b>	<b>\$ 4,346,850</b>	<b>\$ -</b>	<b>\$ 10,580,668</b>	<b>\$ 1,236,264</b>	<b>\$ 1,511,819</b>	<b>\$ 517,560</b>	<b>\$ 3,265,643</b>	<b>30.9%</b>	<b>\$ 7,315,025</b>



## MEMORANDUM

**TO:** Nacimiento Project Commission  
**FROM:** Wes Thomson, Utilities Division Engineer  
**VIA:** Nola Engelskirger, Utilities Division Manager  
**DATE:** February 24, 2022  
**SUBJECT:** Agenda Item IV.C – 2022 Statement of Economic Interests – Form 700

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This memo is a reminder for Commissioners and Alternates to file a ***Statement of Economic Interests (Form 700)***, pursuant to the Commission's adopted Conflict of Interest Code. Additionally, Commissioners and Alternate Commissioners assuming and leaving an appointment must file the appropriate form within 30-days of the event.

The County Clerk-Recorder's office maintains a list of Form 700 filers, so if an email address is on file, Commissioners and Alternates should have received an email in February that explains the filing process. The deadline to file the annual Statement of Economic Interest – Form 700 is April 1.

Additional information may be found at the Clerk-Recorder website and the Fair Political Practices Commission website shown below:

[www.slocounty.ca.gov/clerk](http://www.slocounty.ca.gov/clerk)

<http://www.fppc.ca.gov/>

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**TO: Nacimiento Project Commission**  
**FROM: Katie Franco, Finance Division**  
**VIA: Nola Engelskirger, Utilities Division Manager**  
**DATE: February 24, 2022**  
**SUBJECT: Agenda Item V.A – FY 2022-23 Operating Fund Proposed Budget**  
*(Informational Only – No Action Required)*

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An electronic version along with a hard copy of the Budget booklets of the Proposed Fiscal Year 2022-23 Nacimiento Water Operating budget will be sent to the Commission prior to the February 24, 2022, meeting. No action will be required at that time. An electronic version will also be emailed to the TSG and Finance Committee members the same day.

On March 17, 2022, the Nacimiento TSG and Finance Committees will meet with District staff at 2:00 p.m.<sup>1</sup> to review the proposed budget.

Any requested revisions to the budget will be returned to the TSG at their April 21, 2022, meeting, and will be communicated and distributed electronically to the Finance Committee and Commission.

On April 28, 2022, the Commission will conduct its annual special budget meeting to consider approval of the FY 2022-23 Proposed Budget. District staff will provide a short presentation, followed by a vote for endorsement.

In June 2022, the District Board of Supervisor conducts its annual budget review and approval process.

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<sup>1</sup> March 17, 2022, TSG & Finance Committee 2:00 PM meeting via web conference. Web login will be provided in the meeting invite.



## MEMORANDUM

**TO:** Nacimiento Project Commission  
**FROM:** Wes Thomson, Utilities Division Engineer  
**VIA:** Nola Engelskirger, Utilities Division Manager  
**DATE:** February 24, 2022  
**SUBJECT:** Agenda Item VI.A – 2022 Nomination and Election of Commission Officers

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In accordance with the Commission's adopted Rules of Procedure, the Commission is to elect a Chair and Vice-Chair at the first meeting of each year. Terms of office are for one year.

During calendar year 2021, Commissioner Jones served as Chair, and Commissioner Pease served as Vice-Chair. Nominations and elections for 2022 will be held at the Commission meeting on February 24, 2022.

Current Commissioners appointed by each Participant and the District are ***(please confirm)***:

<b>City of Paso Robles:</b>	John Hamon Steven Martin, Alternate
<b>Templeton CSD:</b>	Wayne Peterson Geoff English, Alternate
<b>Atascadero MWC:</b>	Grigger Jones John Neil, Alternate
<b>City of San Luis Obispo:</b>	Carlyn Christianson Andy Pease, Alternate
<b>San Luis Obispo County FC &amp; WCD:</b> <i>(representing the District and CSA 10A)</i>	John Peschong Vicki Janssen, Alternate

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