

Monterey County  
Water Resources Agency

Ordinance No. 3636

AN ORDINANCE OF THE MONTEREY COUNTY  
WATER RESOURCES AGENCY  
CONFIRMING APPROVAL OF THE WASTEWATER  
RECLAMATION SYSTEM (A SEPARATE PROJECT WITHIN  
THE SALINAS VALLEY SEAWATER INTRUSION PROGRAM)  
FOR THE BENEFIT OF ZONES 2A AND 2B, AND  
APPROVING ASSESSMENTS TO BE LEVIED IN ZONES 2A  
AND 2B FOR SUCH PROJECT

County Counsel Synopsis

This ordinance, enacted pursuant to the terms of the Monterey County Water Resources Agency Act, Sections 20, 24, and 24.1, confirms approval of the Wastewater Reclamation System as a separate project within the Salinas Valley Seawater Intrusion Program, approves assessments to be levied in Zones 2A and 2B for the project, and establishes differential rates for assessments within Zone 2A.

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

WHEREAS,

A. The northernmost portion of the Salinas Valley groundwater basin, lying along the coast of Monterey Bay, is the source of drinking water for people and agricultural irrigation water for farms in the northern part of the Salinas Valley. The aquifers in this portion of the groundwater basin are gradually being polluted with seawater intruding from Monterey Bay. This problem has been developing for many years and now presents a serious threat to the region's water supplies.

B. The Monterey County Water Resources Agency (MCWRA) has proposed a program, referred to as the Salinas Valley Seawater Intrusion Program, to reduce the rate of seawater intrusion. The proposed program includes the following elements:

(1) Construction of the Castroville Irrigation System, a pipeline distribution system to supply irrigation water to seawater intruded and threatened areas in the vicinity of Castroville;

(2) Construction of the Wastewater Reclamation System, a reclamation system to be located at the regional treatment plant maintained by the Monterey Regional Water Pollution Control Agency

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(MRWPCA), to produce tertiary treated water for irrigation use through the Castroville Irrigation System;

(3) Development of a Potable Water System to replace domestic water supply wells in Marina and Fort Ord;

(4) Acquisition or regulation of existing wells in the project area to minimize pumping of groundwater in the areas to be served by the Seawater Intrusion Program.

C. The Castroville Irrigation System and the Wastewater Reclamation System portions of the Salinas Valley Seawater Intrusion Program will benefit all of Zone 2A. Zone 2A was formed as a benefit assessment zone to finance the construction and operation of Lake San Antonio. Earlier, Zone 2 was formed as a benefit assessment zone to finance the construction and operation of Lake Nacimiento. Zone 2A is slightly larger than Zone 2, and includes all of Zone 2 within its boundaries. Both zones overlie a single groundwater basin, the Salinas Valley groundwater basin. That basin has long benefited from the groundwater recharge programs made possible through the construction of the two reservoirs. Although both reservoirs are located in the far south of the Salinas Valley, all of the lands in similar land use categories in Zone 2 and 2A have been assessed at equal rates since the construction of the reservoirs, regardless of whether the land in the zone was located in the north or south. Over the years, the lands in the southern parts of Zone 2A have clearly benefited from the groundwater recharge program, while the lands in the northern parts of Zone 2A have lost wells to seawater intrusion and others nearby are threatened by seawater intrusion. The implementation of the Salinas Valley Seawater Intrusion Program is therefore necessary in order to protect the water supplies in Zone 2A that are inland from the seawater intruded areas, to reduce the dependence of the coastal areas on water from the southern part of the groundwater basin, and to restore equity in the distribution of Zone 2A water supplies.

D. The Castroville Irrigation System and Wastewater Reclamation System portions of the Seawater Intrusion Program will, in addition, provide a special benefit to Zone 2B, the new zone to be established, in that the program involves the construction of distribution facilities that will deliver water directly to the individual parcels to be served within Zone 2B.

E. In addition, these portions of the Seawater Intrusion Program provide a special benefit to urban water users in Zone 2A, by enabling them to dispose of their wastewater in an environmentally useful way. Agricultural water users already dispose of much of their water in an environmentally useful way, inasmuch as much of their irrigation water percolates back into the groundwater basin.

F. Agricultural users of water north of Gloria Road and Gonzales River Road will benefit more from the project than

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agricultural users of water south of Gloria Road and Gonzales River Road, in that those north of that line are closer to the area threatened by seawater intrusion and contribute more directly to the problem than agricultural users south of that line.

G. On April 7, 1992, the Board of Supervisors adopted its Resolution No. 92-127, approving the Wastewater Reclamation System (a separate project within the Salinas Valley Seawater Intrusion Program), including a project description for the system, mitigation measures to be included in the project, a mitigation monitoring plan, CEQA determinations for approval of the project, and a financing plan for the project, and directing the Agency to initiate proceedings for confirmation of the project approval.

H. On July 21, 1992, the Board of Supervisors adopted its Resolution No. 92-366, initiating proceedings to confirm approval of the Wastewater Reclamation System (a separate project within the Salinas Valley Seawater Intrusion Program) for the benefit of Zones 2A and 2B, and to approve assessments to be levied in Zones 2A and 2B for such project, and setting the October 6, 1992, as the date for the protest hearing on the project and on the assessments.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Authority for proceedings to approve project, establish zone, and levy assessments. This ordinance is enacted pursuant to the Monterey County Water Resources Agency Act, Sections 20, 24, and 24.1.

Section 2. Approval of actions. The Board hereby confirms approval of the project and approves the assessments to be levied for the project in Zones 2A and 2B, as hereinafter described.

Section 3. Project description. The project is described as follows:

The Wastewater Reclamation System is a part of the Salinas Valley Seawater Intrusion Program and will be implemented in conjunction with the Castroville Irrigation System. It involves construction of a 29.6 mgd capacity wastewater reclamation plant and related facilities next to the existing regional sewage treatment plant, with two delivery pipelines, one crossing the Salinas River to deliver reclaimed water to the Castroville area north and east of the Salinas River, and one going north and west from the treatment plant to deliver reclaimed water to the nearby coastal agricultural areas. The project will provide 19,500 acre-feet of reclaimed water to the delivery areas, for use in the irrigation of crops, will help reduce the threat posed by seawater intrusion to the water supply for Salinas and the surrounding areas, and will reduce the dependence of Castroville area growers on water now derived from south county groundwater recharge programs. The project will be carried out jointly by the MCWRA and the MRWPCA.

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Section 4. Location and extent of benefited zones. The location and the extent of the zones to be benefited and the percentage of the benefit to be received by each zone are as follows:

(a) The zones to be benefited are the presently existing MCWRA Zone 2A and the newly established Zone 2B. Zone 2A stretches from the Pacific Ocean to Bradley, across the width of the Salinas Valley floor, including about 350,000 acres. The proposed new Zone 2B lies in the northern end of the Salinas Valley, along the coast of Monterey Bay and inland, and includes about 12,000 acres. Its boundaries are outlined on the maps on file with the Clerk to the Board of Supervisors and are more particularly described in Resolution No. 92-363, adopted by the Board of Supervisors on July 21, 1992.

(b) 100% of the benefit from the project will be received by these zones. The allocation of benefit between these zones, for the combined projects (Castroville Irrigation and Wastewater Reclamation) is as follows: Zone 2A, 49.9%; Zone 2B, 50.1%. The allocation of benefit between these zones for the Wastewater Reclamation project is as follows: Zone 2A, 78.3%; Zone 2B, 21.7%.

Section 5. Proposed Zone 2B Wastewater Reclamation System assessment.

(a) The estimated rates at which the annual assessments will be levied in Zone 2B are as follows:

<u>Land use</u>	<u>Charge per acre</u>
Irrigated land	\$ 43.94

(b) The estimated rate specified in this section shall be increased each year by a percentage factor that equals the percentage increase in the Consumer Price Index for the San Francisco Bay Area over the previous year, measured from March 1 of each year to March 1 of the next year, or the nearest date for which figures are available.

Section 6. Proposed Zone 2A Wastewater Reclamation System assessment.

(a) The estimated rates at which the annual assessments will be levied in Zone 2A are as follows:

<u>Land use</u>	<u>Charge per acre</u>
Irrigated agricultural land, north valley	\$ 6.75
Irrigated agricultural land, south valley	\$ 3.01

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residential (1-4 units)	\$ 6.75
apartments (over 4 units), commercial, and institutional land	\$ 58.69
Industrial land	\$ 58.69
Dry farm, grazing, and vacant land	\$ .74
River channels and lands subject to frequent flooding	\$ 0.00

Parcels less than 1 acre in size in each of the above categories will be charged at the rate for 1 acre in that category.

(b) The dividing line between north valley and south valley, for the purpose of determining assessments for irrigated agricultural uses, generally follows the centerlines of Gloria Road, U.S. Highway 101, and Gonzales River Road, between the eastern and western boundaries of Zone 2A, and is more particularly described in Resolution No. 92-364, adopted by the Board of Supervisors on July 21, 1992. A map of the dividing line is on file in the office of the Clerk to the Board of Supervisors.

(c) The estimated rates specified in this section shall be increased each year by a percentage factor that equals the percentage increase in the Consumer Price Index for the San Francisco Bay Area over the previous year, measured from March 1 of each year to March 1 of the next year, or the nearest date for which figures are available.

PASSED AND ADOPTED this 6th day of Oct., 1992, by the following vote:

AYES: Supervisors Pennycook, Shipnuck, Perkins, Karas & Strasser  
Kauffman

NOES: None

ABSENT: None

  
KARIN STRASSER KAUFFMAN, Chair  
Board of Supervisors

ATTEST:

ERNEST K. MORISHITA  
Clerk of the Board

By   
Deputy

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Before the Board of Supervisors in and for the  
County of Monterey, State of California

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Ordinance No. 3636 Adopted -- )  
An Ordinance of the Monterey County )  
Water Resources Agency Confirming )  
Approval of the Wastewater Reclamation )  
System, A Project Within the Salinas )  
Valley Seawater Intrusion Program, & )  
Levying Assessments in Zones 2A and 2B)

WATER RESOURCES  
AGENCY

A public hearing on the matter of the adoption of the proposed ordinance of the Monterey County Resources Agency confirming approval of the Wastewater Reclamation System (a separate project within the Salinas Valley Seawater Intrusion Program) for the benefit of Zones 2A and 2B, and approving assessments to be levied in Zones 2A and 2B for the project, having been set for this time, due notice of said hearing having been given, and the ordinance having been introduced and the reading waived on September 22, 1992 the matter comes on regularly.

All protests and objections being overridden, Ordinance No. 3636 being an ordinance confirming approval of the Wastewater Reclamation System, for the benefit of Zones 2A and 2B, and approving assessments to be levied in those zones for the project with the recognition that the methodology for setting these assessments does not set a precedent for future projects, is hereby adopted and ordered published, upon motion of Supervisor Pennycook, seconded by Supervisor Perkins, and carried by the following vote, to wit:

AYES: Supervisors Pennycook, Shipnuck, Perkins, Karas and Strasser Kauffman

NOES: None

ABSENT: None

I, ERNEST K. MORISHITA, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page      of Minute Book 66, on October 6, 1992

Dated: October 6, 1992

ERNEST K. MORISHITA, Clerk of the Board  
of Supervisors, County of Monterey,  
State of California.

By

*Samuel Alivas*

Deputy