Monterey County
Water Resources Agency

Ordinance No. 3635

AN ORDINANCE OF THE MONTEREY COUNTY WATER RESOURCES AGENCY CONFIRMING APPROVAL OF THE CASTROVILLE IRRIGATION SYSTEM (A SEPARATE PROJECT WITHIN THE SALINAS VALLEY SEAWATER INTRUSION PROGRAM) FOR THE BENEFIT OF ZONES 2A AND 2B, ESTABLISHING ZONE 2B AS A BENEFIT ZONE FOR THE PROJECT, 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 6, 20, 24, and 24.1, confirms approval of the Castroville Irrigation System as a separate project within the Salinas Valley Seawater Intrusion Program, establishes Zone 2B as a new benefit zone for the project, 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 (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 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. 92-126, approving the Castroville Irrigation 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. 92-365, initiating proceedings to confirm approval of the Castroville Irrigation System (a separate project within the Salinas Valley Seawater Intrusion Program) for the benefit of Zones 2A and 2B, to establish Zone 2B as a benefit zone for the project, 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, on the formation of Zone 2B, 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 6, 20, 24, and 24.1.

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

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

The Castroville Irrigation System is a part of the Salinas Valley Seawater Intrusion Program and will be implemented in conjunction with the Wastewater Reclamation System. It involves the construction of a pipeline system for the delivery of reclaimed water to farms in the northern end of the Salinas Valley along the Monterey Bay coast and inland; the acquisition of approximately 15-20 wells in the area to be served, in order to provide supplemental water when reclaimed water supplies are inadequate; and the capping and/or regulation of existing and future wells in the area to minimize the pumping of groundwater in the area. The service area within which water will be provided is outlined in the maps referred to below. The maps are on file with the Clerk to the

Board of Supervisors. The system is expected to provide up to 30,000 acre-feet of water per year, including at least 19,500 acre-feet of reclaimed water, obtained from the Wastewater Reclamation system to be constructed as a separate project in conjunction with this project.

Section 4. Establishment of Zone 2B. Zone 2B is hereby established in the Monterey County Water Resources Agency as a benefit zone for the project. 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.

Section 5. 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 new zone established herein, 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 location of Zone 2B is described above.

(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 Castroville Irrigation System is as follows: Zone 2A, 23.8%; Zone 2B, 76.2%.

Section 6. Zone 2B Castroville Irrigation System assessment.

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

Land use	Charge per acre
Irrigated land	$ 148.08

(b) The estimated rate 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 7. Zone 2A Castroville Irrigation System assessment.

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

Land use	Charge per acre
Irrigated agricultural land, north valley	$ 2.23
Irrigated agricultural land, south valley	$ 0.99
residential (1-4 units)	$ 2.23
apartments (over 4 units), commercial, and institutional land	$ 19.37
Industrial land	$ 19.37
Dry farm, grazing, and vacant land	$ .25
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 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 8. Zone 2A Fort Ord contingency assessment.

(a) In the event that the Ft. Ord annexation fee is not irrevocably committed to the MCWRA on or before December 31, 1992, then a temporary assessment shall be levied in Zone 2A which shall remain in effect for a period not to exceed three years, at the following estimated rates:

Land use	Charge per acre
Irrigated agricultural land, north valley	$ 8.98
Irrigated agricultural land, south valley	$ 4.00

residential (1-4 units)	$ 8.98
apartments (over 4 units), commercial, and institutional land	$ 78.06
Industrial land	$ 78.06
Dry farm, grazing, and vacant land	$ .99
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 assessments set forth in Sections 6 and 7 will not take effect until 1995 or thereafter. The temporary assessment set forth in this section shall be levied and collected before the assessments set forth in Sections 7 and 8 take effect.

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