

Marina Coast Water District
Agenda Transmittal

Agenda Item: 10-B

Meeting Date: May 10, 2011

Submitted By: Gary Rogers

Presented By: Gary Rogers

Reviewed By: Carl Niizawa

Agenda Title: Consider Adoption of Resolution No. 2011-31 to Adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Watkins Gate Well and Pipeline/Eastern Distribution System Project

Detailed Description: The Board of Directors is requested to consider adoption of the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) for the Watkins Gate Well and Pipeline/Eastern Distribution System Project (the Project). This proposed municipal well is expected to be located at the intersection of Watkins Gate Road and Reservation Road and within the property owned by the developer Union Community Partners-East Garrison, LLC.

Based on the evaluation conducted by Denise Duffy & Associates, including, but not limited to, air quality, biological resources, cultural resources, geology and soils, hazards and traffic circulation, the IS/MND concludes that with applied mitigation measures no significant impacts would result from the proposed action. Therefore, a proposed MND determination was prepared.

In March 2011, District staff released the Draft IS/MND for a public review period. The end of the public review period was April 22, 2011. The entities that provided public comment were the following:

- Monterey Peninsula Water Management District, who stated that the proposed Watkins Gate Well was exempt from the need to obtain a permit from the MPWMD and therefore they had no comment;
- Union Community Partners, who had comments that were not CEQA related issues;
- State of California Office of Planning and Research, who acknowledged the District's compliance with the State Clearing House review requirements and that no state agencies submitted comments within the public review period.

The complete Initial Study/Mitigated Negative Declaration (IS/MND) is comprised of the separately-bound Draft IS/MND and the Final IS/MND documents dated March 2011, and May 2, 2011, respectively. The comment letters and responses to pertinent comments are included in the Final IS/MND dated May 2, 2011. The comments received on the Draft IS/MND did not result in a "substantial revision" of the negative declaration, as defined by CEQA Guidelines Section 15073.5, and the new information added to the negative declaration merely clarifies, amplifies, or makes insignificant modifications to the IS/MND. No new, avoidable significant effects were identified since the commencement of the public review period that would require

mitigation measures or project revisions to be added in order to reduce the effects to insignificant.

After adoption of the IS/MND, the Board is being asked to authorize the General Manager or Deputy General Manager/District Engineer to execute payment of all fees to undertake all administrative actions necessary to carry out the Consultant Services for the Project.

Prior Committee or Board Action: Resolution No. 2009-29, the Board Approved a Professional Services Agreement with Denise Duffy & Associates for General Environmental Services.

Board Goals/Objectives: *Strategic Plan, Goal No. 2 – To meet 100% of current and future customers’ needs and make timely improvements and increase infrastructure and level of services and human resources to meet needs of expanding service areas in an environmentally sensitive way.*

Financial Impact: Yes No

Funding Source/Recap: Funding for this work is from the Ord Community Water cost center. Additionally, the District will request reimbursement from the State of California State Water Resources Control Board Proposition 50 funds.

Material Included for Information/Consideration: Resolution No. 2011-31; and, Draft Initial Study/Mitigated Negative Declaration and Final Initial Study/Mitigated Negative Declaration for the Watkins Gate and Pipeline Project (collectively called “IS/MND”)

Staff Recommendation: The Board of Directors consider adoption of Resolution No. 2011-31 to adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Watkins Gate and Pipeline Project/Eastern Distribution System Project.

Action Required: Resolution Motion Review
(Roll call vote is required.)

Board Action

Resolution No Motion By Seconded By

Ayes Abstained

Noes Absent

Reagendized Date No Action Taken

May 10, 2011

Resolution No. 2011 - 31
Resolution of the Board of Directors
Marina Coast Water District
Adopting the Initial Study/Mitigated Negative Declaration and
Mitigation Monitoring and Reporting Program for
Watkins Gate and Pipeline /Eastern Distribution System Project

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on May 10, 2011 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the 1993 Agreement with Monterey County Water Resources Agency Zones 2 and 2A allows for a combined annual withdrawal in the Ord Community of up to 6,600 acre feet per year of groundwater about equal to the historic demand from Army uses at Fort Ord; and,

WHEREAS, the Salinas Valley Integrated Water Management Plan was approved on March 20, 2007 to receive Proposition 50 funds from the State Water Resources Control Board and is expected to reimburse a portion of the District costs for replacement wells in the pressure zone; and,

WHEREAS, in Resolution No. 2009-29, the Board Approved a Professional Services Agreement with Denise Duffy & Associates for General Environmental Services.

WHEREAS, in Resolution No. 2010-56 the Board adopted the Central Marina/Ord Budget for FY 2010-2011 which includes funding for the Watkins Gate Well; and,

WHEREAS, on March 24, 2011, the Draft Initial Study/Mitigated Negative Declaration for the Watkins Gate and Pipeline /Eastern Distribution System Project, dated March 2011, and hereby incorporated by reference into this resolution (hereafter, the “Draft IS/MND” or “Project”), was released for a public review period and required copies of the Draft IS/MND were sent to the State of California Office of Planning and Research (State Clearinghouse) (SCH #2011031082); and,

WHEREAS, pursuant to Public Resources Code Section 21092 and CEQA Guidelines Section 15072, notice of the availability of the Draft IS/MND and the Notice of Intent to adopt a Mitigated Negative Declaration were posted with the Monterey County Clerk for a period of 30 days, posted at the site, and sent to responsible and trustee agencies and interested organizations; and,

WHEREAS, the public comment period closed after a duly noticed public review period on April 22, 2011; and,

WHEREAS, comments were received from the Monterey Peninsula Water Management District, Union Community Partners-East Garrison, LLC, and State of California Office of

Planning and Research and the comments and responses are provided in the Final Initial Study/Negative Declaration (“Final IS/MND”) dated May 2, 2011; and,

WHEREAS, the IS/MND is comprised of the separately-bound Draft IS/MND and the Final IS/MND documents dated March, 2011, and May 2, 2011, respectively; and,

WHEREAS, the comments received on the Draft IS/MND did not result in a "substantial revision" of the negative declaration as defined by CEQA Guidelines Section 15073.5 and the new information added to the negative declaration merely clarifies, amplifies, or makes insignificant modifications to the IS/MND; and,

WHEREAS, the IS/MND recommends mitigation measures for environmental effects of the Project that would reduce the Project-related impacts to an acceptable, less than significant level; and,

WHEREAS, the mitigation measures adopted by the District will be implemented as set forth in the Mitigation Monitoring and Reporting Program prepared in accordance with Public Resources Code Section 21081.6, which described the requirements and procedures to be followed in implementing mitigation measures.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Marina Coast Water District, that:

- 1) The IS/MND and the Mitigation Monitoring and Reporting Program for the Watkins Gate and Pipeline/Eastern Distribution System Project is hereby adopted.
- 2) The District intends to implement the Mitigation Monitoring and Reporting Program as set forth in the IS/MND during Project implementation and operation in order to reduce all identified significant impacts to a less-than-significant level.

PASSED AND ADOPTED on May 10, 2011, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

William Y. Lee, President

ATTEST:

Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true, and correct copy of Resolution No. 2011-31, adopted May 10, 2011.

Jim Heitzman