

**LATEST NEWS FROM
THE NACIMIENTO REGIONAL WATER MANAGEMENT ADVISORY COMMITTEE
(NRWMAC)
October 2017**

On September 28, 2017, NRWMAC representatives attended the Monterey County Water Resource Agency (MCWRA) Reservoir Operations committee meeting in Salinas, California. (NRWMAC has a voting seat on that committee.) At the beginning of the meeting, during the public comment period, a NRWMAC representative repeated the five areas of concern which lake-side residents and landowners had expressed at the MCWRA meeting at Heritage Ranch on September 15, 2017, during its Interlake Tunnel Project presentation. The committee attendees subsequently discussed all five topics during the agenda portion of the meeting. Highlights of the discussion are as follows:

1. **MCWRA's "Resolution 16-R03."** This resolution, introduced in 2016, purports to protect landowners from potential damage to their wells, structures, land, etc., which could be caused by the Interlake Tunnel Project through exploratory surveys and drilling and/or construction of the tunnel itself. However, since it was first introduced, both NRWMAC and the affected landowners have maintained that the resolution simply does not offer the necessary protections. At the invitation of MCWRA, and with input gathered from the landowners, NRWMAC submitted to the Reservoir Operations Committee several amendments to the resolution making it more effective in protecting the interests of landowners. Upon receiving the amended resolution, the committee Chairperson and others attending the meeting agreed that if the current resolution does not adequately protect the landowners that there needs to be changes made to it to ensure the landowners are properly covered for any potential damage caused by the tunnel project. The committee directed the tunnel project General Manager to work in conjunction with NRWMAC to develop a mutually agreeable set of protections, which will be submitted to the Monterey County Board of Supervisors for final approval. NRWMAC stated that, until the new protections are in place, most, if not all, the landowners would deny access to their property for any tunnel project-related activities.

2. **Invert Elevation.** For over two years, when discussing the Tunnel Project with the public, MCWRA representatives have insisted that the tunnel invert (opening) be at a diameter of ten feet and an elevation of 745 above sea level, with an operating elevation of 760 feet above seal level (which allows for 15 feet of "head pressure" necessary to force water through the length of the tunnel without damaging it internally). At these elevations, the lake would remain at a capacity of no more than approximately 50 percent. However, the MCWRA representatives have never provided any comprehensive modeling data to support these elevations. NRWMAC has repeatedly requested consideration for higher elevations and an increased tunnel diameter (to twelve feet), and that modeling and data provided for those elevations. NRWMAC insists that these elevations are the most appropriate in terms of hydrology, cost and lake levels. Reservoir Operations Committee members admitted that they had not seen any modeling data, either, nor any other data analysis. The project General Manager stated that neither the modeling data nor the conclusions would be complete until the end of the year. The committee Chairperson stated that the data needs to be presented as soon as it becomes available and indicated that NRWMAC would be able to have their own consultants evaluate the data at that time.

3. **Tunnel Operations Plan.** According to MCWRA, the Tunnel Operations Plan will not be published and available for review until late in the project timeline. NRWMAC stated, at both the Heritage Ranch meeting and the subsequent MCWRA Reservoir Operations Committee meeting, that this publication schedule makes it too late to help guide the design phase of the project. NRWMAC recommended, instead, that a draft plan incorporating goals for tunnel operations and requirements be published as soon as possible, and certainly much sooner than originally projected, in order to influence the design phase of the process. Although many committee attendees agreed with NRWMAC's recommendation, there was no specific direction from the committee Chairperson to accomplish that task. NRWMAC will continue to emphasize their recommendation at upcoming committee meetings.

4. **Ranger Staffing.** NRWMAC again expressed the concerns of lake residents over the severe reduction in the number of Rangers on the lake, explaining that there were many occasions since early summer when there was no law enforcement or emergency response at all, at either the marina or on the lake. Also, the reduced staffing has impacted the positioning of the navigational buoys, causing unsafe boating conditions. NRWMAC reminded the committee that this reduction in staffing raises liability issues for

both Monterey and San Luis Obispo Counties. There followed a lot of discussion in the meeting over the staffing issue. The committee members agreed that there needs to be an increase in staffing levels and stated that they would take the issue to the Monterey County Board of Supervisors. One of the committee members, who represents SLO County, stated that he was trying to get two additional sheriff's positions assigned to north county to help alleviate the problem. The committee Chairperson stated that there needs to be a common understanding between both counties, their respective sheriff's departments, and the Parks Department Rangers on providing better coverage. (Ironically, Monterey County eliminated another Ranger position the day after the meeting.)

5. **Boat Infested with Mussels.** The incident where mussel screeners stopped a boat infested with mussels from launching on Lake Nacimiento was of great concern to the committee and initiated much discussion, especially because it occurred on a Saturday but was not reported to either Monterey or SLO Counties, or to Fish and Wildlife, until the following week. Although there were attempts made by phone to reach Park Rangers and Fish and Wildlife, neither agency answered. Consequently, there was no law enforcement available to legally impound the boat at the time the incident occurred. NRWMAC explained that there are neither state-mandated criteria for inspections nor regulations regarding the mussel prevention program. Rather, these programs are developed and implemented by each county as it sees fit. Subsequently, the mussel program coordinators from both Monterey and SLO Counties conferred on how to better improve the process of inspections and the timeliness of reporting. The SLO County representative stated they would establish a hot line that inspectors could call to report an incident and that it would be staffed 24 hours per day. Furthermore, they would ensure that all incidents be reported to the proper authorities immediately and also be passed on to other counties. The committee attendees agreed that more needs to be done by each county, and that there needs to be a state-wide identification system that can be accessed by mussel inspectors for reporting incidents by CF number, and by description of boat and towing vehicle. The committee stated the urgent need to bring California state officials into the program. Everyone acknowledged that a mussel infestation at either Lake Nacimiento or Lake San Antonio would have a devastating economic impact on both counties and significantly increase lake maintenance costs.

Other items discussed at the meeting included the following:

Lake Nacimiento water releases will be reduced to 60 cubic feet/second starting October 12th. The Reservoir Operations Committee needs to get the lake level down to an elevation of 755 feet in order to 1) perform gate valve maintenance, and 2) to stop the flow down river in order to perform greatly needed brush clearing before the rainy season. The farming representatives on the committee were displeased about stopping the flow so early and they requested increasing the water releases as soon as possible after the maintenance and brush clearing is done. There was no decision by the committee on that request.

MCWRA is supporting a draft bill it submitted to their state senator that, if passed by the legislature, will allow the introduction of white bass into Lake San Antonio via the Interlake Tunnel. The bill is currently on hold. Representatives from both the National Oceanic and Atmospheric Administration and the California Department of Fish and Wildlife were not happy with this information and asked how the state action could override federal regulation. No definitive answer was given.

The dam spillways at both Lake Nacimiento and Lake San Antonio need emergency repairs completed by December 1, 2017, as ordered by the California Department of Water Resources/Division of Safety of Dams. This order came as a result of inspections made to the spillways prompted by the Oroville Dam spillway damage. The cost is estimated to be \$500,000.00.