



moulton niguel water district

NOTICE AND CALL OF SPECIAL MEETING OF THE BOARD OF DIRECTORS MOULTON NIGUEL WATER DISTRICT

27500 La Paz Road, Laguna Niguel

October 1, 2018

9:00 AM

Approximate Meeting Time: 2 Hours

NOTICE IS HEREBY GIVEN that a Special Meeting of the Board of Directors of the Moulton Niguel Water District (“MNWD”) has been called by the Chairman of the Board of Directors to be held on October 1, 2018, at 9:00 AM, at MNWD’s Administrative Offices located at the address above. The following business will be transacted and is the Agenda for this Special Meeting:

AGENDA

1. CALL MEETING TO ORDER

2. PUBLIC COMMENTS

Persons wishing to address the Board of Directors on any item listed on the Agenda should submit a “Request To Be Heard” form to the Recording Secretary before the Presiding Officer announces that agenda item. Your name will be called to speak at that time. (As required by law, public comments during a Special Meeting may address only specific items listed on the agenda, no other matters.)

DISCUSSION ITEMS

3. ADOPTION OF RESOLUTION FOR SAN JUAN BASIN PLAN AMENDMENT (RESOLUTION 18-)

It is recommended that the Board of Directors approve the resolution entitled, "San Juan Basin Plan Amendment."

CLOSED SESSION

4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of case: SOCWA, City of Laguna Beach, South Coast Water District and Emerald Bay Service District v. Moulton Niguel Water District

Case number 30-2017-00923143-CU-BC-CJC

5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section: 54956.8

Property: Real Estate related to City of San Juan Capistrano's Water and Sewer Systems

Agency Negotiator: Joone Lopez - Moulton Niguel Water District

Negotiating Parties: Moulton Niguel Water District and City of San Juan Capistrano

Under Negotiation: Terms for Proposed Acquisition of Property

ADJOURNMENT

The Board of Directors' Meeting Room is wheelchair accessible. If you require any special disability related accommodations (i.e., access to an amplified sound system, etc.), please contact the Moulton Niguel Water District Secretary's office at (949) 831-2500 at least forty-eight (48) hours prior to the scheduled meeting. This agenda can be obtained in alternate format upon written request to the Moulton Niguel Water District Secretary at least forty-eight (48) hours prior to the scheduled meeting.

Agenda exhibits and other writings that are disclosable public records distributed to all, or a majority of, the members of the Moulton Niguel Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection at the District Office, 27500 La Paz Road, Laguna Niguel, CA ("District Office"). If such writings are distributed to members of the Board less than twenty-four (24) hours prior to the meeting, they will be available in the reception area of the District Office at the same time as they are distributed except that, if such writings are distributed immediately prior to, or during the meeting, they will be available in the Board meeting room and on the District website at www.mnwd.com.

The foregoing Notice was personally delivered, faxed, mailed or e-mailed to each member of the MNWD Board of Directors at least twenty-four (24) hours prior to the scheduled time of the Special Meeting so noticed above; and posted twenty-four (24) hours prior to the time of the Special Meeting at the usual agenda posting location of MNWD (bulletin board outside main office entrance).



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STAFF REPORT

TO: Board of Directors **MEETING DATE:** October 1, 2018

FROM: Matt Collings, Assistant General Manager
Rod Woods, Director of Engineering

SUBJECT: Adoption of Resolution for San Juan Basin Plan Amendment

SUMMARY:

Issue: The San Diego Regional Water Quality Control Board (San Diego Board) has requested that Moulton Niguel Water District (MNWD), Santa Margarita Water District (SMWD), and South Orange County Wastewater Authority (SOCWA) adopt resolutions committing resources and funding for the San Juan Basin Plan Amendment.

Recommendation: It is recommended that the Board of Directors adopt the resolution entitled, "San Juan Basin Plan Amendment."

Fiscal Impact: Annual expenses for the District for the three-year effort are expected to be \$60,000. Sufficient funds are available in the FY18-19 Operating Budget and will be proposed in subsequent years.

Reviewed by Legal: Yes

Background:

The California State Water Resources Control Board (SWRCB) is the State authority that issues Master Recycled Water permits allowing recycled water purveyors to provide recycled water for public use. SOCWA is the Master Recycled Water permit holder for its member agencies. In 2009, the SWRCB issued the Recycled Water Policy (Policy), which recognized that some groundwater basins contain salts and nutrients that exceed water quality objectives established within Water Quality

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Control Plans (Basin Plans). The Policy thus requires agencies that provide recycled water to areas with viable groundwater basins to develop regional Salt and Nutrient Management Plans (SNMPs). The Policy also requires an approved SNMP as a condition to the Master Recycled Water permit renewal.

In 2014, SOCWA and technical staff from its member agencies, including MNWD, developed and submitted a SNMP to the San Diego Regional Water Quality Control Board (SDRWQCB). The SNMP identified an implementation plan and schedule, which included the goal to pursue this Basin Plan Amendment.

The Basin Plan Amendment is intended to adjust the water quality objective (WQO) for the Total Dissolved Solids (TDS) in the Middle Trabuco and Middle San Juan sub-basins. The existing WQO for TDS for these sub-basins is 750 parts per million (ppm) and was established in 1993 when there was minimal recycled water use within these sub-basins. The recycled water that both MNWD and SMWD provide to these sub-basins typically have TDS constituent levels above the WQO.

MNWD provides recycled water to the Middle Trabuco sub-basin but not to Middle San Juan sub-basin. The two largest recycled water customers within the Middle Trabuco sub-basin are the Arroyo Trabuco Golf Club and Saddleback Community College.

The SDRWQCB recently approved the agencies' request to revise the WQO for Middle Trabuco and Middle San Juan sub-basins through a Basin Plan Amendment. It is proposed to raise the WQO levels for TDS to 1,200 ppm, commensurate with the surrounding sub-basins.

Discussion:

The SDRWQCB is requesting that the agencies involved in the San Juan Basin Plan Amendment establish resolutions committing resources and funding for this endeavor. This commitment includes providing financial resources for the SDRWQCB to allocate a staff member's time to work on the Basin Plan Amendment. It is proposed that the SDRWQCB and the impacted agencies establish a contract agreement as a vehicle for the SDRWQCB to invoice the hours allocated to the staff member's time working on the Basin Plan Amendment.

It is anticipated that the Basin Plan Amendment will take up to three years to complete. The not-to-exceed total cost for all three years is proposed at \$750,000; however, it is estimated that the actual cost will be significantly less.

Furthermore, a Basin Plan Amendment report is required to be completed by a third party consultant. It is recommended that the procurement and management of the consultant be the responsibility of both MNWD and SMWD. This will allow

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expediency and assurance that MNWD's needs are properly met. The estimated cost for the consultant work is \$300,000.

It is proposed that the cost allocation for the Basin Plan Amendment be 75% for SMWD and 25% for MNWD. These percentages are generally proportional to the volume of recycled water served to the two sub-basins by each agency.

Attachment: Resolution entitled, "San Juan Basin Plan Amendment."

RESOLUTION NO. 18-__

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MOULTON NIGUEL WATER DISTRICT
FOR THE SAN JUAN BASIN PLAN AMENDMENT**

WHEREAS, the Salt and Nutrient Management Plan (SNMP) tentatively approved by the San Diego Regional Water Quality Control Board (SDRWQCB) concluded that a basin plan amendment is required to support expanded recycled water use within the South Orange County Waste Water Authority (SOCWA) service area.

WHEREAS, the SDRWQCB has prioritized revision of water quality objectives for Total Dissolved Solids (TDS) in the Middle San Juan and Middle Trabuco groundwater basins for expanded recycled water uses in the SOCWA service area through the triannual Basin Plan Amendment process (hereinafter referred to as the “Water Quality Objective (WQO) Project”).

WHEREAS, the SDRWQCB requires additional staff resources to complete the technical, administrative, and procedural elements of the WQO Project for the timely completion of the Basin Plan amendment.

WHEREAS, Moulton Niguel Water District (MNWD) will work closely with Santa Margarita Water District (SMWD) and SOCWA to complete technical studies, conduct public workshops, and coordinate with the SDRWQCB staff person assigned to complete the WQO Project for the basin plan amendment work.

WHEREAS, the requirements for the Master Recycled Water Permit are predicated on the initiation of the WQO Project for the basin plan amendment.

WHEREAS, MNWD’s and SMWD’s ability to utilize recycled water within the San Juan Basin is predicated on the Master Recycled Water Permit.

NOW, THEREFORE, the Board of Directors of the Moulton Niguel Water District does hereby **RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. MNWD will commit to a 25% cost allocation of required expenditures related to the Basin Plan Amendment.

Section 2. MNWD will coordinate efforts with Santa Margarita Water District and South Orange County Wastewater Authority to complete technical consulting services for the Basin Plan Amendment.

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ADOPTED, SIGNED and APPROVED this 1st say of October, 2015.

MOULTON NIGUEL WATER DISTRICT

President/Vice President
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof

Secretary/Assistant Secretary
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof