

This meeting has been noticed according to the Brown Act rules. The Board of Directors meets regularly on the third Monday of each month. The meetings begin at 7:00 PM.



AGENDA

Regular Meeting

Board of Directors

Monterey Peninsula Water Management District

Monday, November 14, 2016, 7:00 PM

Conference Room, Monterey Peninsula Water Management District
5 Harris Court, Building G, Monterey, CA

Staff notes will be available on the District web site at

<http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/>

by 5 PM on Thursday, November 10, 2016.

The 7:00 PM Meeting will be televised on Comcast Channels 25 & 28. Refer to broadcast schedule on page 3.

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS AND CORRECTIONS TO AGENDA - The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

ORAL COMMUNICATIONS - Anyone wishing to address the Board on Consent Calendar, Information Items, Closed Session items, or matters not listed on the agenda may do so only during Oral Communications. Please limit your comment to three (3) minutes. The public may comment on all other items at the time they are presented to the Board.

CONSENT CALENDAR: The Consent Calendar consists of routine items for which staff has prepared a recommendation. Approval of the Consent Calendar ratifies the staff recommendation. Consent Calendar items may be pulled for separate consideration at the request of a member of the public, or a member of the Board. Following adoption of the remaining Consent Calendar items, staff will give a brief presentation on the pulled item. Members of the public are requested to limit individual comment on pulled Consent Items to three (3) minutes.

1. Consider Adoption of Resolution 2016-18 Amending Rule 60 - Fees and Charges Table
2. Authorize Purchase or Lease of Two New Electric Vehicles and Approve Electric Vehicle Incentive Replacement Program Reimbursement Agreement with the Monterey Bay Air Resources District
3. Consider Funding Additional Expenditures for Pure Water Monterey Project
4. Receive 2016 Ordinance 152 Oversight Panel Annual Report

Board of Directors

Jeanne Byrne, Chair – Division 4
Robert S. Brower, Sr., Vice Chair – Division 5
Brenda Lewis – Division 1
Andrew Clarke - Division 2
Molly Evans – Division 3
David Pendergrass, Mayoral Representative
David Potter, Monterey County Board of Supervisors Representative

General Manager

David J. Stoldt

This agenda was posted at the District office at 5 Harris Court, Bldg. G Monterey on Wednesday, November 9, 2016. Staff reports regarding these agenda items will be available for public review on 8/12/2016, at the District office and at the Carmel, Carmel Valley, Monterey, Pacific Grove and Seaside libraries. After staff reports have been distributed, if additional documents are produced by the District and provided to a majority of the Board regarding any item on the agenda, they will be available at the District office during normal business hours, and posted on the District website at <http://www.mpwmd.net/asd/board/boardpacket/2016>. Documents distributed at the meeting will be made available in the same manner. The next regular meeting of the Board of Directors is scheduled for December 12, 2016 at 7 pm.

5. Consider Approval of First Quarter Fiscal Year 2016-2017 Investment Report
6. Consider Adoption of Treasurer's Report for September 2016

GENERAL MANAGER'S REPORT

7. Status Report on California American Water Compliance with State Water Resources Control Board Order 2009-0060 and Seaside Groundwater Basin Adjudication Decision
8. Update on Development of Water Supply Projects

DIRECTORS' REPORTS (INCLUDING AB 1234 REPORTS ON TRIPS, CONFERENCE ATTENDANCE AND MEETINGS)

9. Oral Reports on Activities of County, Cities, Other Agencies/Committees/Associations

PUBLIC HEARINGS – Public comment will be received on each of these items. Please limit your comment to three (3) minutes per item.

10. **Consider Second Reading and Adoption of Ordinance No. 175 – Amending Regulation of the System Capacity of Water Distribution Systems in the Carmel Valley Alluvial Aquifer (Rules 11, 20, 20.4, 21, 22, 40 and 60)**

Action: The Board will consider modifications to the Rules for Water Distribution Systems that depend on the Carmel Valley Alluvial Aquifer for supply. The modifications reflect the Board policy set in August 2016 to reverse the trend of seasonal dewatering of the Carmel River and ensure that new development has a long-term sustainable supply.

11. **Consider Second Reading and Adoption of Ordinance No. 176 - Amending Rules 11, 21, 24, 25.5, 60, 64, 141, 143 and 144**

Action: The Board will consider second reading and adoption of Ordinance No. 176 that amends several sections of the MPWMD Rules and Regulations related to conservation, fees, and water permit processing.

12. **Consider Certification of Initial Study/Mitigated Negative Declaration for Sleepy Hollow Steelhead Rearing Facility Upgrade Including Adoption of CEQA Findings and Mitigation Measures**

Action: The Board will consider certification of the Initial Study/Mitigated Negative Declaration for the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade in compliance with the California Environmental Quality Act.

ACTION ITEMS – No Action Items were submitted for consideration by the Board of Directors.

INFORMATIONAL ITEMS/STAFF REPORTS The public may address the Board on Information Items and Staff Reports during the Oral Communications portion of the meeting. Please limit your comments to three minutes.

13. Letters Received Supplemental Letter Packet
14. Committee Reports
15. Monthly Allocation Report
16. Water Conservation Program Report
17. Carmel River Fishery Report
18. Receive and File First Quarter Financial Activity Report for Fiscal Year 2016-17

ADJOURNMENT

Board Meeting Broadcast Schedule - Comcast Channels 25 & 28	
View Live Webcast at Ampmedia.org	
Ch. 25, Sundays, 7 PM	Monterey
Ch. 25, Mondays, 7 PM	Monterey, Del Rey Oaks, Pacific Grove, Sand City, Seaside
Ch. 28, Mondays, 7 PM	Carmel, Carmel Valley, Del Rey Oaks, Monterey, Pacific Grove, Pebble Beach, Sand City, Seaside
Ch. 28, Fridays, 9 AM	Carmel, Carmel Valley, Del Rey Oaks, Monterey, Pacific Grove, Pebble Beach, Sand City, Seaside

Upcoming Board Meetings			
Monday, December 12, 2016	Regular Board Meeting	7:00 pm	District conference room
Wednesday, Jan. 25, 2017	Regular Board Meeting	7:00 pm	District conference room
Wednesday, Feb. 22, 2017	Regular Board Meeting	7:00 pm	District conference room

Upon request, MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Please submit a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service by 5:00 PM on Thursday, November 10, 2016. Requests should be sent to the Board Secretary, MPWMD, P.O. Box 85, Monterey, CA, 93942. You may also fax your request to the Administrative Services Division at 831-644-9560, or call 831-658-5600.

ITEM: CONSENT CALENDAR**1. CONSIDER ADOPTION OF RESOLUTION NO. 2016-18 -- AMENDING FEES AND CHARGES TABLE – RULE 60****Meeting Date: November 14, 2016 Budgeted: N/A****From: David J. Stoldt, General Manager Program/Line Item No.:****Prepared By: Gabriela Ayala Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: The Administrative Committee considered this item on November 7, 2016 and on a vote of 3 – 0 recommended adoption.****CEQA Compliance: N/A**

SUMMARY: Resolution 2016-18 **Exhibit 1-A** updates Rule 60, Fees and Charges Table, to reflect actual expenses incurred by the District to process Requests from Confirmation of Exemptions. The Fees and Charges are intended to have a positive correlation to the actual time, effort, and cost of providing the services and taking the actions set forth in the Fees and Charges Table. A marked up version of the proposed table is found as **Exhibit 1-B**.

Ordinance No. 160 and recent administrative changes to the Confirmation of Exemption process has reduced staff time and streamlined the process to complete these applications. Staff has reviewed the hourly rate charged for activities related to Requests for Confirmation of Exemption. Based on an analysis of time spent by staff on these requests and the current hourly reimbursement rates, the fee has been reduced from \$1,000 to \$600. The rate change is reflected on line 10 of the Fees and Charges Table.

RECOMMENDATION: District staff recommends that the Board adopt Resolution 2016-18, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Amending Rule 60, Fees and Charges Table. The Administrative Committee considered this matter on November 7, 2016 and recommended adoption. This item will be approved if adopted along with the Consent Calendar.

BACKGROUND: Ordinance No. 120, adopted March 21, 2005, allows changes to the Fees and Charges Table by resolution rather than by ordinance. The Fees and Charges Table was last updated on July 21, 2014 by adoption of Resolution 2014-14.

EXHIBITS**1-A** Resolution No. 2016-18**1-B** Marked up version of Rule 60, Fees and Charges Table



EXHIBIT 1-A

RESOLUTION 2016-18

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING RULE 60, FEES AND CHARGES TABLE**

WHEREAS: Fees and charges of the Monterey Peninsula Water Management District (MPWMD) are set forth in the MPWMD Rules and Regulations;

WHEREAS: The MPWMD Board of Directors created a new Fees and Charges Table in MPWMD Rule 60 pursuant to Ordinance No. 120, which became effective on April 20, 2005;

WHEREAS: The Fees and Charges bear a positive correlation to the actual time, effort and cost of providing the services and taking the actions set forth in the Fees and Charges Table;

WHEREAS: Ordinance No. 160 and recent administrative changes to the Confirmation of Exemption process has reduced staff time and streamlined the process to complete these applications;

NOW, THEREFORE, BE IT RESOLVED: That the Board of Directors of the Monterey Peninsula Water Management District hereby shall amend the Fees and Charges Table as set forth in **Attachment 1** to this Resolution; and that this change shall become effective immediately.

On motion by _____, and second by _____, the foregoing Resolution is adopted upon this 14th day of November 2016, by the following vote:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing resolution was duly adopted on the 14th day of November 2016.

Witness my hand and seal of the Board of Directors this ____ day of November 2016.

David J. Stoldt, Secretary to the Board

ATTACHMENT 1

Fees and Charges Table (November 14, 2016)

Action		Fee
<i>Action on any Appeal/Variance</i>		
1	Appeal	\$700 plus \$70/hour for more than 10 hours
2	Short-Term Variance (Rule 91)	\$125
3	Variance for Site with Water Use Capacity less than one-half (0.5) Acre-Foot annually (Rule 90)	\$250 plus \$70/hour for more than 10 hours
4	Variance for Site with Water Use Capacity greater than one-half (0.5) Acre-Foot but not more than one (1.0) Acre-Foot (Rule 90)	\$500 plus \$70/hour for more than 10 hours
5	Variance for Site with Water Use Capacity greater than one (1.0) Acre-Foot annually (Rule 90)	\$750 plus \$70/hour for more than 10 hours
<i>Action on any Permit</i>		
6	Administrative fee to monitor, review and enforce applications and/or Permits for Special Circumstances (Rule 24)	\$1400 plus \$70/hour for more than 20 hours
7	Amendment to a Non-Residential Water Permit (Rule 23)	\$140 per amendment plus \$70/hour for more than 2 hours
8	Amendment to a Residential Water Permit (Rule 23)	\$105 per amendment plus \$70/hour for more than 1.5 hours
9	Application for Conditional Water Permit (Rule 23)	\$350 per structure plus \$70/hour for more than 5 hours
10	Application Fee Deposit for Confirmation of Exemption (Rule 21)	\$600 per Application. If needed, additional staff hours are charged at a rate of \$95/hour; recovery for other MPWMD actual direct costs will be additional if not covered by the initial \$600 fee; unused funds will be refunded
11	Application Fee Deposit to Create/Establish or Amend a WDS, Level 1 Permit (Rules 21 and 22)	\$1,200 per Application. If needed additional staff hours are charged at a rate of \$95/hour; recovery for other MPWMD actual direct costs will be additional if not covered by the initial \$1,200 fee; unused funds will be refunded
12	Application Fee Deposit to Create/Establish or Amend a WDS, Level 2 Permit (Rules 21 and 22)	\$1,200 per Application. If needed, additional staff hours are charged at a rate of \$95/hour; recovery for other MPWMD actual direct costs will be additional if not covered by the initial \$1,200 fee; unused funds will be refunded
13	Application Fee Deposit to Create/Establish or Amend a WDS, Level 3 Permit (Rules 21 and 22)	\$3,000 per Application. If needed, additional staff hours are charged at a rate of \$95/hour; recovery of other MPWMD actual direct costs will be

		additional if not covered by the initial \$3,000 fee; unused funds will be refunded
14	WDS Permit Pre-Application Consultation (Rule 22)	There shall be no charge for the first hour of consultation with MPWMD staff regarding the WDS Permit process. An Application Form and associated fee must be submitted after the first hour unless otherwise determined by the General Manager due to unusual circumstances
15	Application to Create/Establish a Water Distribution System or Amend a Water Distribution System Creation Permit -- Deposit for Unusually Complex Projects: "Unusually complex projects" are defined as projects requiring MPWMD staff time substantially in excess of the hours stated in the Application Fee to Create a Water Distribution System. In these situations, staff will review the cumulative total of hours and expenses accrued each quarter (January, April, July and October). The applicant will be billed if the quarterly unpaid total is more than \$500 over the initial fee. The applicant must pay the overage within 30 days of the invoice for staff to continue processing the application. The Confirmation of Exemption or WDS Permit is not signed and recorded until all fees are paid (Rules 21 and 22)	Determined on a case-by-case basis by the General Manager based on staff hours and legal review needed
16	Application to Create/Establish a Water Distribution System or Amend a Water Distribution System Creation Permit – Legal Fees: Any legal work performed by MPWMD Counsel associated with the Application is charged to the Applicant at actual cost, based on the hourly rate of retained MPWMD legal counsel at the time services are rendered (Rule 22)	Actual cost, based on the hourly rate of retained MPWMD legal counsel at the time services are rendered
17	Application to Create/Establish a Water Distribution System or Amend a Water Distribution System Creation Permit – Unused Funds (Rule 22)	Unused deposits or Application fee will result in a refund of unused funds to the Applicant
18	Water Permit to Reinstall Meter (Former use documented under Rule 25.5)	No Fee
19	Application to Split an Existing Meter	No Fee
20	Application for Temporary Water Permit (Rule 23)	\$350 per structure plus \$70/hour for more than 5 hours
21	Application for Non-Residential Water Permit (Rule 23)	\$350 per structure plus \$70/hour for more than 5 hours

22	Plan Check for Non-Residential Waivers	\$105 per structure
23	Application for Residential Water Permit (Rule 23)	\$210 per Dwelling Unit plus \$70/hour for more than 3 hours
24	Plan Check for Residential Waivers	\$105 per Dwelling Unit
25	Capacity Fees -- (Moderate Income Housing) (Rule 24.5)	50% of Capacity Fees set pursuant to Rule 24
26	Capacity Fees -- (Low-Income Housing) (Rule 24.5)	Exempt from Capacity Fees set pursuant to Rule 24
27	Capacity Fees - Residential and Non-Residential Water Permits	See Rule 24
28	Recalculation of Final Capacity Fees (Rule 23)	\$70 per hour of staff time for all necessary efforts in excess of five hours per Site
29	Direct Costs - Publication Expenses, Filing Fees, Etc. (Rule 60)	Actual cost incurred by District - Applies to Water Distribution System Permits only
30	Permit Fee Payment Plans (Limited to California Non-Profit Public Benefit Corporations and requires Board approval and finding of substantial financial hardship) (Rule 24)	Deferred interest rate set by the Board
31	Pre-Application Consulting relating to Water Permits (First 30 minutes free) (Rule 20)	\$210 plus \$70 per hour for more than 3 hours
32	Refund of Capacity Fees (Rule 24)	\$70 processing fee
33	River Work Permits (see separate list below)	
34	Water Entitlement Related Activity - (see separate list below)	
35	Water Use Credits - On-Site Credits (see separate list below)	
36	Water Use Credits – Transfers (see separate list below)	
Document Preparation, Processing, Review or Retrieval (Rule 60)		
37	Deed Preparation and Review by Staff	\$105 per transaction. Included in Standard Water Permit processing fees
38	Direct Costs -- Publication Expenses, Etc.	Actual cost incurred by District
39	Direct Costs for Deed Restrictions -- Courier Charge, Federal Express	Actual cost incurred by District when less than three deed restrictions are being transported
40	Direct Costs for Deed Restrictions - Courier Charge, Expedited Service	\$110 per occurrence. Charged the hourly rate of \$70 per hour for MPWMD staff time, including direct costs incurred from courier service
41	Document Recordation (if separate from review or preparation)	Actual cost incurred by District (document lengths vary)

42	Legal Review performed by MPMWD Counsel on Deed Restrictions Related to Appeals, Permits, Variances, Water Use Credits, or other Activities	Charged at the hourly rate of retained MPWMD legal counsel at the time services are rendered
Expanded Water Conservation and Standby Rationing Plan		
43	Misrepresentation of resident survey information during Stage 4, 5, 6 and 7 (Rule 170)	\$250 for each offense. Each separate day or portion thereof during which any violation occurs or continues without a good-faith effort by the responsible Water User to correct the violation. See Rule 170.
Publication Fees		
44	MPWMD Rules & Regulations (Rule 60)	\$27 per copy
45	Photocopies (Rule 60)	Ten (10) cents per page
46	Well Registration Form (Rule 52)	\$25 per Form
Rationing Liens (Rule 60)		
47	Deed Preparation (Lien Release) and Review by Staff	\$105 per transaction
48	Direct Costs for Deed Restrictions - Courier Charge, Federal Express	Actual cost incurred by District when less than three deed restrictions are being transported
49	Document Recordations (if separate from review or preparation)	Actual cost incurred by District
50	Direct Costs for Deed Restrictions - Courier Charge, Expedited Service	\$110 per occurrence. Charged the hourly rate of \$70 per hour for MPWMD staff time, including direct costs incurred from courier service
51	Legal Review performed by MPWMD Counsel on Deed Restrictions Related to Appeals, Permits, Variances, Water Use Credits, or other Activities	Charged at the hourly rate of retained MPWMD legal counsel at the time services are rendered
Rebate Processing		
52	Application for Rebate	No charge
River Work Permits (Rules 126 and 127)		
53	Minor River Work	\$25 per application
54	River Work Permit	\$50 per application
55	Emergency River Work	\$50 per application
56	Unusually Complex Applications	Actual cost incurred by District for MPWMD staff time in excess of five (5) hours per application plus direct costs
Inspection Activities (Rule 110)		

57	Cancellation of Inspection (less than 24 hours notice)	\$70 per inspection
58	No-Show; Failure to Provide Access for Scheduled Inspection	\$70 per inspection
59	Conservation Verification Inspection Pursuant to Rule 143 and 144 (Retrofit of Existing Commercial Uses and Change of Ownership or Use)	No Charge
60	Site Inspection (pre-application, or not associated with a planned application, or inspection to document Non-Residential retrofit pursuant to Rule 25.5)	\$105 per inspection
61	Re-Inspection (original inspection not in compliance)	\$105 per inspection
62	Repeat Inspection (overlooked fixtures or failure to show all fixtures)	\$70 per inspection
Variance		
63	See "Action on any Appeal/Variance" section, above.	
Water Use Permit Fees (Rule 23.5)		
64	Amendment to a Water Use Permit (Water Entitlement Process) (also may require Capacity Fees pursuant to Rule 24)	\$350 plus \$70/hour for more than 5 hours
65	Application for Water Use Permit (Water Entitlement Process) (also may require Connection Charges pursuant to Rule 24)	\$210 per Site plus \$70/hour for more than 3 hours; also see Rule 24
66	Water Use Permit Monitoring (Water Entitlement Process) (Rule 23.5)	\$70 plus \$70/hour for more than 1 hour
67	3rd Party Consulting or Ancillary Costs (Rule 23.5)	Actual cost incurred by District
68	Legal work performed by MPMWD Counsel on Water Entitlement Related Actions (Rule 23.5)	Charged at the hourly rate of retained MPWMD legal counsel at the time services are rendered
69	Direct Costs – Courier Charge, Federal Express Charges	Actual cost incurred by District when less than three deed restrictions are being transported
Water Use Credits and On-Site Credit Activity (Rule 25.5)		
70	Extension of a prior documented On-Site Water Use Credit	\$70 plus \$70 per hour for more than 1 hour

71	Documentation of Water Use Credit -- Non-Residential (Rule 25.5)	\$105 plus \$70 per hour for more than 1.5 hours
72	3rd Party Consulting or Ancillary Costs incurred to verify water use savings	Actual cost incurred by District
Water Credit Transfer Activity (Rule 28)		
73	Application to Transfer a Water Use Credit (originating Site)	\$2100 plus \$70 per hour for more than 30 hours
74	Application for a Water Permit utilizing a Water Credit Transfer (receiving Site)	\$700 plus \$70 per hour for more than 10 hours
75	Complex Transfer fee for projects proposing to save water by means of new water saving technology	\$2800 plus \$70 per hour for more than 40 hours
76	3rd Party Consulting or Ancillary Costs incurred to review transfer	Actual cost incurred by District
Water Waste Fees (Rules 160 and 171) <i>Fee amounts are tripled for customers using over 1 million gallons/year</i>		
77	First offense	No fee: Written notice and opportunity to correct the situation
78	Fee for first Flagrant Violation during Stages 1-4	\$100
79	Fee for second Flagrant Violation within 12 months during Stages 1-4	\$250
80	Fee for third and subsequent Flagrant Violations within 12 months during Stages 1-4	\$500
81	Fee for the first Flagrant Violation during Stages 5-7	\$150
82	Fee for subsequent Flagrant Violations within 12 months during Stages 5-7	\$500
83	Fee for Administrative Compliance Order or Cease & Desist Order	Up to \$2,500 per day for each ongoing violation, except that the total administrative penalty shall not exceed one hundred thousand dollars (\$100,000.00) exclusive of administrative costs, interest and restitution for compliance re-inspections, for any related series of violations
84	Late payment charges	Half of one percent of the amount owed per month
Well Monitoring Activity (Rule 52)		

85	Registration of an Existing Well -- Non-Public Entities	\$10 per Registration
86	Registration of an Existing Well -- Public Entities	No Fee
87	Registration of a New Well -- Non-Public Entities	No Fee
88	Registration of a New Well -- Public Entities	No Fee
89	Well Registration Form	\$25 per Form
90	Application to Convert Water Well to Monitor Well	\$25 Application Fee \$500 Conversion Fee (upon application approval)

Table added by Ordinance No. 120 (3/21/2005); amended by Resolution No. 2005-06 (8/12/2005); Resolution 2007-02 (4/16/2007); Resolution 2007-06 (5/21/2007); Resolution 2010-09 (7/19/2010); Resolution 2014-05 (4/21/2014); Resolution 2014-14 (07/21/2014)

ITEM: CONSENT CALENDAR**2. AUTHORIZE PURCHASE OR LEASE OF TWO NEW ELECTRIC VEHICLES AND APPROVE ELECTRIC VEHICLE INCENTIVE REPLACEMENT PROGRAM REIMBURSEMENT AGREEMENT WITH THE MONTEREY BAY AIR RESOURCES DISTRICT**

Meeting Date:	November 14, 2016	Budgeted:	Yes
From:	David J. Stoldt, General Manager	Program/ Line Item No.	Capital Assets XX-XX-914000
Prepared By:	Suresh Prasad	Cost Estimate:	\$70,000

General Counsel Review: N/A**Committee Recommendation: The Administrative Committee reviewed this item on November 7, 2016 and on a vote of 3 - 0 recommended approval..****CEQA Compliance: N/A**

SUMMARY: California Assembly Bill 2766 (AB2766), signed into law in 1990, permits the Monterey Bay Air Resources District (MBARD) to allocate a \$4.00 per vehicle registration surcharge fee towards projects that reduce motor vehicle emissions such as zero emission vehicles, roundabouts, traffic signal coordination, or vanpools. Funds may also be used for related planning, monitoring, enforcement, and technical studies. Funds are available to public agencies in Monterey, San Benito and Santa Cruz Counties.

On March 16, 2016, the MBARD Board authorized this year's AB2766 Motor Vehicle Emission Reduction Grant Program.

On May 16, 2016, the District filed a grant application with the MBARD for the purchase of two electric vehicles under category 2, Electric Vehicle Replacement Incentive Program, of the AB2766 FY2015 program. One of the new electric vehicles will replace the 2004 Ford Taurus currently used as a pool car within the Administration and Conservation Department. The second vehicle will replace the 1995 Ford Explorer and will primarily be used for the Conservation Department.

On September 21, 2016, the MBARD Board awarded approximately \$1 million to selected projects. Eligible projects must reduce motor vehicle emissions and/or meet other criteria described in the grant packet. Only public agencies may apply for projects, which must be implemented in Monterey, San Benito and/or Santa Cruz Counties.

On October 18, 2016, the District was notified by MBARD that its grant application filed in May 2016 has been approved towards purchase or lease of two electric vehicles. A copy of the reimbursement agreement from MBARD is attached as Exhibit.

The Electric Vehicle (EV) replacement incentive program is limited to a recommended cap of \$10K. New vehicles may be purchased or leased (minimum of 3 years required). Certified used

vehicles may be purchased with a funding cap of \$7500 (remaining battery life must be disclosed at time of purchase). Match funds are required for eligibility.

Both vehicles scheduled to be replaced has been on the replacement schedule and is included in the FY 2016-2017 Budget. The replaced vehicles will have to be destroyed or sold out of the State to satisfy the requirements of MBARD Agreement.

RECOMMENDATION: District staff recommends authorizing purchase or lease of two new electric vehicles at a cost not-to-exceed \$70,000 and also authorize the General Manager or the Chief Financial Officer to execute a reimbursement agreement with MBARD relative to the reimbursement of \$20,000 towards the purchase of two electric vehicles.

BACKGROUND: In 1990, California Assembly Bill 2766 (AB2766) was signed into law, which permits the MBARD to allocate a \$4.00 per vehicle registration surcharge fee towards projects that reduce motor vehicle emissions such as zero emission vehicles, roundabouts, traffic signal coordination, or vanpools. Funds may also be used for related planning, monitoring, enforcement, and technical studies. Funds are available to public agencies in Monterey, San Benito and Santa Cruz Counties.

On March 16, 2016, the MBARD Board authorized this year's AB2766 Motor Vehicle Emission Reduction Grant Program. On September 21, 2016, the MBARD Board will award approximately \$1 million to selected projects. In addition, each year the MBARD may recover grant funds from completed projects with a residual balance and projects that were not completed or never initiated. These disencumbered funds are then returned to the grant program budget. The current maximum project award is \$200,000. However, certain qualifying emission reduction projects that exhibit fixed costs that represent 75% or greater of the total project cost are eligible for awards up to \$400,000. Eligible projects must reduce motor vehicle emissions and/or meet other criteria described in this packet. Only public agencies may apply for projects, which must be implemented in Monterey, San Benito and/or Santa Cruz Counties.

Emission reduction projects must enable reduction of ozone precursor emissions (ROG, NO_x) and PM from vehicle sources. Although only public agencies may apply and receive funds, private entities may implement the projects under contract to these agencies.

EXHIBIT:

2-A MBARD Electric Vehicle Incentive Replacement Program Reimbursement Agreement



24580 Silver Cloud Court
Monterey, CA 93940
PHONE: (831) 647-9411 · FAX: (831) 647-8501

October 18, 2016

Suresh Prasad
Chief Financial Officer
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940

SUBJECT: EV INCENTIVE REPLACEMENT PROGRAM REIMBURSEMENT AGREEMENT 17-22

Dear Mr. Prasad,

The District is pleased to offer the Monterey Peninsula Water Management District a reimbursement agreement for an amount not to exceed \$20,000 to purchase two 2016 Nissan Leaf electric vehicles.

Please read the terms of the agreement then initial and sign where indicated. Print the document single page and either send electronically or via surface mail to my attention. Once the agreement is fully executed, I will forward a copy electronically and you may then initiate the purchase of the vehicles.

Please feel free to contact me if you have any questions at 831.718.8030 or aromero@mbard.org. Again, the District thanks you for your participation in this zero emission program for public agency fleet vehicles.

Respectfully,

A handwritten signature in blue ink, appearing to be "AR", is written over a circular blue stamp or seal.

Alan Romero
Air Quality Planner III
Monterey Bay Air Resources District



Electric Vehicle Incentive Replacement Program Reimbursement Agreement

between the

Monterey Bay Air Resources District

and

Monterey Peninsula Water Management District

The purpose of the Electric Vehicle (EV) Incentive Replacement Program is to fund the purchase of new 100% battery electric vehicles for public agency fleets thereby promoting the use of alternative-fuel technologies and zero-emission vehicles. Pursuant to this Reimbursement Agreement (“Agreement”) the Monterey Bay Air Resources District (hereafter referred to as “District”) hereby agrees to reimburse **Monterey Peninsula Water Management District** (hereafter referred to as "Recipient") for the purchase of **two (2) 2016** _____ **EVs**, to be owned and operated by Recipient. The amount of the reimbursement shall not exceed **\$20,000** in District funds from the AB2766 Motor Vehicle Emission Reduction Program.

A. General Agreements

1. Both parties shall execute this Agreement before the District is obligated to reimburse the Recipient for any expenses.
2. The Start Date shall be the date upon which both parties have signed the voucher agreement.
3. The Completion Date shall be the date the EV is delivered to the Recipient.
4. The Expiration Date shall be one year from the Start Date.
5. The purchase of an EV shall not otherwise be required by any local, state, and/or federal rule, regulation or MOU currently in effect.
6. Rights to the emissions reductions resulting from the Project shall not be claimed by Recipient as emissions reduction credits or in an averaging, banking, and trading program.
7. All EVs purchased with voucher funds shall come with a standard manufacturer’s warranty and shall be operated according to the manufacturer’s specified recommendations.
8. All EVs shall be registered by the CA Department of Motor Vehicles and have at least 75% of the total miles driven and be domiciled within the boundaries of the Monterey Bay Air Resources District.
9. At the sole option of the District, Recipient shall place, or allow the District to place, a logo on a prominent location of the EV(s). The logo design, style, color and placement are the exclusive right of the District.
10. Recipient shall defend, indemnify, and hold District, its officers, agents, employees and volunteers harmless from any and all losses, costs, damages, fines or expenses (including

attorney fees, court costs and expert witness fees) or liability of any kind or character to any person or property arising from, or alleged to arise from, any breach of responsibilities required of Recipient by this Agreement, or which are related in any way to the Project or the EV(s).

B. Recipient Responsibilities

1. The signer of this Agreement affirms his or her legal authority to bind Recipient to the terms of this Agreement, understands and agrees to operate the EV(s) according to the terms of the Agreement, and to not sell or gift that EV(s) to any other party, without prior written permission from District until three years after the Completion Date.
2. Recipient shall execute this Agreement within thirty (30) days of **November 21, 2016**.
3. Recipient shall purchase the EV and request reimbursement from the District pursuant to this Agreement prior to the Expiration Date, unless otherwise extended as set forth in this Agreement.
4. Recipient hereby acknowledges and agrees that purchase of the EV(s) is an informed and voluntary act and the District makes no representation or guarantee regarding quality, condition, safety or proposed use of any EV(s) purchased under this Agreement.
5. Recipient shall maintain and operate the EV(s) in accordance with the manufacturer's specifications and intended use and shall not modify the EV(s) in any manner inconsistent with such specifications
6. Recipient shall operate the EV as a replacement for an existing gasoline or diesel powered fleet vehicle. Recipient shall provide evidence satisfactory to the District that the EV is being operated as such a replacement, and shall certify to the District that the replaced vehicle was in operation prior to its replacement, has been taken out of service and replaced with the EV, and has either been destroyed or sold out of the State of California within a reasonable time after the vehicle has been replaced. Recipient shall use the certification form enclosed as Attachment 5 for such certification, which shall be returned to the District within ninety (90) days of the replacement.
7. Recipient shall comply with all applicable District, federal, state and local laws and regulations, and shall obtain all permits, approvals or clearances required to implement the Project, including any necessary District permits.
8. Recipient shall invoice the District for reimbursement of the purchase of the EV(s) as described in Attachment 2, and provide supporting documentation in a manner and form satisfactory to District staff.
9. Recipient shall submit Annual Mileage Reports for three years after the Completion Date as set forth in Attachment 3. Notwithstanding any other provision of this Agreement, the obligation to submit Annual Mileage Reports and retain records shall continue past the Completion Date until all required Annual Mileage Reports are submitted, as more fully set forth in Attachment 3.

C. District Responsibilities

1. In consideration of Recipient's performance under this Agreement, District shall reimburse Recipient for the cost of purchasing the EV(s), said reimbursement being limited to the amount set forth on page 1 of this Agreement. District shall not be

- obligated to reimburse Recipient for any other expenses associated with the EV(s) or the Project, other than the purchase price of the EV(s).
2. District may withhold reimbursement for the EV(s) if Recipient has unmet obligation(s) under this Agreement.
 3. District staff shall respond promptly to any Recipient questions regarding this Agreement.
 4. District shall make payment within ten (10) working days of District's approval of the invoice submitted by Recipient.
 5. Should Recipient be found to be noncompliant with the terms of this Agreement, the District may seek relief by any remedies available under law, including a right to cancel the Agreement and/or demand that Recipient reimburse to District all or a portion of the voucher.

D. Correspondence

All notices, invoices, or correspondence between the parties to this Agreement shall be sent via first class mail using the addresses shown below, which may only be changed by written notice to the other party.

For all Invoices, District:

Accounting Division
 EV Incentive Replacement Program
 MBARD
 24580 Silver Cloud Court
 Monterey, CA 93940

For all other items, District:

[Alan Romero](#)
 MBARD
 24580 Silver Cloud Court
 Monterey, CA 93940
 Tel (831) 647-9418 x 241; Fax (831) 647-8501; aromero@mbuapcd.org

Recipient:

Suresh Prasad
Chief Financial Officer
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940
831.658.5600

E. Instructions for Payment

Check One:

Recipient requests payment to be made by 1-party check, said check to be payable only to Recipient.

Recipient requests payment to be made by 1-party check, said check to be payable only to the vendor designated below:

Vendor:

Name: _____

Address: _____

City, State, Zip code: _____ Telephone: _____

Recipient requests payment to be made by 2-party check, said check to be payable to Recipient and the vendor designated below:

Vendor:

Name: _____

Address: _____

City, State, Zip code: _____ Telephone: _____

F. Assignment and Delegation

1. This Agreement and any benefits associated herewith may not be assigned without the prior written agreement of District.
2. Recipient may not delegate any duty or obligation to render performance under this Agreement, or assign payment of funds due under this Agreement except as provided herein, without prior written permission of District.

G. Severability

If any clause or term of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the Agreement shall remain in full force and effect.

H. Entire Agreement

1. This Agreement and Attachments 1 through 5 contain the entire Agreement and all rights and obligations of the parties.
2. Any amendment to this Agreement may be proposed in writing by either party and shall be signed and dated by both parties before it becomes effective. Oral representations by either party or their representatives shall have no binding force or effect.

I. Termination

- 1. Unless otherwise agreed in writing between the parties to this Agreement, this Agreement shall expire on the Expiration Date.

J. Stop Notice

- 1. District may issue a Stop Notice to Recipient should any of the following occur:
 - a) Breach, or failure to abide by any terms or conditions of this Agreement;
 - b) Assignment of any benefits of this Agreement, or delegation of any duties due under this Agreement to a third party;
 - c) Bankruptcy, or dissolution of Recipient;
 - d) Failure by Recipient to perform duties and responsibilities in a timely, professional or competent manner;
 - e) Failure by Recipient to make reasonable progress toward implementing this Agreement.
- 2. Upon receipt of a Stop Notice Recipient shall cease implementation of the Project by the date indicated in the notice.

K. Acceptance

The undersigned authorized representatives of the parties to this Agreement do hereby agree to abide by all the terms and conditions of this Agreement:

For Recipient:

For District:

Suresh Prasad
Chief Financial Officer

Stedman
Air Pollution Control Officer

Richard A.

Date: _____

Date: _____

ATTACHMENT 1 - STATEMENTS AND CERTIFICATIONS EV Incentive Replacement Program

A. Disclosure of Funds Statement

I certify that I shall not submit another application or sign another agreement or contract for the same specific EV(s) designated in this Agreement, with any other source of funds, including but not limited to other Air Districts or the ARB for a multi-district project.

Recipient has received prior incentive funding for this project EV(s):

Yes No

If yes:

Funding Source: _____ Amount: \$ _____ Contract Term: _____ (years)

Recipient

Date

Print name and title: _____

B. Conflict of Interest Certification

I certify that no principal, director, or executive (“principal”) of Recipient is a member of the Board of Directors, Advisory Committee, Hearing Board, any other District committee, or staff member of District, with exceptions noted below, if any.

I further certify that no principal of Recipient has any economic relationship with a member of the Board of Directors, Advisory Committee, Hearing Board, or any staff member of District with exceptions noted below, if any.

Non-disclosure of either a membership or economic relationship with District is a breach of this Agreement and allows District to terminate the Agreement.

Exceptions (if any, use extra sheets if necessary):

_____.

Recipient

Date

Print name and title: _____

This concludes Attachment 1

ATTACHMENT 2 – REIMBURSEMENT REQUEST INSTRUCTIONS EV Incentive Replacement Program

A. General. Recipient shall use the form on the following page (**1 page plus attachments**) to request payment to a vendor or reimbursement to Recipient for the purchase of the EV(s) (“Reimbursement Request”). Reimbursement Requests shall be approved by District staff prior to reimbursement. Recipient shall provide supporting documentation satisfactory to District staff. Reimbursement Requests shall include original, ink signature of Recipient, sent by U.S. Mail or hand delivered to District, marked “Attention: Accounting Division.”

B. Cover Letter. Use the form on the following page to submit your Voucher Invoice. **Do not use white-out.**

C. Attachments to Reimbursement Request. Include the following attachments to the cover letter (copies are acceptable):

1. Invoices must be itemized.
 - If payment is solely to Recipient itemized receipts or invoices must be marked “Paid,” or attach cashed checks.
 - If payment is solely to vendor attach unpaid itemized invoices or Recipient’s purchase orders.
 - If payment is by two-party check attach unpaid itemized invoices or Recipient’s purchase orders.
2. Manufacturer’s written certificate of warranty for all EVs covering parts and labor for at least one year or equivalent use.
3. Any other expenses or payment documentation as requested by District.

D. Reimbursement Request Processing. District shall pay the invoiced amount within 10 working days of the following conditions being met:

1. An original Reimbursement Request signed by Recipient was delivered to District in accordance with this Agreement and was approved by District;
2. District has conducted a Completion/Post Inspection of the EV(s).
3. District has found that the Recipient has met all applicable terms and conditions of the Agreement.

Reimbursement Request

Mail To:

MBARD

ATTN: Accounting Division

24580 Silver Cloud Court

Monterey, CA 93940

(831) 647-9411

This letter is to request reimbursement for the following project:

1. Project Identification

Voucher Number: 17-22 Name/Title of Recipient: _____

Mailing Address: _____ Phone Number: _____

2. Description of Expenditures: (Identify make/model, model year, VIN and license plate number of the EV(s))

3. Amount of Reimbursement Request: _____

(State the exact amount requested for reimbursement. Invoices will not be paid above the voucher amount.)

Less than voucher amount? (yes/no): _____

Is this the final invoice? (yes/no): _____

4. Amount previously Reimbursed (if any): _____

5. Instructions for Payment: _____

(Submit documentation that all voucher-eligible expenses, for which reimbursement is requested, have been paid.)

6. Is this a two-party check? (yes/no): _____

(Recipient must have specified in the Agreement, Section H.)

7. Payee Identification: _____

(Federal or State Employer Identification Number, or Social Security Number of Recipient AND, if two-party check is requested, the vendor/supplier.)

8: Signature:

I certify that all expenditures for which reimbursement is hereby requested, occurred for the purposes stated in this invoice.

Print Name

Recipient Signature

Date

This concludes Attachment 2

ATTACHMENT 3 - INSTRUCTIONS FOR MILEAGE REPORTS EV Incentive Replacement Program

1. **Reports Required.** Annual Mileage Reports are required as described below from the Recipient to the District for three consecutive years after the Completion Date.
2. **Schedule of Reports.** Recipient's first Annual Mileage Report shall be through December 31 of the calendar year of the Start Date. Subsequent Annual Mileage Reports shall cover a full calendar year and shall be due by January 30 of the following year.
3. **Content of Reports.** Each Annual Mileage Report shall report EV miles driven for the periods set forth above. The report shall also describe any major repairs or modifications, malfunctions, and/or replacement of the EV(s) during the year.
4. **How to report.** Recipient shall submit annual mileage reports via email, fax or hard copy mail to the District by the date required.
5. **Record Retention.** Recipient shall retain all use, repair, and maintenance records for a minimum of three (3) years the Completion Date.
6. **Noncompliance.** Noncompliance with the reporting requirements shall require on-site monitoring or inspection(s).

This concludes Attachment 3

**ATTACHMENT 4 – EXTENSION REQUEST
EV Incentive Replacement Program**

Extension Request Form

Subsection B.3 of this Agreement specifies that the EV(s) must be purchased and reimbursement requested prior to the Expiration Date.

Please complete this form as a request for extension if you wish to request a time extension within which to comply with this obligation. Submit this completed form to the District no later than 60 days prior to the Expiration Date as described in this Agreement.

The District may approve, in writing at its sole discretion, a time extension.

Date of Request: _____
Reimbursement Agreement Number: _____

1. The EV(s) was ordered on (date): _____

Write reasons why the delay occurred: _____

Name of Recipient	Signature of Recipient	Date
-------------------	------------------------	------

Send completed form to:
Monterey Bay Air Resources District
EV Incentive Replacement Program
24580 Silver Cloud Court
Monterey, CA 93940
(831) 647-9411
Fax: (831) 647-8501

This concludes Attachment 4

**ATTACHMENT 5 – REPLACEMENT CERTIFICATION
EV Incentive Replacement Program**

Replacement Certification Form

I certify that the below described Replaced Vehicle(s) was in operation as of the Start Date, and has been taken out of operation and replaced with the EV(s). I further certify that the below described Replaced Vehicle(s) has been (check one) destroyed; will be destroyed by _____ [indicate date; subsequent certification must be provided upon destruction]; sold out of the State of California [copy of sales receipt required to be enclosed]; or is in the process of being sold out of the State of California. [If in the process, please describe in detail below your efforts to sell the Replaced EV; subsequent certification required upon sale.]

Description of Replaced Vehicle(s) (include make, model, VIN and license plate number):

Efforts to sell Replaced Vehicle(s) out of the State of California:

Recipient

Date

Print name and title: _____

This concludes Attachment 5

ITEM: CONSENT CALENDAR**3. CONSIDER FUNDING ADDITIONAL EXPENDITURES FOR PURE WATER MONTEREY PROJECT**

Meeting Date:	November 14, 2016	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/	Water Supply Projects
		Line Item:	From 1-2-1 (ASR), 1-9-1 (Desal), and 1-10-1 (Local Projects) to 1-5-1 (Groundwater Replenishment)
Prepared By:	David J. Stoldt	Cost Estimate:	\$0

General Counsel Review: N/A**Committee Recommendation: The Administrative Committee reviewed this item on March 14, 2016 and a vote of 3 – 0 recommended approval.****CEQA Compliance: N/A**

SUMMARY: The Monterey Regional Water Pollution Control Agency (MRWPCA) Board approved a \$2,334,531 contract with Kennedy/Jenks Consultants Inc. (K/J) on July 25, 2016, for 100% design and Bid Services of the Advanced Water Purification Facilities (AWPF). This was approved outside of the adopted PWM budget. This was done in order to meet the time constraints offered to the California Public Utilities Commission (CPUC) for approval of the project and the milestones offered to the State Water Resources Control Board (SWRCB) for extension of the Cease and Desist Order. Continuing with the 100% design work and bid services for the AWPF is crucial to the timely completion of the project as that is the most complicated project component. To continue progress in this regard, additional funding is required.

The recommendation is to authorize \$871,785 of District funds for this purpose, to be transferred from other budgeted categories and the deferral of other project elements.

Approval of these fund transfers will only enable partial continued progress and a mid-year budget adjustment and identified funding plan will be brought to the Board in January.

RECOMMENDATION: The General Manager recommends the Board authorize the reassignment of budgeted amounts totaling \$871,785 to the Pure Water Monterey project. The Administrative Committee reviewed this item on November 7, 2016 and on a vote of 3 – 0 recommended adoption.

BACKGROUND: The contract specifies the following: 1) contract shall be lump sum with three separate Notices to Proceed for the three phases 2) contract shall prescribe payments dates

and shall only be entered into if MPWMD approves paying their share and will be contingent on a positive CPUC decision.

On July 28, 2016 Notice to Proceed with Phase 2 – 60% Design was issued. 60% design was submitted to MRWPCA for review in early October 4, 2016 and discussed at a design workshop on October 19, 2016.

The phases and costs are broken out below:

Phase 2 – 60% design – scheduled completion Oct 3, 2016	\$1,197,272
Phase 3 – 100% design – scheduled completion Nov 29, 2016	\$ 961,997
Phase 4 – Final contract docs and Bidding Support – by Jan 30, 2017	<u>\$ 175,263</u>
Total, Phases 2, 3, and 4	\$ 2,334,531

The District's portion is \$1,750,898. Hence, this action is only a partial funding.

The CPUC approved the Water Purchase Agreement with Cal Am on September 15, 2016. However, the State Revolving Fund Loan (SRF) and Grant funding was delayed securing the water rights for Blanco Drain and Reclamation Ditch. Now that we have agreed to terms dismissing the water rights protests, we are moving forward as quickly as possible with the rest of the permitting work that will lead to funding from the State in the form of the SRF and Proposition 1 grant.

We anticipated receiving the SRF funding in December, which is why we brought the Board only a 6-month budget for PWM last June. Due to slow activity at both the SWRCB and the US Fish and Wildlife Service, we now anticipate funding in February or later. Hence, the reimbursement of pre-construction costs that we expected to use to fulfill unbudgeted costs cannot occur in time to complete final design in a timely fashion.

The sources of funds for this authorization comes from deferral of District activities in the current fiscal year as follows:

Aquifer Storage and Recovery	\$696,785 (leaves \$329,130)
Cal-Am Desal Project financing	\$100,000 (leaves \$100,000)
Local Water Project (Fairgrounds)	<u>\$ 75,000</u>
Total	\$871,785

EXHIBIT 4-A

Ordinance 152 Citizens' Oversight Panel

2016 Annual Report

2015-16 Topics of Discussion

The following areas of discussion represent four key topics the Panel has identified of particular interest or concern during the current year.

1. **Reinstatement of District User Fee:** District Ordinance No. 152 which established the Water Supply Charge states in its Section 10.C(b) that the District shall not collect a Water Supply Charge “to the extent alternative funds are available via a charge collected on the California American Water Company bill.” On January 25, 2016 the California Supreme Court filed its opinion in the suit the District brought against the California Public Utilities Commission (CPUC or PUC), determining “PUC Decision No. 11-03-035 (rejecting Cal-Am’s application for authorization to collect the District’s user fee, and also rejecting the settlement agreement entered into by Cal-Am, the District, and the Division of Ratepayer Advocates [now ORA]) and PUC Decision No. 13-01-040 (denying the District’s application for rehearing) are set aside. The matter is remanded to the PUC for further proceedings consistent with the views expressed herein.” The District, Cal-Am, and ORA filed a Joint Motion to reinstate the User Fee last week.

Therefore, it is incumbent upon the Board to examine its needs and availability of its two primary funding sources and develop a plan for their use, including reductions or possible sunsets of either or both.

The General Manager and Chief Financial Officer thoroughly examined the issue and in April the Board adopted the following recommended strategy:

Collect both charges for at least 3 years. This would be done for 4 key reasons: (i) the User Fee would primarily fund programs already in Cal-Am surcharges (District conservation and river mitigation), so there is little “new” revenue; (ii) the Monterey Peninsula Taxpayers Association lawsuit over the Water Supply Charge remains unresolved, hence that revenue remains at risk; (iii) there are still large near-term expenditures required on water supply projects; and (iv) Cal-Am has a recent history of significant revenue undercollection, so the viability of the User Fee is at risk until the CPUC rules on a more stable rate design, and the predictability of the User Fee revenue is better known. After that time, begin to sunset or reduce collections of either or both, if possible.

Have only a single MPWMD User Fee Surcharge on Cal-Am bill, instead of a mitigation surcharge, a conservation surcharge, and the User Fee. Remove the existing Conservation Surcharge and Mitigation Program expenses from the Cal-Am rates as soon as practicable. Capture in MPWMD User Fee budget. Cal-Am to remain responsible for its rebate budget until the User Fee has capacity.

Remove the same programs from the next GRC period (2018-2020).

Calculate solely on “Total Water Service Related Charges” line on bill, plus any prior-year uncollected water service related surcharges, ensuring that the User Fee is based solely on Cal-Am water and meter revenues.

The Citizens Oversight Panel cautiously supports this plan. The panel believes progress is being made on a permanent water supply solution for which large scale expenditure of District funds are being made. A 3-year “wait-and-see” period makes sense. However, the Panel expects the District to maintain fiscal discipline and keep its financial “house in order.”

The Panel believes that during this period the District should (a) develop a meaningful plan to sunset the Water Supply Charge, in whole or in part, and (b) develop a plan to retire the Rabobank loan that was initiated to pay for the Aquifer Storage and Recovery water supply project in a timely fashion after the District’s User Fee was suspended by the CPUC.

2. **15% Overhead Calculation:** The District presently allocates “indirect labor, supplies, and services” to the calculation of overhead. However, the District continues to include certain labor costs of the General Manager, division managers, and other staff as direct costs of “water supply.” Some members of the Panel believe that some costs identified by the District as direct costs should not be included as overhead. District staff disagrees. The Panel will continue to examine levels of associated overhead.
3. **Deficit Spending:** The Pure Water Monterey groundwater replenishment (GWR) project budget continues to cause the District to incur borrowing from its credit line or use of reserves. It is expected that the practice will continue in the 2016-17 budget for GWR. Such near-term borrowing to meet current pay-as-you-go capital costs is expected by the District to be repaid from future Water Supply Charge collections and, ultimately a reimbursement from State Revolving Fund loan proceeds. The Panel is very concerned that obligating future collections does not result in a balanced budget and results in future claims on the Water Supply Charge which impairs the ability of the District to “sunset” the charge in a timely fashion.
4. **Local Projects:** The Panel continues to support the use of a portion of the Water Supply Charge for Local Projects, such as the Pacific Grove non-potable water source and the Airport well repurposing. As such, the Panel recommends appropriation of a similar sum of money from the Water Supply Charge from future budgets. A summary of such projects to-date is attached.

Local Water Project Funding To-Date

Project	Status
Pacific Grove \$200,000	First \$100,000 spent; Anticipate construction start this fall; Will save 88 AFY
Old Del Monte Golf Course \$80,000	Two wells completed; Awaiting CEQA review of pond; Expect pond construction by February; Will save 40-50 AFY
Monterey Regional Airport \$30,000	Completed study; Identified 104 AFY of non-potable supply; Will attempt to find users in FY 2016-17
City of Monterey \$85,000	Storm water capture study; No expenditures to date; Trying to obtain state grant moneys
City of Seaside \$106,900	Laguna Grande non-potable well; No expenditures to date
Monterey County Fairgrounds \$75,000	Replumb bathrooms to well water; No expenditures to date; Almost 50% reduction in water due to retrofits; Suggest canceling grant

Primary Panel Function

The Ordinance 152 Citizen’s Oversight Panel (the “Panel”) is a committee formed for the sole purpose of providing a forum for public involvement in the budgeting and expenditure of the District’s annual Water Supply Charge. The Panel is directed to meet quarterly and review proposed expenditure of funds for the water supply activities of the District. The Board does not seek consensus from the Panel, but rather input on the ongoing budgeting and expenditure of revenues raised by the water supply charge on water supply related activities. The Panel will submit an annual report for consideration by the Board of Directors. This document serves as that annual report. In the Panel’s by-laws, the report is to be submitted at the September Board meeting, however, the initial panel was not constituted until December 2012, meeting for the first time in early 2013. Hence, the first year of the Panel’s activities just closed.

Also under its by-laws, the Panel is expected to visit District facilities – to be scheduled by the District – to become better acquainted with water supply projects and operations. During the past year, the Panel visited the Aquifer Storage and Recovery site and heard a presentation on the Pure Water Monterey Groundwater Replenishment project.

The Panel will also, from time to time, be requested to provide community input with respect to water supply-related activities. One key area during the past year was the Panel’s encouragement of the creation of funding for Local Water Project, as discussed more within this report.

Pursuant to the Ordinance, proceeds of the water supply charge may only be used to fund District water supply activities, including capital acquisition and operational costs for Aquifer Storage and Recovery (ASR), Groundwater Replenishment (GWR), and desalination purposes, as well as studies related to project(s) necessary to ensure sufficient water is available for present beneficial water use in the main CAW system. In addition to direct costs of the projects, proceeds of this annual water supply charge may also be expended to ensure sufficient water is available for present beneficial use or uses, including water supply management, water demand management, water augmentation program expenses such as planning for, acquiring and/or reserving augmented water supply capacity, including engineering, hydrologic, legal, geologic, financial, and property acquisition, and for reserves to meet the cash-flow needs of the District and to otherwise provide for the cost to provide services for which the charge is imposed. No more than fifteen (15%) of proceeds collected by reason of Ordinance No. 152 shall be used to fund general unallocated administrative overhead.

Panel Composition

The Panel meets the definition of a “legislative body” as defined by the Brown Act; therefore, all meetings shall be noticed and open to the public in compliance with the Brown Act.

The Panel is comprised of 9 members who shall reside within the boundaries of the Monterey Peninsula Water Management District. Members of the Panel shall serve at the pleasure of the District Board.

The Board shall appoint one member from a panel of three persons nominated by the Monterey Peninsula Taxpayers Association, and the Board shall appoint one member from a panel of three persons nominated by the Monterey County Association of Realtors, and each Director shall appoint 1 member to the Panel. Appointees must reside within the District boundaries and may be associated with a community group, but does not have to officially represent any community group.

- a) Each appointee shall serve a term of two years, with terms expiring on January 1, or on the date the appointing Director vacates office as a member of the MPWMD Board of Directors, whichever shall occur first.
- b) A quorum of five (5) Panel members shall be required for an official meeting to be conducted. Action may be taken by majority vote of those Panel members present.
- c) The General Manager will serve as Chair to the Panel, for purposes of facilitating meetings. District staff will provide support to the committee as appropriate.

ITEM: CONSENT CALENDAR**5. CONSIDER APPROVAL OF FIRST QUARTER FISCAL YEAR 2016-2017 INVESTMENT REPORT**

Meeting Date:	November 14, 2016	Budgeted:	N/A
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From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
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Prepared By:	Suresh Prasad	Cost Estimate:	N/A
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General Counsel Review: N/A

Committee Recommendation: The Administrative Committee considered this item on November 7, 2016 and on a vote of 3 – 0 recommended approval.

CEQA Compliance: N/A

SUMMARY: The District’s investment policy requires that each quarter the Board of Directors receive and approve a report on investments held by the District. **Exhibit 5-A** is the report for the quarter ending September 30, 2016. District staff has determined that these investments do include sufficient liquid funds to meet anticipated expenditures for the next six months and as a result this portfolio is in compliance with the current District investment policy. This portfolio is in compliance with the California Government Code, and the permitted investments of Monterey County.

RECOMMENDATION: The Administrative Committee considered this item at its November 7, 2016 meeting and voted 3 to 0 to recommend approval of the investment report.

EXHIBIT

5-A Investment Report as of September 30, 2016

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
INVESTMENT REPORT AS OF SEPTEMBER 30, 2016**

MPWMD

Issuing Institution Security Description	Purchase Date	Maturity Date	Cost Basis	Par Value	Market Value	Annual Rate of Return	Portfolio Distribution
Local Agency Investment Fund	09/30/16	10/01/16	\$201,442	\$201,442	\$201,442	0.600%	11.01%
Bank of America:							
Money Market	09/30/16	10/01/16	92,499	92,499	92,499	0.030%	
Checking	09/30/16	10/01/16	28,916	28,916	28,916	0.000%	
			<u>\$121,414</u>	<u>\$121,414</u>	<u>\$121,414</u>		6.63%
Wells Fargo Money Market	09/30/16	10/01/16	7,594	7,594	7,594	0.010%	
Wells Fargo Institutional Securities:							
Interest Bearing Certificate of Deposit	04/15/14	04/18/17	\$250,000	\$250,000	\$250,746	1.050%	
Interest Bearing Certificate of Deposit	07/09/14	07/10/17	\$250,000	\$250,000	\$250,943	1.150%	
Interest Bearing Certificate of Deposit	04/10/15	10/10/17	\$250,000	\$250,000	\$250,395	1.100%	
Interest Bearing Certificate of Deposit	03/27/15	03/27/18	\$250,000	\$250,000	\$251,106	1.150%	
Interest Bearing Certificate of Deposit	06/17/15	06/18/18	\$250,000	\$250,000	\$251,457	1.550%	
Interest Bearing Certificate of Deposit	09/30/15	10/01/18	\$250,000	\$250,000	\$253,629	1.650%	
			<u>\$1,507,594</u>	<u>\$1,507,594</u>	<u>\$1,515,870</u>	1.269%	82.36%
TOTAL MPWMD			<u>\$1,830,449</u>	<u>\$1,830,449</u>	<u>\$1,838,725</u>	<u>1.112%</u>	

CAWD/PBCSD WASTEWATER RECLAMATION PROJECT

Issuing Institution Security Description	Purchase Date	Maturity Date	Cost Basis	Par Value	Market Value	Annual Rate of Return	Portfolio Distribution
US Bank Corp Trust Services:							9.80%
Certificate Payment Fund	09/30/16	10/01/16	791	791	791	0.000%	
Interest Fund	09/30/16	10/01/16	327	327	327	0.000%	
Rebate Fund	09/30/16	10/01/16	19	19	19	0.000%	
			<u>\$1,136</u>	<u>\$1,136</u>	<u>\$1,136</u>	0.000%	
Bank of America:							90.20%
Money Market Fund	09/30/16	10/01/16	10,462	10,462	\$10,462	0.037%	
TOTAL WASTEWATER RECLAMATION PROJECT			<u>\$11,598</u>	<u>\$11,598</u>	<u>\$11,598</u>	<u>0.033%</u>	

These investments do include sufficient liquid funds to meet anticipated expenditures for the next six months as reflected in the FY 2016-2017 annual budget adopted on June 20, 2016.

ITEM: CONSENT CALENDAR**6. CONSIDER ADOPTION OF TREASURER'S REPORT FOR SEPTEMBER 2016**

Meeting Date:	November 14, 2016	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
Prepared By:	Suresh Prasad	Cost Estimate:	N/A

General Counsel Review: N/A**Committee Recommendation: The Administrative Committee considered this item on November 7, 2016 and on a vote of 3 – 0 recommended approval.****CEQA Compliance: N/A**

SUMMARY: Exhibit 6-A comprises the Treasurer's Report for September 2016. Exhibit 6-B, Exhibit 6-C and Exhibit 6-D are listings of check disbursements for the period September 1-30, 2016. Check Nos. 27076 through 27335, the direct deposits of employee's paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$898,522.08. That amount included \$15,390.73 for conservation rebates. Exhibit 6-E reflects the unaudited version of the financial statements for the month ending September 30, 2016.

RECOMMENDATION: District staff recommends adoption of the September 2016 Treasurer's Report and financial statements, and ratification of the disbursements made during the month. The Administrative Committee reviewed this item at its November 7, 2016 meeting and voted 3 to 0 to recommend adoption.

EXHIBITS

- 6-A** Treasurer's Report
- 6-B** Listing of Cash Disbursements-Regular
- 6-C** Listing of Cash Disbursements-Payroll
- 6-D** Listing of Other Bank Items
- 6-E** Financial Statements

EXHIBIT 6-A**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT FOR SEPTEMBER 2016**

<u>Description</u>	<u>Checking</u>	<u>MPWMD Money Market</u>	<u>L.A.I.F.</u>	<u>Wells Fargo Investments</u>	<u>MPWMD Total</u>	<u>PB Reclamation Money Market</u>
Beginning Balance	(\$2,562.36)	\$231,557.75	\$701,441.52	\$1,504,063.78	\$ 2,434,500.69	\$335,628.16
Transfer to/from LAIF		500,000.00	(500,000.00)		0.00	
Fee Deposits		293,438.81			293,438.81	391,842.12
Interest		2.13		3,529.74	3,531.87	4.99
Transfer-Money Market to Checking	\$930,000.00	(930,000.00)			0.00	
Transfer-Money Market to W/Fargo					0.00	
Transfer-W/Fargo to Money Market					0.00	
W/Fargo-Investment Purchase					0.00	
Transfer Ckg to MPWMD M/Mrkt					0.00	
MoCo Tax & WS Chg Installment Pymt					0.00	
Transfer to CAWD					0.00	(717,000.00)
Voided Cks					0.00	
Bank Corrections/Reversals/Errors					0.00	
Bank Charges/Rtn'd Deposits/Other	(\$404.43)	(2,500.07)			(2,904.50)	(13.00)
Payroll Tax Deposits	(46,791.29)				(46,791.29)	
Payroll Checks/Direct Deposits	(200,155.62)				(200,155.62)	
General Checks	(651,170.74)				(651,170.74)	
Bank Draft Payments					0.00	
Ending Balance	\$28,915.56	\$92,498.62	\$201,441.52	\$1,507,593.52	\$1,830,449.22	\$10,462.27

Check Report

By Check Number



Monterey Peninsula Water Management Dist

Date Range: 09/01/2016 - 09/30/2016

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK	-Bank of America Checking					
00254	MoCo Recorder	09/02/2016	Regular	0.00	-125.00	27074
00763	ACWA-JPIA	09/01/2016	Regular	0.00	440.25	27076
00767	AFLAC	09/01/2016	Regular	0.00	1,289.16	27077
00253	AT&T	09/01/2016	Regular	0.00	716.20	27078
00236	AT&T Long Distance	09/01/2016	Regular	0.00	322.55	27079
09127	Ben Meadows	09/01/2016	Regular	0.00	87.93	27080
12188	Brown and Caldwell	09/01/2016	Regular	0.00	5,351.18	27081
00243	CalPers Long Term Care Program	09/01/2016	Regular	0.00	40.56	27082
00046	De Lay & Laredo	09/01/2016	Regular	0.00	31,274.77	27083
08697	Elizabeth Flores	09/01/2016	Regular	0.00	287.85	27084
00267	Employment Development Dept.	09/01/2016	Regular	0.00	4,029.52	27085
00287	Eric Sandoval	09/01/2016	Regular	0.00	363.23	27086
07624	Franchise Tax Board	09/01/2016	Regular	0.00	35.00	27087
07624	Franchise Tax Board	09/01/2016	Regular	0.00	85.99	27088
00285	Gabby Ayala	09/01/2016	Regular	0.00	69.92	27089
00072	Goodin,MacBride,Squeri,Day,Lamprey	09/01/2016	Regular	0.00	396.00	27090
00073	Grindstone Sharpening	09/01/2016	Regular	0.00	155.39	27091
00993	Harris Court Business Park	09/01/2016	Regular	0.00	721.26	27092
00277	Home Depot Credit Services	09/01/2016	Regular	0.00	17.70	27093
00768	ICMA	09/01/2016	Regular	0.00	4,572.09	27094
06745	KBA Docusys - Lease Payments	09/01/2016	Regular	0.00	946.13	27095
00222	M.J. Murphy	09/01/2016	Regular	0.00	9.14	27096
09983	Maryan Gonnerman	09/01/2016	Regular	0.00	105.17	27097
00078	Michael Hutnak	09/01/2016	Regular	0.00	1,360.00	27098
07998	Monterey Peninsula Regional Park District	09/01/2016	Regular	0.00	519.55	27099
08700	Monterey Regional Waste Management District	09/01/2016	Regular	0.00	15.00	27100
00274	MRWPCA	09/01/2016	Regular	0.00	302,577.78	27101
00256	PERS Retirement	09/01/2016	Regular	0.00	13,974.78	27102
00282	PG&E	09/01/2016	Regular	0.00	2,124.00	27103
00262	Pure H2O	09/01/2016	Regular	0.00	64.49	27104
00234	Rapid Printers	09/01/2016	Regular	0.00	139.04	27105
00176	Sentry Alarm Systems	09/01/2016	Regular	0.00	125.50	27106
00766	Standard Insurance Company	09/01/2016	Regular	0.00	1,571.40	27107
12600	Superior Pump Co.	09/01/2016	Regular	0.00	462.50	27108
09351	Tetra Tech, Inc.	09/01/2016	Regular	0.00	1,682.14	27109
00229	Tyler Technologies	09/01/2016	Regular	0.00	1,613.00	27110
00269	U.S. Bank	09/01/2016	Regular	0.00	3,043.16	27111
00221	Verizon Wireless	09/01/2016	Regular	0.00	1,373.82	27112
00254	MoCo Recorder	09/06/2016	Regular	0.00	32.00	27113
00254	MoCo Recorder	09/07/2016	Regular	0.00	35.00	27118
00254	MoCo Recorder	09/07/2016	Regular	0.00	55.00	27119
00254	MoCo Recorder	09/07/2016	Regular	0.00	14.00	27120
00254	MoCo Recorder	09/07/2016	Regular	0.00	61.00	27121
00254	MoCo Recorder	09/07/2016	Regular	0.00	64.00	27122
00254	MoCo Recorder	09/07/2016	Regular	0.00	32.00	27123
00254	MoCo Recorder	09/07/2016	Regular	0.00	26.00	27124
00249	A.G. Davi, LTD	09/09/2016	Regular	0.00	395.00	27125
00253	AT&T	09/09/2016	Regular	0.00	1,332.38	27126
00252	Cal-Am Water	09/09/2016	Regular	0.00	86.25	27127
00252	Cal-Am Water	09/09/2016	Regular	0.00	91.36	27128
00230	Cisco WebEx, LLC	09/09/2016	Regular	0.00	399.60	27129
00281	CoreLogic Information Solutions, Inc.	09/09/2016	Regular	0.00	429.00	27130
00761	Delores Cofer	09/09/2016	Regular	0.00	405.00	27131
00267	Employment Development Dept.	09/09/2016	Regular	0.00	4.23	27132

Check Report

Date Range: 09/01/2016 - 09/30/2016

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00986	Henrietta Stern	09/09/2016	Regular	0.00	2,298.00	27133
00277	Home Depot Credit Services	09/09/2016	Regular	0.00	329.26	27134
04717	Inder Osahan	09/09/2016	Regular	0.00	1,149.00	27135
11223	In-Situ	09/09/2016	Regular	0.00	1,769.20	27136
00094	John Arriaga	09/09/2016	Regular	0.00	2,500.00	27137
00769	Laborers Trust Fund of Northern CA	09/09/2016	Regular	0.00	27,775.00	27138
00222	M.J. Murphy	09/09/2016	Regular	0.00	133.22	27139
00259	Marina Coast Water District	09/09/2016	Regular	0.00	74.41	27140
00259	Marina Coast Water District	09/09/2016	Regular	0.00	1,381.22	27141
12597	Maureen Hamilton	09/09/2016	Regular	0.00	25.00	27142
06438	Milliman, Inc.	09/09/2016	Regular	0.00	2,800.00	27143
00118	Monterey Bay Carpet & Janitorial Svc	09/09/2016	Regular	0.00	2,000.00	27144
00225	Palace Office Supply	09/09/2016	Regular	0.00	239.26	27145
00154	Peninsula Messenger Service	09/09/2016	Regular	0.00	607.00	27146
00282	PG&E	09/09/2016	Regular	0.00	1.67	27147
07627	Purchase Power	09/09/2016	Regular	0.00	22.14	27148
00988	SDRMA - Workers Comp. Insurance	09/09/2016	Regular	0.00	6,490.01	27149
04719	Telit Wireless Solutions	09/09/2016	Regular	0.00	361.67	27150
00269	U.S. Bank	09/09/2016	Regular	0.00	89.60	27151
00207	Universal Staffing Inc.	09/09/2016	Regular	0.00	1,622.40	27152
00750	Valley Saw & Garden Equipment	09/09/2016	Regular	0.00	298.90	27153
00254	MoCo Recorder	09/15/2016	Regular	0.00	32.00	27156
00254	MoCo Recorder	09/15/2016	Regular	0.00	29.00	27157
00254	MoCo Recorder	09/15/2016	Regular	0.00	61.00	27158
00254	MoCo Recorder	09/15/2016	Regular	0.00	61.00	27159
00254	MoCo Recorder	09/15/2016	Regular	0.00	61.00	27160
00254	MoCo Recorder	09/16/2016	Regular	0.00	61.00	27161
00763	ACWA-JPIA	09/16/2016	Regular	0.00	474.60	27162
01188	Alhambra	09/16/2016	Regular	0.00	162.59	27163
00036	Bill Parham	09/16/2016	Regular	0.00	650.00	27164
00243	CalPers Long Term Care Program	09/16/2016	Regular	0.00	40.56	27165
12601	Carmel Valley Ace Hardware	09/16/2016	Regular	0.00	72.74	27166
01001	CDW Government	09/16/2016	Regular	0.00	515.00	27167
00028	Colantuono, Highsmith, & Whatley, PC	09/16/2016	Regular	0.00	3,504.85	27168
06268	Comcast	09/16/2016	Regular	0.00	415.43	27169
00041	Denise Duffy & Assoc. Inc.	09/16/2016	Regular	0.00	6,612.00	27170
00267	Employment Development Dept.	09/16/2016	Regular	0.00	5,408.15	27171
00758	FedEx	09/16/2016	Regular	0.00	59.99	27172
07624	Franchise Tax Board	09/16/2016	Regular	0.00	35.00	27173
07624	Franchise Tax Board	09/16/2016	Regular	0.00	85.48	27174
00285	Gabby Ayala	09/16/2016	Regular	0.00	180.00	27175
00277	Home Depot Credit Services	09/16/2016	Regular	0.00	329.26	27176
03965	Irrigation Association	09/16/2016	Regular	0.00	500.00	27177
00222	M.J. Murphy	09/16/2016	Regular	0.00	21.49	27178
12595	Monterey County Assessor	09/16/2016	Regular	0.00	65.00	27179
00225	Palace Office Supply	09/16/2016	Regular	0.00	309.41	27180
00755	Peninsula Welding Supply, Inc.	09/16/2016	Regular	0.00	97.78	27181
00256	PERS Retirement	09/16/2016	Regular	0.00	13,974.77	27182
00282	PG&E	09/16/2016	Regular	0.00	21.05	27183
00752	Professional Liability Insurance Service	09/16/2016	Regular	0.00	38.78	27184
04709	Sherron Forsgren	09/16/2016	Regular	0.00	637.86	27185
00286	Stephanie L Locke	09/16/2016	Regular	0.00	437.00	27186
00269	U.S. Bank	09/16/2016	Regular	0.00	447.01	27187
00207	Universal Staffing Inc.	09/16/2016	Regular	0.00	1,460.16	27188
00271	UPEC, Local 792	09/16/2016	Regular	0.00	1,039.28	27189
00254	MoCo Recorder	09/21/2016	Regular	0.00	61.00	27190
00254	MoCo Recorder	09/21/2016	Regular	0.00	55.00	27191
00254	MoCo Recorder	09/21/2016	Regular	0.00	80.00	27192
00254	MoCo Recorder	09/21/2016	Regular	0.00	61.00	27193
00254	MoCo Recorder	09/21/2016	Regular	0.00	26.00	27194
00254	MoCo Recorder	09/21/2016	Regular	0.00	29.00	27195

Check Report

Date Range: 09/01/2016 - 09/30/2016

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00254	MoCo Recorder	09/21/2016	Regular	0.00	61.00	27196
00254	MoCo Recorder	09/21/2016	Regular	0.00	26.00	27197
00254	MoCo Recorder	09/21/2016	Regular	0.00	29.00	27198
00254	MoCo Recorder	09/21/2016	Regular	0.00	29.00	27199
00254	MoCo Recorder	09/21/2016	Regular	0.00	32.00	27200
00010	Access Monterey Peninsula	09/27/2016	Regular	0.00	440.00	27252
12603	Andrew Washburn	09/27/2016	Regular	0.00	946.05	27253
00760	Andy Bell	09/27/2016	Regular	0.00	810.00	27254
00253	AT&T	09/27/2016	Regular	0.00	60.92	27255
00253	AT&T	09/27/2016	Regular	0.00	717.27	27256
00252	Cal-Am Water	09/27/2016	Regular	0.00	158.85	27257
00243	CalPers Long Term Care Program	09/27/2016	Regular	0.00	40.56	27258
00237	Chevron	09/27/2016	Regular	0.00	512.66	27259
00046	De Lay & Laredo	09/27/2016	Regular	0.00	28,953.60	27260
00192	Extra Space Storage	09/27/2016	Regular	0.00	716.00	27261
00277	Home Depot Credit Services	09/27/2016	Regular	0.00	51.89	27262
03857	Joe Oliver	09/27/2016	Regular	0.00	1,149.00	27263
05371	June Silva	09/27/2016	Regular	0.00	387.24	27264
12597	Maureen Hamilton	09/27/2016	Regular	0.00	442.80	27265
07418	McMaster-Carr	09/27/2016	Regular	0.00	151.42	27266
04032	Normandeau Associates, Inc.	09/27/2016	Regular	0.00	1,992.50	27267
00282	PG&E	09/27/2016	Regular	0.00	34,826.53	27268
00282	PG&E	09/27/2016	Regular	0.00	8,360.08	27269
00282	PG&E	09/27/2016	Regular	0.00	66.21	27270
00282	PG&E	09/27/2016	Regular	0.00	20.61	27271
00282	PG&E	09/27/2016	Regular	0.00	6,070.94	27272
06746	POSTMASTER	09/27/2016	Regular	0.00	200.00	27273
06746	POSTMASTER	09/27/2016	Regular	0.00	232.50	27274
00159	Pueblo Water Resources, Inc.	09/27/2016	Regular	0.00	7,636.26	27275
00166	Rickly Hydrological Co.	09/27/2016	Regular	0.00	1,886.65	27276
00283	SHELL	09/27/2016	Regular	0.00	595.22	27277
09351	Tetra Tech, Inc.	09/27/2016	Regular	0.00	2,112.69	27278
00258	TBC Communications & Media	09/27/2016	Regular	0.00	10,100.00	27279
00207	Universal Staffing Inc.	09/27/2016	Regular	0.00	811.20	27280
00754	Zone24x7	09/27/2016	Regular	0.00	4,503.50	27281
00254	MoCo Recorder	09/29/2016	Regular	0.00	29.00	27284
00254	MoCo Recorder	09/29/2016	Regular	0.00	70.00	27285
00254	MoCo Recorder	09/29/2016	Regular	0.00	61.00	27286
00254	MoCo Recorder	09/29/2016	Regular	0.00	55.00	27287
00254	MoCo Recorder	09/29/2016	Regular	0.00	29.00	27288
00254	MoCo Recorder	09/29/2016	Regular	0.00	29.00	27289
00254	MoCo Recorder	09/29/2016	Regular	0.00	26.00	27290
00254	MoCo Recorder	09/29/2016	Regular	0.00	29.00	27291
00254	MoCo Recorder	09/29/2016	Regular	0.00	29.00	27292
00254	MoCo Recorder	09/29/2016	Regular	0.00	29.00	27293
00254	MoCo Recorder	09/29/2016	Regular	0.00	61.00	27294
00254	MoCo Recorder	09/29/2016	Regular	0.00	61.00	27295
00254	MoCo Recorder	09/29/2016	Regular	0.00	29.00	27296
00254	MoCo Recorder	09/29/2016	Regular	0.00	61.00	27297
00254	MoCo Recorder	09/30/2016	Regular	0.00	61.00	27302
03966	ACWA (Memberships/Conferences/Publications)	09/30/2016	Regular	0.00	400.00	27303
00767	AFLAC	09/30/2016	Regular	0.00	1,289.16	27304
00263	Arlene Tavani	09/30/2016	Regular	0.00	990.26	27305
00236	AT&T Long Distance	09/30/2016	Regular	0.00	11.07	27306
12188	Brown and Caldwell	09/30/2016	Regular	0.00	2,713.49	27307
01001	CDW Government	09/30/2016	Regular	0.00	270.29	27308
00024	Central Coast Exterminator	09/30/2016	Regular	0.00	104.00	27309
00230	Cisco WebEx, LLC	09/30/2016	Regular	0.00	295.20	27310
04041	Cynthia Schmidlin	09/30/2016	Regular	0.00	675.00	27311
00267	Employment Development Dept.	09/30/2016	Regular	0.00	3,872.52	27312
00758	FedEx	09/30/2016	Regular	0.00	26.41	27313

Check Report

Date Range: 09/01/2016 - 09/30/2016

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
07624	Franchise Tax Board	09/30/2016	Regular	0.00	85.99	27314
07624	Franchise Tax Board	09/30/2016	Regular	0.00	35.00	27315
00993	Harris Court Business Park	09/30/2016	Regular	0.00	721.26	27316
00277	Home Depot Credit Services	09/30/2016	Regular	0.00	30.83	27317
00768	ICMA	09/30/2016	Regular	0.00	4,901.09	27318
11223	In-Situ	09/30/2016	Regular	0.00	227.90	27319
06828	Jobs Available	09/30/2016	Regular	0.00	351.00	27320
06745	KBA Docusys - Lease Payments	09/30/2016	Regular	0.00	946.13	27321
00222	M.J. Murphy	09/30/2016	Regular	0.00	25.79	27322
00120	Martin B. Feeney, PG, CHG	09/30/2016	Regular	0.00	2,985.00	27323
00225	Palace Office Supply	09/30/2016	Regular	0.00	45.41	27324
00256	PERS Retirement	09/30/2016	Regular	0.00	13,966.72	27325
00282	PG&E	09/30/2016	Regular	0.00	2,041.01	27326
00251	Rick Dickhaut	09/30/2016	Regular	0.00	1,023.00	27327
00228	Ryan Ranch Printers	09/30/2016	Regular	0.00	207.90	27328
00176	Sentry Alarm Systems	09/30/2016	Regular	0.00	125.50	27329
00766	Standard Insurance Company	09/30/2016	Regular	0.00	1,510.56	27330
09989	Star Sanitation Services	09/30/2016	Regular	0.00	86.11	27331
00269	U.S. Bank	09/30/2016	Regular	0.00	2,901.89	27332
00207	Universal Staffing Inc.	09/30/2016	Regular	0.00	811.20	27333
08105	Yolanda Munoz	09/30/2016	Regular	0.00	540.00	27334
06009	yourservicesolution.com	09/30/2016	Regular	0.00	295.00	27335

Payment Type	Bank Code APBNK Summary		Discount	Payment
	Payable Count	Payment Count		
Regular Checks	254	197	0.00	635,905.01
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-125.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	254	198	0.00	635,780.01

Check Report

Date Range: 09/01/2016 - 09/30/2016

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: REBATES-02-Rebates: Use Only For Rebates						
12609	ALANA & JOSE ORTIZ	09/23/2016	Regular	0.00	200.00	27201
12616	ALANA ORTIZ	09/23/2016	Regular	0.00	125.00	27202
12642	BARBARA MC CARDLE	09/23/2016	Regular	0.00	125.00	27203
12646	BRENDAN CONNOLLY	09/23/2016	Regular	0.00	500.00	27204
12625	BRIAN DAVIS	09/23/2016	Regular	0.00	557.50	27205
12634	BRUCE KATAYAMA	09/23/2016	Regular	0.00	100.00	27206
12647	CARMELLA CUVA	09/23/2016	Regular	0.00	500.00	27207
12628	CARMEN NAZAR	09/23/2016	Regular	0.00	298.00	27208
12620	CURTIS & JENNIFER JANSEN	09/23/2016	Regular	0.00	500.00	27209
12614	CYNTHIA BRUNO	09/23/2016	Regular	0.00	125.00	27210
12630	DAVID & LISA ADRIAN	09/23/2016	Regular	0.00	125.00	27211
12604	DAVID SOUZA	09/23/2016	Regular	0.00	500.00	27212
12623	DENNIS JOHNSON	09/23/2016	Regular	0.00	500.00	27213
12632	DOROTHY CABRAL	09/23/2016	Regular	0.00	89.00	27214
12644	DOUG CARTER	09/23/2016	Regular	0.00	500.00	27215
12653	FELIX COLELLO	09/23/2016	Regular	0.00	100.00	27216
12606	GABRIELE BILETI	09/23/2016	Regular	0.00	100.00	27217
12615	Gail Compton	09/23/2016	Regular	0.00	125.00	27218
12639	GARRY TARNOWSKI	09/23/2016	Regular	0.00	487.00	27219
12638	GISELLE YONEKURA	09/23/2016	Regular	0.00	178.00	27220
12618	GUY RIINA	09/23/2016	Regular	0.00	500.00	27221
12622	HARRY E ROGERS	09/23/2016	Regular	0.00	500.00	27222
12654	Heather Flatley	09/23/2016	Regular	0.00	500.00	27223
12633	JAKE KAUFFMAN	09/23/2016	Regular	0.00	100.00	27224
12617	JESSICA WEERS	09/23/2016	Regular	0.00	500.00	27225
12636	JIMMY COOK	09/23/2016	Regular	0.00	149.00	27226
12610	JOSE HERNANDEZ	09/23/2016	Regular	0.00	149.00	27227
12650	JOSEPH OKAMURA	09/23/2016	Regular	0.00	499.99	27228
12651	JOSHUA KETTENTON	09/23/2016	Regular	0.00	499.00	27229
12619	KEITH REDE	09/23/2016	Regular	0.00	499.99	27230
12611	LAURYN JONES	09/23/2016	Regular	0.00	100.00	27231
12649	Marcello Correa de Souza	09/23/2016	Regular	0.00	500.00	27232
12607	MARLA BLAZINA	09/23/2016	Regular	0.00	100.00	27233
12613	MARY ANN JENSON	09/23/2016	Regular	0.00	200.00	27234
12643	MICHAEL A ANTONCICH	09/23/2016	Regular	0.00	500.00	27235
12635	MICHAELA BRAVEMAN	09/23/2016	Regular	0.00	100.00	27236
12626	MICHAELA CAROZZA	09/23/2016	Regular	0.00	216.25	27237
12629	MICHELLE M LONG	09/23/2016	Regular	0.00	125.00	27238
12612	MINA SUNWOO	09/23/2016	Regular	0.00	100.00	27239
12641	MOLLIE COLLYER	09/23/2016	Regular	0.00	125.00	27240
12631	NICHOLAS SASSON	09/23/2016	Regular	0.00	700.00	27241
12637	PHILIP & ANNE SOSNA	09/23/2016	Regular	0.00	100.00	27242
12627	Salvatore Carbone/Carbone Bar	09/23/2016	Regular	0.00	89.00	27243
12648	Sean Caulfield	09/23/2016	Regular	0.00	500.00	27244
12624	SEAN FOREMAN	09/23/2016	Regular	0.00	500.00	27245
12605	SHARON GEDRYN	09/23/2016	Regular	0.00	200.00	27246
12645	SHELLEY CONDON	09/23/2016	Regular	0.00	500.00	27247
12640	TAL BRADFORD	09/23/2016	Regular	0.00	125.00	27248
12652	Timothy Errington	09/23/2016	Regular	0.00	400.00	27249
12608	VITO BOMMARITO	09/23/2016	Regular	0.00	79.00	27250

Check Report

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
12621	WILLIAM JANELLE	09/23/2016	Regular	0.00	500.00	27251

Bank Code REBATES-02 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	51	51	0.00	15,390.73
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	51	51	0.00	15,390.73

Fund Summary

Fund	Name	Period	Amount
99	POOL CASH FUND	9/2016	651,170.74
			<hr/>
			651,170.74



Payroll Bank Transaction Report - 9/16/2016 MPWMD

By Payment Number

Date: 9/1/2016 - 9/30/2016

Payroll Set: 01 - Monterey Peninsula Water Management District

Payment Number	Payment Date	Payment Type	Employee Number	Employee Name	Check Amount	Direct Deposit Amount	Total Payment
2458	09/02/2016	Regular	1024	Stoldt, David J	0.00	5,386.87	5,386.87
2459	09/02/2016	Regular	1025	Tavani, Arlene M	0.00	1,899.86	1,899.86
2460	09/02/2016	Regular	1006	Dudley, Mark A	0.00	2,878.01	2,878.01
2461	09/02/2016	Regular	1039	Flores, Elizabeth	0.00	1,941.67	1,941.67
2462	09/02/2016	Regular	1018	Prasad, Suresh	0.00	3,583.00	3,583.00
2463	09/02/2016	Regular	1019	Reyes, Sara C	0.00	1,856.03	1,856.03
2464	09/02/2016	Regular	1020	Sandoval, Eric J	0.00	1,933.30	1,933.30
2465	09/02/2016	Regular	1021	Schmidlin, Cynthia L	0.00	1,802.00	1,802.00
2466	09/02/2016	Regular	1022	Soto, Paula	0.00	1,420.10	1,420.10
2467	09/02/2016	Regular	1002	Bekker, Mark	0.00	1,627.14	1,627.14
2468	09/02/2016	Regular	1005	Christensen, Thomas T	0.00	2,548.32	2,548.32
2469	09/02/2016	Regular	1042	Hamilton, Maureen C.	0.00	2,716.56	2,716.56
2470	09/02/2016	Regular	1008	Hampson, Larry M	0.00	3,199.25	3,199.25
2471	09/02/2016	Regular	1009	James, Gregory W	0.00	2,932.79	2,932.79
2472	09/02/2016	Regular	6034	Kleven, Alana K	0.00	111.86	111.86
2473	09/02/2016	Regular	1011	Lear, Jonathan P	0.00	2,731.28	2,731.28
2474	09/02/2016	Regular	1012	Lindberg, Thomas L	0.00	2,156.93	2,156.93
2475	09/02/2016	Regular	1013	Lyons, Matthew J	0.00	1,602.64	1,602.64
2476	09/02/2016	Regular	1023	Stern, Henrietta L	0.00	625.73	625.73
2477	09/02/2016	Regular	6028	Atkins, Daniel N	0.00	859.44	859.44
2478	09/02/2016	Regular	6035	Besson, Jordan C.	0.00	776.82	776.82
2479	09/02/2016	Regular	1004	Chaney, Beverly M	0.00	2,177.57	2,177.57
2480	09/02/2016	Regular	1007	Hamilton, Cory R	0.00	2,028.05	2,028.05
2481	09/02/2016	Regular	1026	Urquhart, Kevan A	0.00	1,868.33	1,868.33
2482	09/02/2016	Regular	1001	Ayala, Gabriela D	0.00	1,702.39	1,702.39
2483	09/02/2016	Regular	1041	Gonnerman, Maryan C	0.00	1,507.98	1,507.98
2484	09/02/2016	Regular	1010	Kister, Stephanie L	0.00	1,846.29	1,846.29
2485	09/02/2016	Regular	1017	Locke, Stephanie L	0.00	2,686.68	2,686.68
2486	09/02/2016	Regular	1014	Martin, Debra S	0.00	1,816.98	1,816.98
2487	09/06/2016	Regular	7013	Clarke, Andrew	0.00	423.34	423.34
2488	09/06/2016	Regular	7014	Evans, Molly F	0.00	124.67	124.67
2489	09/06/2016	Regular	7003	Lewis, Brenda	0.00	246.57	246.57
2490	09/16/2016	Regular	1024	Stoldt, David J	0.00	5,391.93	5,391.93
2491	09/16/2016	Regular	1025	Tavani, Arlene M	0.00	2,153.67	2,153.67
2492	09/16/2016	Regular	1006	Dudley, Mark A	0.00	2,989.69	2,989.69
2493	09/16/2016	Regular	1039	Flores, Elizabeth	0.00	2,066.80	2,066.80
2494	09/16/2016	Regular	1018	Prasad, Suresh	0.00	3,695.74	3,695.74
2495	09/16/2016	Regular	1019	Reyes, Sara C	0.00	1,983.79	1,983.79
2496	09/16/2016	Regular	1020	Sandoval, Eric J	0.00	7,565.93	7,565.93
2497	09/16/2016	Regular	1021	Schmidlin, Cynthia L	0.00	2,108.55	2,108.55
2498	09/16/2016	Regular	1022	Soto, Paula	0.00	1,433.54	1,433.54
2499	09/16/2016	Regular	1002	Bekker, Mark	0.00	1,884.11	1,884.11
2500	09/16/2016	Regular	1005	Christensen, Thomas T	0.00	2,754.33	2,754.33
2501	09/16/2016	Regular	1042	Hamilton, Maureen C.	0.00	2,764.75	2,764.75
2502	09/16/2016	Regular	1008	Hampson, Larry M	0.00	3,597.63	3,597.63
2503	09/16/2016	Regular	1009	James, Gregory W	0.00	2,980.98	2,980.98
2504	09/16/2016	Regular	6034	Kleven, Alana K	0.00	184.24	184.24
2505	09/16/2016	Regular	1011	Lear, Jonathan P	0.00	3,153.53	3,153.53
2506	09/16/2016	Regular	1012	Lindberg, Thomas L	0.00	2,412.29	2,412.29
2507	09/16/2016	Regular	1013	Lyons, Matthew J	0.00	1,743.32	1,743.32
2508	09/16/2016	Regular	1023	Stern, Henrietta L	0.00	735.66	735.66
2509	09/16/2016	Regular	6028	Atkins, Daniel N	0.00	837.91	837.91
2510	09/16/2016	Regular	6035	Besson, Jordan C.	0.00	701.03	701.03
2511	09/16/2016	Regular	1004	Chaney, Beverly M	0.00	2,453.40	2,453.40
2512	09/16/2016	Regular	1007	Hamilton, Cory R	0.00	2,201.57	2,201.57
2513	09/16/2016	Regular	1026	Urquhart, Kevan A	0.00	2,631.80	2,631.80
2514	09/16/2016	Regular	1001	Ayala, Gabriela D	0.00	2,127.61	2,127.61

Payment Number	Payment Date	Payment Type	Employee Number	Employee Name	Check Amount	Direct Deposit ⁵⁴	
						Amount	Total Payment
2515	09/16/2016	Regular	1041	Gonnerman, Maryan C	0.00	1,751.04	1,751.04
2516	09/16/2016	Regular	1010	Kister, Stephanie L	0.00	2,001.55	2,001.55
2517	09/16/2016	Regular	1017	Locke, Stephanie L	0.00	2,893.80	2,893.80
2518	09/16/2016	Regular	1014	Martin, Debra S	0.00	1,904.38	1,904.38
2519	09/30/2016	Regular	1024	Stoldt, David J	0.00	5,154.02	5,154.02
2520	09/30/2016	Regular	1025	Tavani, Arlene M	0.00	1,899.87	1,899.87
2521	09/30/2016	Regular	1006	Dudley, Mark A	0.00	2,878.01	2,878.01
2522	09/30/2016	Regular	1039	Flores, Elizabeth	0.00	1,941.68	1,941.68
2523	09/30/2016	Regular	1018	Prasad, Suresh	0.00	3,583.00	3,583.00
2524	09/30/2016	Regular	1019	Reyes, Sara C	0.00	1,775.42	1,775.42
2525	09/30/2016	Regular	1021	Schmidlin, Cynthia L	0.00	1,802.02	1,802.02
2526	09/30/2016	Regular	1022	Soto, Paula	0.00	1,391.01	1,391.01
2527	09/30/2016	Regular	1002	Bekker, Mark	0.00	1,627.14	1,627.14
2528	09/30/2016	Regular	1005	Christensen, Thomas T	0.00	2,548.32	2,548.32
2529	09/30/2016	Regular	1042	Hamilton, Maureen C.	0.00	2,716.56	2,716.56
2530	09/30/2016	Regular	1008	Hampson, Larry M	0.00	3,199.25	3,199.25
2531	09/30/2016	Regular	1009	James, Gregory W	0.00	2,932.79	2,932.79
2532	09/30/2016	Regular	6034	Kleven, Alana K	0.00	207.27	207.27
2533	09/30/2016	Regular	1011	Lear, Jonathan P	0.00	2,731.28	2,731.28
2534	09/30/2016	Regular	1012	Lindberg, Thomas L	0.00	2,156.93	2,156.93
2535	09/30/2016	Regular	1013	Lyons, Matthew J	0.00	1,602.65	1,602.65
2536	09/30/2016	Regular	1023	Stern, Henrietta L	0.00	558.07	558.07
2537	09/30/2016	Regular	6028	Atkins, Daniel N	0.00	940.15	940.15
2538	09/30/2016	Regular	6035	Besson, Jordan C.	0.00	711.37	711.37
2539	09/30/2016	Regular	1004	Chaney, Beverly M	0.00	2,177.57	2,177.57
2540	09/30/2016	Regular	1007	Hamilton, Cory R	0.00	2,028.05	2,028.05
2541	09/30/2016	Regular	1026	Urquhart, Kevan A	0.00	1,464.53	1,464.53
2542	09/30/2016	Regular	1001	Ayala, Gabriela D	0.00	1,698.64	1,698.64
2543	09/30/2016	Regular	1041	Gonnerman, Maryan C	0.00	1,507.97	1,507.97
2544	09/30/2016	Regular	1010	Kister, Stephanie L	0.00	1,846.29	1,846.29
2545	09/30/2016	Regular	1017	Locke, Stephanie L	0.00	2,686.68	2,686.68
2546	09/30/2016	Regular	1014	Martin, Debra S	0.00	1,816.97	1,816.97
2547	09/30/2016	Regular	7013	Clarke, Andrew	0.00	249.34	249.34
2548	09/30/2016	Regular	7014	Evans, Molly F	0.00	249.34	249.34
2549	09/30/2016	Regular	7003	Lewis, Brenda	0.00	246.57	246.57
27065	09/02/2016	Regular	6033	Suwada, Joseph	750.75	0.00	750.75
27066	09/02/2016	Regular	1040	Smith, Kyle	1,472.52	0.00	1,472.52
27114	09/06/2016	Regular	7006	Brower, Sr., Robert S	124.67	0.00	124.67
27115	09/06/2016	Regular	7007	Byrne, Jeannie	374.02	0.00	374.02
27116	09/06/2016	Regular	7001	Pendergrass, David K	249.34	0.00	249.34
27117	09/06/2016	Regular	7004	Potter, David L	124.67	0.00	124.67
27154	09/16/2016	Regular	6033	Suwada, Joseph	713.09	0.00	713.09
27155	09/16/2016	Regular	1040	Smith, Kyle	1,707.49	0.00	1,707.49
27282	09/30/2016	Regular	6033	Suwada, Joseph	723.85	0.00	723.85
27283	09/30/2016	Regular	1040	Smith, Kyle	1,472.52	0.00	1,472.52
27298	09/30/2016	Regular	7006	Brower, Sr., Robert S	623.10	0.00	623.10
27299	09/30/2016	Regular	7007	Byrne, Jeannie	869.13	0.00	869.13
27300	09/30/2016	Regular	7001	Pendergrass, David K	374.02	0.00	374.02
27301	09/30/2016	Regular	7004	Potter, David L	124.67	0.00	124.67
Totals:					9,703.84	190,451.78	200,155.62

Bank Transaction Report

Transaction Detail

Issued Date Range: 09/01/2016 - 09/30/2016

Cleared Date Range: -



Monterey Peninsula Water Management Dist

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
Bank Account: 111 - Bank of America Checking - 0000 8170 8210							
09/02/2016	09/30/2016	DFT0000776	I.R.S.	Accounts Payable	Cleared	Bank Draft	-11,269.60
09/02/2016	09/30/2016	DFT0000777	I.R.S.	Accounts Payable	Cleared	Bank Draft	-2,445.90
09/02/2016	09/30/2016	DFT0000778	I.R.S.	Accounts Payable	Cleared	Bank Draft	-497.52
09/06/2016	09/30/2016	DFT0000780	I.R.S.	Accounts Payable	Cleared	Bank Draft	-73.89
09/06/2016	09/30/2016	DFT0000781	I.R.S.	Accounts Payable	Cleared	Bank Draft	-54.84
09/06/2016	09/30/2016	DFT0000782	I.R.S.	Accounts Payable	Cleared	Bank Draft	-234.36
09/15/2016	09/30/2016	SVC0000096	To Post Sept/16 Bank Service Charge	General Ledger	Cleared	Service Charge	-440.25
09/15/2016	09/30/2016	SVC0000098	To Post Sept/16 Bank Service Charge	General Ledger	Cleared	Service Charge	-404.43
09/15/2016	09/30/2016	SVC0000005	To Reverse Sept/16 Bank Service Charge	General Ledger	Cleared	Service Charge Reversal	440.25
09/16/2016	09/30/2016	DFT0000784	I.R.S.	Accounts Payable	Cleared	Bank Draft	-14,931.21
09/16/2016	09/30/2016	DFT0000785	I.R.S.	Accounts Payable	Cleared	Bank Draft	-2,742.52
09/16/2016	09/30/2016	DFT0000786	I.R.S.	Accounts Payable	Cleared	Bank Draft	-504.64
09/30/2016		DFT0000788	I.R.S.	Accounts Payable	Outstanding	Bank Draft	-10,733.16
09/30/2016		DFT0000789	I.R.S.	Accounts Payable	Outstanding	Bank Draft	-2,350.48
09/30/2016		DFT0000790	I.R.S.	Accounts Payable	Outstanding	Bank Draft	-495.96
09/30/2016		DFT0000792	I.R.S.	Accounts Payable	Outstanding	Bank Draft	-2.77
09/30/2016		DFT0000793	I.R.S.	Accounts Payable	Outstanding	Bank Draft	-86.16
09/30/2016		DFT0000794	I.R.S.	Accounts Payable	Outstanding	Bank Draft	-368.28
Bank Account 111 Total: (18)							-47,195.72
Report Total: (18)							-47,195.72

Summary

Bank Account	Count	Amount
111 Bank of America Checking - 0000 8170 8210	18	-47,195.72
Report Total:	18	-47,195.72

Cash Account	Count	Amount
99 99-10-100100 Pool Cash Account	18	-47,195.72
Report Total:	18	-47,195.72

Transaction Type	Count	Amount
Bank Draft	15	-46,791.29
Service Charge	2	-844.68
Service Charge Reversal	1	440.25
Report Total:	18	-47,195.72

Statement of Revenue Over Expense - No Decimals

Group Summary

For Fiscal: 2016-2017 Period Ending: 09/30/2016



Monterey Peninsula Water Management Dist

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Revenue								
R100 - Water Supply Charge	0	283,220	-283,220	0.00 %	-2,376	3,400,000	-3,402,376	0.07 %
R110 - Mitigation Revenue	0	209,791	-209,791	0.00 %	0	2,518,500	-2,518,500	0.00 %
R120 - Property Taxes Revenues	0	133,280	-133,280	0.00 %	0	1,600,000	-1,600,000	0.00 %
R130 - User Fees	0	7,914	-7,914	0.00 %	8,815	95,000	-86,185	-9.28 %
R140 - Connection Charges	30,667	17,701	12,965	-173.25 %	74,523	212,500	-137,977	-35.07 %
R150 - Permit Processing Fee	14,735	14,578	158	-101.08 %	56,939	175,000	-118,061	-32.54 %
R160 - Well Registration Fee	50	0	50	0.00 %	650	0	650	0.00 %
R180 - River Work Permit Application	0	0	0	0.00 %	25	0	25	0.00 %
R190 - WDS Permits Rule 21	1,000	4,665	-3,665	-21.44 %	6,665	56,000	-49,335	-11.90 %
R200 - Recording Fees	1,122	666	456	-168.37 %	4,174	8,000	-3,826	-52.18 %
R210 - Legal Fees	114	833	-719	-13.69 %	741	10,000	-9,259	-7.41 %
R220 - Copy Fee	20	0	20	0.00 %	93	0	93	0.00 %
R230 - Miscellaneous - Other	896	1,666	-770	-53.79 %	956	20,000	-19,044	-4.78 %
R250 - Interest Income	3,532	1,666	1,866	-212.00 %	-5,756	20,000	-25,756	28.78 %
R265 - CAW - Los Padres Reimbursement	0	41,650	-41,650	0.00 %	0	500,000	-500,000	0.00 %
R270 - CAW - Rebates	39,024	83,300	-44,276	-46.85 %	95,344	1,000,000	-904,656	-9.53 %
R280 - CAW - Conservation	0	27,797	-27,797	0.00 %	0	333,700	-333,700	0.00 %
R290 - CAW - Miscellaneous	0	35,561	-35,561	0.00 %	0	426,900	-426,900	0.00 %
R300 - Watermaster	0	6,214	-6,214	0.00 %	0	74,600	-74,600	0.00 %
R308 - Reclamation Project	0	1,666	-1,666	0.00 %	0	20,000	-20,000	0.00 %
R310 - Other Reimbursements	0	2,999	-2,999	0.00 %	0	36,000	-36,000	0.00 %
R320 - Grants	0	27,522	-27,522	0.00 %	0	330,400	-330,400	0.00 %
R510 - Operating Reserve	0	143,613	-143,613	0.00 %	0	1,724,050	-1,724,050	0.00 %
R695 - Other Financing Sources	0	0	0	0.00 %	0	0	0	0.00 %
Total Revenue:	91,159	1,046,302	-955,143	-8.71 %	240,793	12,560,650	-12,319,857	-1.92 %

Statement of Revenue Over Expense - No Decimals

For Fiscal: 2016-2017 Period Ending: 09/30/2016

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Expense								
Level1: 100 - Personnel Costs								
1100 - Salaries & Wages	268,671	200,478	-68,193	134.02 %	563,070	2,406,700	1,843,630	23.40 %
1110 - Manager's Auto Allowance	692	500	-192	138.51 %	1,385	6,000	4,615	23.08 %
1120 - Manager's Deferred Comp	946	700	-246	135.22 %	2,208	8,400	6,192	26.28 %
1130 - Unemployment Compensation	0	250	250	0.00 %	0	3,000	3,000	0.00 %
1140 - Insurance Opt-Out Supplemental	1,679	808	-871	207.74 %	4,507	9,700	5,193	46.46 %
1150 - Temporary Personnel	3,083	3,432	349	89.82 %	9,410	41,200	31,790	22.84 %
1160 - PERS Retirement	25,899	33,953	8,054	76.28 %	256,697	407,600	150,903	62.98 %
1170 - Medical Insurance	25,413	27,814	2,401	91.37 %	76,239	333,900	257,661	22.83 %
1180 - Medical Insurance - Retirees	8,012	4,823	-3,189	166.12 %	20,637	57,900	37,263	35.64 %
1190 - Workers Compensation	4,790	4,048	-741	118.31 %	11,924	48,600	36,676	24.53 %
1200 - Life Insurance	382	541	160	70.46 %	1,201	6,500	5,299	18.48 %
1210 - Long Term Disability Insurance	1,103	1,225	122	90.05 %	3,345	14,700	11,355	22.76 %
1220 - Short Term Disability Insurance	219	283	64	77.29 %	664	3,400	2,736	19.53 %
1250 - Moving Expense Reimbursement	0	0	0	0.00 %	116	0	-116	0.00 %
1260 - Employee Assistance Program	60	125	65	48.04 %	192	1,500	1,308	12.77 %
1270 - FICA Tax Expense	933	458	-475	203.69 %	2,275	5,500	3,225	41.36 %
1280 - Medicare Tax Expense	3,813	2,999	-814	127.14 %	8,621	36,000	27,379	23.95 %
1290 - Staff Development & Training	2,823	2,341	-482	120.60 %	4,175	28,100	23,925	14.86 %
1300 - Conference Registration	535	367	-168	145.97 %	1,355	4,400	3,045	30.80 %
1310 - Professional Dues	59	183	124	32.19 %	59	2,200	2,141	2.68 %
1320 - Personnel Recruitment	1,203	541	-662	222.18 %	1,228	6,500	5,272	18.89 %
Total Level1: 100 - Personnel Costs:	350,313	285,869	-64,444	122.54 %	969,306	3,431,800	2,462,494	28.24 %
Level1: 200 - Supplies and Services								
2000 - Board Member Compensation	2,970	3,082	112	96.36 %	6,885	37,000	30,115	18.61 %
2020 - Board Expenses	100	833	733	12.00 %	100	10,000	9,900	1.00 %
2040 - Rent	1,761	1,933	172	91.12 %	5,999	23,200	17,201	25.86 %
2060 - Utilities	2,864	3,182	318	90.01 %	8,247	38,200	29,953	21.59 %
2120 - Insurance Expense	0	3,757	3,757	0.00 %	0	45,100	45,100	0.00 %
2130 - Membership Dues	310	2,424	2,114	12.79 %	1,036	29,100	28,064	3.56 %
2140 - Bank Charges	447	333	-114	134.29 %	1,057	4,000	2,943	26.43 %
2150 - Office Supplies	1,161	1,166	5	99.53 %	5,810	14,000	8,190	41.50 %
2160 - Courier Expense	801	650	-151	123.28 %	1,932	7,800	5,868	24.77 %
2170 - Printing/Photocopy	148	825	677	17.97 %	148	9,900	9,752	1.50 %
2180 - Postage & Shipping	708	533	-175	132.78 %	2,030	6,400	4,370	31.72 %
2190 - IT Supplies/Services	12,271	7,747	-4,524	158.40 %	48,061	93,000	44,939	51.68 %
2200 - Professional Fees	9,400	14,161	4,761	66.38 %	22,600	170,000	147,400	13.29 %
2220 - Equipment Repairs & Maintenance	0	625	625	0.00 %	513	7,500	6,987	6.84 %
2235 - Equipment Lease	1,334	1,166	-168	114.38 %	3,614	14,000	10,386	25.81 %
2240 - Telephone	2,951	3,574	623	82.57 %	10,073	42,900	32,827	23.48 %
2260 - Facility Maintenance	2,738	3,157	419	86.72 %	7,219	37,900	30,681	19.05 %

Statement of Revenue Over Expense - No Decimals

For Fiscal: 2016-2017 Period Ending: 09/30/2016

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
2270 - Travel Expenses	24	2,674	2,650	0.90 %	3,053	32,100	29,047	9.51 %
2280 - Transportation	1,103	2,216	1,113	49.77 %	3,187	26,600	23,413	11.98 %
2300 - Legal Services	56,932	33,320	-23,612	170.86 %	87,150	400,000	312,850	21.79 %
2380 - Meeting Expenses	315	675	359	46.72 %	966	8,100	7,134	11.93 %
2420 - Legal Notices	0	358	358	0.00 %	0	4,300	4,300	0.00 %
2460 - Public Outreach	100	425	325	23.54 %	535	5,100	4,565	10.49 %
2480 - Miscellaneous	0	300	300	0.00 %	36	3,600	3,564	1.00 %
2500 - Tax Administration Fee	0	1,666	1,666	0.00 %	0	20,000	20,000	0.00 %
2900 - Operating Supplies	740	1,566	826	47.23 %	8,403	18,800	10,397	44.70 %
Total Level1: 200 - Supplies and Services:	99,178	92,346	-6,831	107.40 %	228,655	1,108,600	879,945	20.63 %
Level1: 300 - Other Expenses								
3000 - Project Expenses	169,636	562,283	392,647	30.17 %	429,936	6,750,100	6,320,164	6.37 %
4000 - Fixed Asset Purchases	10,874	9,621	-1,252	113.02 %	13,542	115,500	101,958	11.72 %
5000 - Debt Service	0	19,159	19,159	0.00 %	0	230,000	230,000	0.00 %
6000 - Contingencies	0	6,248	6,248	0.00 %	0	75,000	75,000	0.00 %
6500 - Reserves	0	70,776	70,776	0.00 %	0	849,650	849,650	0.00 %
Total Level1: 300 - Other Expenses:	180,510	668,087	487,577	27.02 %	443,478	8,020,250	7,576,772	5.53 %
Total Expense:	630,001	1,046,302	416,301	60.21 %	1,641,439	12,560,650	10,919,211	13.07 %
Report Total:	-538,842	0	-538,842		-1,400,646	0	-1,400,646	

Statement of Revenue Over Expense - No Decimals

Fund Summary

Fund	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
24 - MITIGATION FUND	-220,734	0	-220,734		-576,083	0	-576,083	
26 - CONSERVATION FUND	-67,510	0	-67,510		-246,527	0	-246,527	
35 - WATER SUPPLY FUND	-250,597	0	-250,597		-578,037	0	-578,037	
Report Total:	-538,842	0.01	-538,842		-1,400,646	0	-1,400,646	

Statement of Revenue Over Expense - No Decimals

Group Summary

For Fiscal: 2016-2017 Period Ending: 09/30/2016



Monterey Peninsula Water Management Dist

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Fund: 24 - MITIGATION FUND								
Revenue								
R110 - Mitigation Revenue	0	209,791	-209,791	0.00 %	0	2,518,500	-2,518,500	0.00 %
R130 - User Fees	0	7,289	-7,289	0.00 %	7,441	87,500	-80,059	-8.50 %
R160 - Well Registration Fee	50	0	50	0.00 %	650	0	650	0.00 %
R180 - River Work Permit Application	0	0	0	0.00 %	25	0	25	0.00 %
R190 - WDS Permits Rule 21	1,000	4,665	-3,665	-21.44 %	6,665	56,000	-49,335	-11.90 %
R230 - Miscellaneous - Other	0	833	-833	0.00 %	0	10,000	-10,000	0.00 %
R250 - Interest Income	0	208	-208	-0.13 %	1	2,500	-2,499	-0.06 %
R290 - CAW - Miscellaneous	0	35,561	-35,561	0.00 %	0	426,900	-426,900	0.00 %
R310 - Other Reimbursements	0	2,416	-2,416	0.00 %	0	29,000	-29,000	0.00 %
R320 - Grants	0	16,660	-16,660	0.00 %	0	200,000	-200,000	0.00 %
R510 - Operating Reserve	0	8,688	-8,688	0.00 %	0	104,300	-104,300	0.00 %
Total Revenue:	1,050	286,111	-285,060	-0.37 %	14,783	3,434,700	-3,419,917	-0.43 %

Statement of Revenue Over Expense - No Decimals

For Fiscal: 2016-2017 Period Ending: 09/30/2016

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Expense								
Level1: 100 - Personnel Costs								
1100 - Salaries & Wages	116,100	84,766	-31,333	136.96 %	236,932	1,017,600	780,668	23.28 %
1110 - Manager's Auto Allowance	138	100	-38	138.51 %	277	1,200	923	23.08 %
1120 - Manager's Deferred Comp	189	142	-48	133.63 %	442	1,700	1,258	25.97 %
1130 - Unemployment Compensation	0	108	108	0.00 %	0	1,300	1,300	0.00 %
1140 - Insurance Opt-Out Supplemental	459	267	-192	172.17 %	1,202	3,200	1,998	37.57 %
1150 - Temporary Personnel	0	42	42	0.00 %	0	500	500	0.00 %
1160 - PERS Retirement	11,097	14,369	3,272	77.23 %	108,508	172,500	63,992	62.90 %
1170 - Medical Insurance	11,003	11,729	726	93.81 %	32,449	140,800	108,351	23.05 %
1180 - Medical Insurance - Retirees	3,365	2,074	-1,291	162.23 %	8,667	24,900	16,233	34.81 %
1190 - Workers Compensation	3,188	2,482	-705	128.41 %	7,475	29,800	22,325	25.08 %
1200 - Life Insurance	165	242	77	68.21 %	537	2,900	2,363	18.51 %
1210 - Long Term Disability Insurance	487	525	38	92.84 %	1,441	6,300	4,859	22.87 %
1220 - Short Term Disability Insurance	97	117	20	82.94 %	286	1,400	1,114	20.44 %
1250 - Moving Expense Reimbursement	0	0	0	0.00 %	116	0	-116	0.00 %
1260 - Employee Assistance Program	26	50	24	51.16 %	80	600	520	13.30 %
1270 - FICA Tax Expense	782	292	-491	268.30 %	1,918	3,500	1,582	54.79 %
1280 - Medicare Tax Expense	1,793	1,266	-527	141.62 %	4,009	15,200	11,191	26.38 %
1290 - Staff Development & Training	2,636	841	-1,794	313.27 %	2,963	10,100	7,137	29.34 %
1300 - Conference Registration	225	125	-100	179.83 %	225	1,500	1,275	14.98 %
1310 - Professional Dues	25	67	42	37.18 %	25	800	775	3.10 %
1320 - Personnel Recruitment	505	225	-280	224.65 %	530	2,700	2,170	19.64 %
Total Level1: 100 - Personnel Costs:	152,279	119,827	-32,452	127.08 %	408,081	1,438,500	1,030,419	28.37 %
Level1: 200 - Supplies and Services								
2000 - Board Member Compensation	1,247	1,291	44	96.61 %	2,931	15,500	12,569	18.91 %
2020 - Board Expenses	42	350	308	12.00 %	42	4,200	4,158	1.00 %
2040 - Rent	823	900	76	91.51 %	2,778	10,800	8,022	25.72 %
2060 - Utilities	1,208	1,341	133	90.06 %	3,483	16,100	12,617	21.63 %
2120 - Insurance Expense	0	1,574	1,574	0.00 %	0	18,900	18,900	0.00 %
2130 - Membership Dues	4	841	837	0.50 %	69	10,100	10,031	0.69 %
2140 - Bank Charges	185	142	-43	130.29 %	470	1,700	1,230	27.62 %
2150 - Office Supplies	497	475	-22	104.67 %	2,483	5,700	3,217	43.55 %
2160 - Courier Expense	336	275	-62	122.38 %	811	3,300	2,489	24.59 %
2170 - Printing/Photocopy	62	175	113	35.57 %	62	2,100	2,038	2.96 %
2180 - Postage & Shipping	314	225	-89	139.59 %	904	2,700	1,796	33.48 %
2190 - IT Supplies/Services	5,146	3,257	-1,889	158.01 %	20,270	39,100	18,830	51.84 %
2200 - Professional Fees	3,948	5,948	2,000	66.38 %	9,492	71,400	61,908	13.29 %
2220 - Equipment Repairs & Maintenance	0	267	267	0.00 %	216	3,200	2,984	6.74 %
2235 - Equipment Lease	574	491	-82	116.71 %	1,554	5,900	4,346	26.34 %
2240 - Telephone	1,291	1,474	183	87.56 %	4,700	17,700	13,000	26.55 %
2260 - Facility Maintenance	1,150	1,341	191	85.74 %	3,039	16,100	13,061	18.88 %

Statement of Revenue Over Expense - No Decimals

For Fiscal: 2016-2017 Period Ending: 09/30/2016

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
2270 - Travel Expenses	8	883	875	0.91 %	323	10,600	10,277	3.04 %
2280 - Transportation	1,051	858	-193	122.47 %	2,592	10,300	7,708	25.17 %
2300 - Legal Services	25,470	9,330	-16,141	273.01 %	40,588	112,000	71,412	36.24 %
2380 - Meeting Expenses	132	200	68	66.23 %	464	2,400	1,936	19.34 %
2420 - Legal Notices	0	158	158	0.00 %	0	1,900	1,900	0.00 %
2460 - Public Outreach	42	175	133	24.01 %	225	2,100	1,875	10.70 %
2480 - Miscellaneous	0	125	125	0.00 %	15	1,500	1,485	1.01 %
2900 - Operating Supplies	0	192	192	0.00 %	126	2,300	2,174	5.46 %
Total Level1: 200 - Supplies and Services:	43,531	32,287	-11,244	134.83 %	97,636	387,600	289,964	25.19 %
Level1: 300 - Other Expenses								
3000 - Project Expenses	21,299	58,464	37,165	36.43 %	79,874	701,850	621,976	11.38 %
4000 - Fixed Asset Purchases	4,676	2,132	-2,543	219.26 %	5,274	25,600	20,326	20.60 %
6000 - Contingencies	0	2,624	2,624	0.00 %	0	31,500	31,500	0.00 %
6500 - Reserves	0	70,776	70,776	0.00 %	0	849,650	849,650	0.00 %
Total Level1: 300 - Other Expenses:	25,974	133,996	108,022	19.38 %	85,149	1,608,600	1,523,451	5.29 %
Total Expense:	221,785	286,111	64,326	77.52 %	590,865	3,434,700	2,843,835	17.20 %
Total Revenues	1,050	286,111	-285,060	-0.37 %	14,783	3,434,700	-3,419,917	-0.43 %
Total Fund: 24 - MITIGATION FUND:	-220,734	0	-220,734		-576,083	0	-576,083	

Statement of Revenue Over Expense - No Decimals

For Fiscal: 2016-2017 Period Ending: 09/30/2016

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Fund: 26 - CONSERVATION FUND								
Revenue								
R130 - User Fees	0	625	-625	0.00 %	1,373	7,500	-6,127	-18.31 %
R150 - Permit Processing Fee	14,735	14,578	158	-101.08 %	56,939	175,000	-118,061	-32.54 %
R200 - Recording Fees	1,122	666	456	-168.37 %	4,174	8,000	-3,826	-52.18 %
R210 - Legal Fees	114	833	-719	-13.69 %	741	10,000	-9,259	-7.41 %
R230 - Miscellaneous - Other	500	0	500	0.00 %	500	0	500	0.00 %
R250 - Interest Income	1,451	292	1,159	-497.60 %	108	3,500	-3,392	-3.09 %
R270 - CAW - Rebates	39,024	83,300	-44,276	-46.85 %	95,344	1,000,000	-904,656	-9.53 %
R280 - CAW - Conservation	0	27,797	-27,797	0.00 %	0	333,700	-333,700	0.00 %
R310 - Other Reimbursements	0	500	-500	0.00 %	0	6,000	-6,000	0.00 %
R320 - Grants	0	1,666	-1,666	0.00 %	0	20,000	-20,000	0.00 %
R510 - Operating Reserve	0	200	-200	0.00 %	0	2,400	-2,400	0.00 %
R695 - Other Financing Sources	0	83,433	-83,433	0.00 %	0	1,001,600	-1,001,600	0.00 %
Total Revenue:	56,946	213,889	-156,944	-26.62 %	159,180	2,567,700	-2,408,520	-6.20 %

Statement of Revenue Over Expense - No Decimals

For Fiscal: 2016-2017 Period Ending: 09/30/2016

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Expense								
Level1: 100 - Personnel Costs								
1100 - Salaries & Wages	60,778	46,556	-14,222	130.55 %	132,248	558,900	426,652	23.66 %
1110 - Manager's Auto Allowance	138	100	-38	138.51 %	277	1,200	923	23.08 %
1120 - Manager's Deferred Comp	189	142	-48	133.63 %	442	1,700	1,258	25.97 %
1130 - Unemployment Compensation	0	58	58	0.00 %	0	700	700	0.00 %
1140 - Insurance Opt-Out Supplemental	459	267	-192	172.17 %	1,202	3,200	1,998	37.57 %
1150 - Temporary Personnel	3,083	3,357	274	91.83 %	9,410	40,300	30,890	23.35 %
1160 - PERS Retirement	5,727	7,247	1,521	79.02 %	53,449	87,000	33,551	61.44 %
1170 - Medical Insurance	6,702	7,489	787	89.50 %	21,188	89,900	68,712	23.57 %
1180 - Medical Insurance - Retirees	2,163	1,158	-1,005	186.83 %	5,572	13,900	8,328	40.09 %
1190 - Workers Compensation	229	208	-20	109.80 %	555	2,500	1,945	22.22 %
1200 - Life Insurance	95	117	22	81.10 %	282	1,400	1,118	20.14 %
1210 - Long Term Disability Insurance	262	300	38	87.30 %	831	3,600	2,769	23.07 %
1220 - Short Term Disability Insurance	52	67	15	78.03 %	165	800	635	20.64 %
1260 - Employee Assistance Program	16	33	17	47.87 %	53	400	347	13.33 %
1270 - FICA Tax Expense	50	83	34	59.69 %	108	1,000	892	10.80 %
1280 - Medicare Tax Expense	859	708	-151	121.30 %	2,060	8,500	6,440	24.24 %
1290 - Staff Development & Training	87	758	671	11.50 %	1,112	9,100	7,988	12.22 %
1300 - Conference Registration	144	133	-11	108.38 %	964	1,600	636	60.28 %
1310 - Professional Dues	16	50	34	31.87 %	16	600	584	2.66 %
1320 - Personnel Recruitment	325	150	-175	216.63 %	325	1,800	1,475	18.05 %
Total Level1: 100 - Personnel Costs:	81,373	68,981	-12,393	117.97 %	230,260	828,100	597,840	27.81 %
Level1: 200 - Supplies and Services								
2000 - Board Member Compensation	802	833	31	96.27 %	1,742	10,000	8,259	17.42 %
2020 - Board Expenses	27	225	198	12.00 %	27	2,700	2,673	1.00 %
2040 - Rent	193	225	32	85.95 %	752	2,700	1,948	27.84 %
2060 - Utilities	757	850	92	89.12 %	2,180	10,200	8,020	21.37 %
2120 - Insurance Expense	0	1,016	1,016	0.00 %	0	12,200	12,200	0.00 %
2130 - Membership Dues	303	950	647	31.88 %	916	11,400	10,484	8.03 %
2140 - Bank Charges	120	92	-29	131.40 %	311	1,100	789	28.29 %
2150 - Office Supplies	313	325	11	96.47 %	1,277	3,900	2,623	32.74 %
2160 - Courier Expense	216	175	-41	123.63 %	522	2,100	1,578	24.84 %
2170 - Printing/Photocopy	40	525	485	7.62 %	40	6,300	6,260	0.63 %
2180 - Postage & Shipping	135	133	-2	101.29 %	476	1,600	1,124	29.74 %
2190 - IT Supplies/Services	3,321	2,083	-1,238	159.46 %	12,610	25,000	12,390	50.44 %
2200 - Professional Fees	2,538	3,823	1,285	66.38 %	6,102	45,900	39,798	13.29 %
2220 - Equipment Repairs & Maintenance	0	167	167	0.00 %	139	2,000	1,861	6.93 %
2235 - Equipment Lease	332	317	-15	104.81 %	891	3,800	2,909	23.44 %
2240 - Telephone	775	941	166	82.33 %	2,510	11,300	8,790	22.21 %
2260 - Facility Maintenance	739	791	52	93.41 %	1,928	9,500	7,572	20.29 %
2270 - Travel Expenses	8	1,075	1,067	0.74 %	2,380	12,900	10,520	18.45 %

Statement of Revenue Over Expense - No Decimals

For Fiscal: 2016-2017 Period Ending: 09/30/2016

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
2280 - Transportation	0	500	500	0.00 %	271	6,000	5,729	4.51 %
2300 - Legal Services	6,316	3,998	-2,318	157.97 %	10,645	48,000	37,355	22.18 %
2380 - Meeting Expenses	85	325	240	26.20 %	197	3,900	3,703	5.05 %
2420 - Legal Notices	0	58	58	0.00 %	0	700	700	0.00 %
2460 - Public Outreach	27	117	90	23.15 %	144	1,400	1,256	10.32 %
2480 - Miscellaneous	0	83	83	0.00 %	10	1,000	990	0.97 %
2500 - Tax Administration Fee	0	600	600	0.00 %	0	7,200	7,200	0.00 %
2900 - Operating Supplies	429	1,225	796	35.03 %	7,874	14,700	6,826	53.57 %
Total Level1: 200 - Supplies and Services:	17,477	21,450	3,973	81.48 %	53,942	257,500	203,558	20.95 %
Level1: 300 - Other Expenses								
3000 - Project Expenses	22,996	115,929	92,933	19.84 %	117,268	1,391,700	1,274,432	8.43 %
4000 - Fixed Asset Purchases	2,610	5,839	3,230	44.69 %	4,237	70,100	65,863	6.04 %
6000 - Contingencies	0	1,691	1,691	0.00 %	0	20,300	20,300	0.00 %
Total Level1: 300 - Other Expenses:	25,605	123,459	97,854	20.74 %	121,505	1,482,100	1,360,595	8.20 %
Total Expense:	124,456	213,889	89,434	58.19 %	405,707	2,567,700	2,161,993	15.80 %
Total Revenues	56,946	213,889	-156,944	-26.62 %	159,180	2,567,700	-2,408,520	-6.20 %
Total Fund: 26 - CONSERVATION FUND:	-67,510	0	-67,510		-246,527	0	-246,527	

Statement of Revenue Over Expense - No Decimals

For Fiscal: 2016-2017 Period Ending: 09/30/2016

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Fund: 35 - WATER SUPPLY FUND								
Revenue								
R100 - Water Supply Charge	0	283,220	-283,220	0.00 %	-2,376	3,400,000	-3,402,376	0.07 %
R120 - Property Taxes Revenues	0	133,280	-133,280	0.00 %	0	1,600,000	-1,600,000	0.00 %
R140 - Connection Charges	30,667	17,701	12,965	-173.25 %	74,523	212,500	-137,977	-35.07 %
R220 - Copy Fee	20	0	20	0.00 %	93	0	93	0.00 %
R230 - Miscellaneous - Other	396	833	-437	-47.56 %	456	10,000	-9,544	-4.56 %
R250 - Interest Income	2,081	1,166	915	-178.43 %	-5,866	14,000	-19,866	41.90 %
R265 - CAW - Los Padres Reimbursement	0	41,650	-41,650	0.00 %	0	500,000	-500,000	0.00 %
R300 - Watermaster	0	6,214	-6,214	0.00 %	0	74,600	-74,600	0.00 %
R308 - Reclamation Project	0	1,666	-1,666	0.00 %	0	20,000	-20,000	0.00 %
R310 - Other Reimbursements	0	83	-83	0.00 %	0	1,000	-1,000	0.00 %
R320 - Grants	0	9,196	-9,196	0.00 %	0	110,400	-110,400	0.00 %
R510 - Operating Reserve	0	134,725	-134,725	0.00 %	0	1,617,350	-1,617,350	0.00 %
R695 - Other Financing Sources	0	-83,433	83,433	0.00 %	0	-1,001,600	1,001,600	0.00 %
Total Revenue:	33,163	546,302	-513,139	-6.07 %	66,830	6,558,250	-6,491,420	-1.02 %

Statement of Revenue Over Expense - No Decimals

For Fiscal: 2016-2017 Period Ending: 09/30/2016

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Expense								
Level1: 100 - Personnel Costs								
1100 - Salaries & Wages	91,794	69,156	-22,638	132.73 %	193,890	830,200	636,310	23.35 %
1110 - Manager's Auto Allowance	415	300	-116	138.52 %	831	3,600	2,769	23.08 %
1120 - Manager's Deferred Comp	568	417	-151	136.29 %	1,325	5,000	3,675	26.49 %
1130 - Unemployment Compensation	0	83	83	0.00 %	0	1,000	1,000	0.00 %
1140 - Insurance Opt-Out Supplemental	761	275	-486	276.73 %	2,102	3,300	1,198	63.70 %
1150 - Temporary Personnel	0	33	33	0.00 %	0	400	400	0.00 %
1160 - PERS Retirement	9,075	12,337	3,262	73.56 %	94,741	148,100	53,359	63.97 %
1170 - Medical Insurance	7,708	8,597	889	89.66 %	22,601	103,200	80,599	21.90 %
1180 - Medical Insurance - Retirees	2,484	1,591	-893	156.11 %	6,397	19,100	12,703	33.49 %
1190 - Workers Compensation	1,374	1,358	-16	101.16 %	3,893	16,300	12,407	23.88 %
1200 - Life Insurance	122	183	61	66.65 %	382	2,200	1,818	17.37 %
1210 - Long Term Disability Insurance	354	400	46	88.45 %	1,074	4,800	3,726	22.37 %
1220 - Short Term Disability Insurance	70	100	30	70.19 %	213	1,200	987	17.74 %
1260 - Employee Assistance Program	19	42	23	44.42 %	58	500	442	11.70 %
1270 - FICA Tax Expense	101	83	-18	121.54 %	249	1,000	751	24.90 %
1280 - Medicare Tax Expense	1,160	1,025	-136	113.26 %	2,552	12,300	9,748	20.75 %
1290 - Staff Development & Training	100	741	641	13.51 %	100	8,900	8,800	1.13 %
1300 - Conference Registration	166	108	-58	153.15 %	166	1,300	1,134	12.76 %
1310 - Professional Dues	18	67	48	27.45 %	18	800	782	2.29 %
1320 - Personnel Recruitment	373	167	-206	223.85 %	373	2,000	1,627	18.65 %
Total Level1: 100 - Personnel Costs:	116,661	97,061	-19,600	120.19 %	330,966	1,165,200	834,234	28.40 %
Level1: 200 - Supplies and Services								
2000 - Board Member Compensation	921	958	37	96.11 %	2,213	11,500	9,287	19.24 %
2020 - Board Expenses	31	258	227	12.00 %	31	3,100	3,069	1.00 %
2040 - Rent	744	808	64	92.13 %	2,470	9,700	7,230	25.46 %
2060 - Utilities	899	991	92	90.72 %	2,584	11,900	9,316	21.71 %
2120 - Insurance Expense	0	1,166	1,166	0.00 %	0	14,000	14,000	0.00 %
2130 - Membership Dues	3	633	630	0.49 %	51	7,600	7,549	0.67 %
2140 - Bank Charges	143	100	-43	142.62 %	276	1,200	924	23.04 %
2150 - Office Supplies	350	367	16	95.59 %	2,051	4,400	2,349	46.61 %
2160 - Courier Expense	248	200	-48	124.20 %	599	2,400	1,801	24.96 %
2170 - Printing/Photocopy	46	125	79	36.76 %	46	1,500	1,454	3.06 %
2180 - Postage & Shipping	259	175	-84	148.03 %	650	2,100	1,450	30.96 %
2190 - IT Supplies/Services	3,804	2,407	-1,397	158.02 %	15,181	28,900	13,719	52.53 %
2200 - Professional Fees	2,914	4,390	1,476	66.38 %	7,006	52,700	45,694	13.29 %
2220 - Equipment Repairs & Maintenance	0	192	192	0.00 %	159	2,300	2,141	6.92 %
2235 - Equipment Lease	429	358	-70	119.65 %	1,169	4,300	3,131	27.19 %
2240 - Telephone	885	1,158	273	76.41 %	2,863	13,900	11,037	20.60 %
2260 - Facility Maintenance	849	1,025	176	82.83 %	2,252	12,300	10,048	18.31 %
2270 - Travel Expenses	8	716	708	1.12 %	350	8,600	8,250	4.07 %

Statement of Revenue Over Expense - No Decimals

For Fiscal: 2016-2017 Period Ending: 09/30/2016

Level...	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
2280 - Transportation	52	858	806	6.06 %	324	10,300	9,976	3.14 %
2300 - Legal Services	25,146	19,992	-5,154	125.78 %	35,916	240,000	204,084	14.97 %
2380 - Meeting Expenses	98	150	52	65.18 %	305	1,800	1,495	16.94 %
2420 - Legal Notices	0	142	142	0.00 %	0	1,700	1,700	0.00 %
2460 - Public Outreach	31	133	102	23.26 %	166	1,600	1,434	10.37 %
2480 - Miscellaneous	0	92	92	0.00 %	11	1,100	1,089	1.02 %
2500 - Tax Administration Fee	0	1,066	1,066	0.00 %	0	12,800	12,800	0.00 %
2900 - Operating Supplies	311	150	-161	207.17 %	403	1,800	1,397	22.41 %
Total Level1: 200 - Supplies and Services:	38,170	38,610	440	98.86 %	77,078	463,500	386,422	16.63 %
Level1: 300 - Other Expenses								
3000 - Project Expenses	125,342	387,891	262,549	32.31 %	232,793	4,656,550	4,423,757	5.00 %
4000 - Fixed Asset Purchases	3,588	1,649	-1,939	217.56 %	4,030	19,800	15,770	20.35 %
5000 - Debt Service	0	19,159	19,159	0.00 %	0	230,000	230,000	0.00 %
6000 - Contingencies	0	1,933	1,933	0.00 %	0	23,200	23,200	0.00 %
Total Level1: 300 - Other Expenses:	128,930	410,632	281,701	31.40 %	236,823	4,929,550	4,692,727	4.80 %
Total Expense:	283,761	546,302	262,542	51.94 %	644,867	6,558,250	5,913,383	9.83 %
Total Revenues	33,163	546,302	-513,139	-6.07 %	66,830	6,558,250	-6,491,420	-1.02 %
Total Fund: 35 - WATER SUPPLY FUND:	-250,597	0	-250,597		-578,037	0	-578,037	
Report Total:	-538,842	0	-538,842		-1,400,646	0	-1,400,646	

Statement of Revenue Over Expense - No Decimals

Fund Summary

Fund	September Activity	September Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
24 - MITIGATION FUND	-220,734	0	-220,734		-576,083	0	-576,083	
26 - CONSERVATION FUND	-67,510	0	-67,510		-246,527	0	-246,527	
35 - WATER SUPPLY FUND	-250,597	0	-250,597		-578,037	0	-578,037	
Report Total:	-538,842	0.01	-538,842		-1,400,646	0	-1,400,646	

ITEM: PUBLIC HEARING**10. CONSIDER SECOND READING AND ADOPTION OF ORDINANCE NO. 175 – AMENDING REGULATION OF THE SYSTEM CAPACITY OF WATER DISTRIBUTION SYSTEMS IN THE CARMEL VALLEY ALLUVIAL AQUIFER (RULES 11, 20, 20.4, 21, 22, 40 AND 60)**

Meeting Date:	November 14, 2016	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
Prepared By:	Stephanie Locke	Cost Estimate:	N/A

General Counsel Review: Yes.**Committee Recommendation: The Water Supply Planning Committee reviewed this item on September 20, 2016 and recommended approval.****CEQA Compliance: Exempt. This is not a “project” under CEQA.**

SUMMARY: Draft Ordinance No. 175 (**Exhibit 10-A**) implements the amended District policy for setting production limits for certain new developments that depend on the Carmel Valley Alluvial Aquifer (CVAA) for a water supply that was approved by the Board on August 15, 2016. The District has a joint interest with Monterey County in reversing the trend of seasonal dewatering of the CVAA and in meeting the goal of Monterey County General Plan Policy PS-3.2 that requires proof of a long-term sustainable water supply for new development requiring a discretionary permit.

It is also noted that the 2006 District policy for setting a historical baseline for production limits from the CVAA, which is part of the Implementation Guidelines for issuing permits for WDS Permits, should be modified. The current definition of “actual historical use” is based solely on production records. In addition to an evaluation of a 10-year history of production (or other appropriate period), potential changes in consumptive use should also be considered. For proposals that fall outside of the August 15, 2016 policy, production limits should be set such that there is no net increase in either production or consumptive use in the CVAA.

RECOMMENDATION: Staff should be directed to revise the Implementation Guidelines and application forms for Water Distribution System Permits and Exemptions. Staff should also be directed to update the 2006 District policy for setting a historical baseline for production limits from the CVAA, which is part of the Implementation Guidelines. As discussed in the staff report from the First Reading of Ordinance No. 175, the current definition of “actual historical use” is based solely on production records. In addition to an evaluation of a 10-year history of production (or other appropriate period), potential changes in consumptive use should also be considered. For proposals that fall outside of the August 15, 2016 policy, production limits should be set such that there is no net increase in either production or consumptive use in the CVAA.

The Board should approve the second reading and adoption of Ordinance No. 175.

BACKGROUND: At its May 24, 2016 meeting, the Water Supply Planning committee reviewed both the District’s 2006 policy for setting production limits for WDS Permits that rely on the CVAA and the 2010 Monterey County General Plan Update Policy PS-3.2 for discretionary permits for new development. Subsequently, at its July 12, 2016 meeting the committee recommended the policy that the Board adopted on August 15, 2016.

With the enactment of State Water Resources Control Board Cease-and-Desist Order 2009-0060, Cal-Am production was significantly reduced, and a significant reversal of the trend in seasonal dewatering of the Carmel River began. Ordinance No. 175 supports a continued reversal of the trend in seasonal dewatering. A key goal is to demonstrate a long-term sustainable water supply using the Monterey County General Plan Policy PS-3.2 factors such as:

- Cumulative impacts of existing and projected future demand for water from the source, and the ability to reverse trends contributing to an overdraft condition or otherwise affecting supply; and
- Effects of additional extraction or diversion of water on the environment including on instream flows necessary to support riparian vegetation, wetlands, fish or other aquatic life, and the migration potential for steelhead, for the purpose of minimizing impacts on the environment and to those resources and species.

The ordinance text refers to the Implementation Guidelines for guidance on how the consumptive use and other calculations will be performed. Rule 11, Definitions, is amended to define “Consumptive Use” and other terms.

2006 Policy on Protocol for Applications Involving Wells in the CVAA

At its October 16, 2006 meeting, the Board approved a policy to address cumulative impacts from the combined effects of Cal-Am and non-Cal-Am extraction from the CVAA. Essentially, the Board adopted a policy of no net increase in production, as measured from data at the well head. However, in some cases, proposals to convert to other uses or add other uses should also consider what changes in consumptive use may occur. This is due to the effect of “return flow” to the CVAA that benefits river flow. This may result from both indoor (e.g., septic return flow) and outdoor use (e.g., from landscape irrigation). Therefore, for proposals that fall outside of the District’s August 15, 2016 policy, in addition to submitting historical well production data, applicants should be required to demonstrate that post-conversion consumptive use is equal to or less than pre-conversion levels. Such analysis should be carried out by qualified hydrologists or experts with similar qualifications.

EXHIBITS

10-A Draft Ordinance No. 175 Amending Regulation of the System Capacity of Water Distribution Systems in the Carmel Valley Alluvial Aquifer (Rules 11, 20, 20.4, 21, 22, 40 and 60)

**DRAFT
ORDINANCE NO. 175**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING REGULATION OF THE SYSTEM CAPACITY OF WATER
DISTRIBUTION SYSTEMS
IN THE CARMEL VALLEY ALLUVIAL AQUIFER
(RULES 11, 20, 20.4, 21, 22, 40 AND 60)**

FINDINGS

1. The Monterey Peninsula Water Management District (MPWMD or District) is charged under the District Law with the integrated management of the ground and surface water supplies in the Monterey Peninsula area.
2. The District has enacted, by ordinance, a set of Rules and Regulations to implement its statutory authority. District Rule 11 defines the terms used in the regulation of Water Distribution Systems (WDS). District Rules 20, 20.4, 21, 22, 40, 54-56, 60 and 173 further define procedural and substantive rules that regulate these systems. Regulation of WDS first occurred in 1980 with the adoption of Ordinance No. 1 and the District Rules governing WDS have since been amended from time to time. Significant changes and additions to the Rules and Regulations governing WDS were adopted as part of Ordinance No. 96 in March 2001, Ordinance No. 105 in December, 2005, Ordinance No. 122 in August 2005, Ordinance No. 124 in July 2006, Ordinance No. 128 in June 2007, Ordinance No. 145 in September 2010, Ordinance No. 150 in May 2012, and Ordinance No. 160 in April 2014.
3. In August 1993, Monterey County approved the *Amended Memorandum of Agreement No. A-06181 with Monterey Peninsula Water Management and Pajaro Valley Water Management Agency Regarding Exercise of Jurisdiction in Overlapping Territories* (MOA). The parties entered into the MOA "... in order to prevent any conflicts that might otherwise occur as a result of this overlap, to encourage and facilitate cooperation with one another, to insure that resource management efforts are not inappropriately duplicated, and to insure that public funds are used effectively."
4. Since Water Year 1995, when the State Water Resources Control Board first ordered California America Water (Cal-Am) to reduce its unauthorized diversions from the

Carmel Valley Alluvial Aquifer (CVAA), Cal-Am has reduced production from the CVAA by 46%, which has made a significant contribution to reversing the trend of seasonal dewatering. During the same time period, non-Cal-Am pumping in the CVAA has generally remained at or above the 1995 level of production and there has been no trend toward a reduction of seasonal dewatering of the Carmel River due to this group of pumpers.

5. On October 26, 2010, Monterey County adopted a General Plan Update that included Policy PS-3.2, which requires that the General Manager of the Monterey County Water Resources Agency make a determination of a “Long Term Sustainable Water Supply” for new development. A key factor in making such a determination is the ability to reverse trends contributing to an overdraft condition and effects of diversion of water on the environment. The District has a joint interest with Monterey County in reversing the trend of seasonal dewatering in the Carmel River and environmental degradation due to the combined effects of Cal-Am and non-Cal-Am pumping in the CVAA.
6. On August 15, 2016, the MPWMD Board of Directors approved a revised policy for WDS that draw from the CVAA when there is a new or changed use. The Board’s intent is to provide regulatory consistency with Monterey County for alluvial water systems and further MPWMD’s environmental stewardship of the Carmel River Basin.
7. This ordinance would amend the regulatory process described in Rule 40-A for certain WDS dependent on the CVAA for water supply, based on policy direction provided by the MPWMD Board of Directors at their August 15, 2016 meeting. Other rules are also amended to clarify their intent, provide internal consistency among rules, or correct minor errors.
8. This ordinance shall amend the MPWMD Rules and Regulations. Specifically, this ordinance shall revise or add certain terms in Rule 11 (Definitions). This ordinance shall amend certain text for Rule 20-A (Permits to Create/Establish a Water Distribution System), Rule 20-C (Exemptions for Water Distribution System Permit), Rule 20.4 (Permit Rule Non-Compliance), Rule 21-A (Application for Permit to Create/Establish a Water Distribution System), Rule 22 (Action on Application to Create/Establish a Water Distribution System), Rule 40 (Determination of System Capacity and Expansion Capacity Limits), and Rule 60 (Fees and Charges). Several rules refer to Implementation Guidelines for specific protocols. The Implementation Guidelines shall also be revised to reflect these Rule changes.

9. The District Board of Directors determines that this ordinance is not considered to be a “project” under California Environmental quality Act (CEQA) Guidelines Section 15378 because the function of the ordinance (and its associated Implementation Guidelines) is to refine permit processing protocol, and the ordinance does not have the potential to result in either a direct physical effect or reasonably foreseeable indirect physical effect on the environment. Each future WDS application received will continue to be subject to environmental review in order to determine what action the District must take pursuant to the applicable CEQA sections.

NOW THEREFORE be it ordained as follows:

ORDINANCE

Section One: Short Title

This ordinance shall be known as the Carmel Valley Alluvial Aquifer System Capacity Ordinance (Rules 11, 20, 20.4, 21, 22, 40 and 60).

Section Two: Purpose

This ordinance shall revise the permanent Rules and Regulations of the District concerning procedures used to set the System Capacity (water production limit) for Water Distribution Systems in the Carmel Valley Alluvial Aquifer. It also clarifies the intent of certain rules, and makes corrections to ensure internal consistency among rules.

Section Three: Amendment of Rule 11 (Definitions)

District Rule 11 shall be amended by deleting the following provisions shown in strikeout text (~~strikeout~~), and by adding the following provisions set forth in italicized and bold face type (***bold face***).

CONFIRMATION OF EXEMPTION - “Confirmation of Exemption” shall mean a ~~written approval~~ ***document issued by the MPWMD that exempts certain Water Distribution Systems identified in Rule 20 from the requirement for a Water Distribution System Permit*** ~~staff of the Monterey Peninsula Water Management District based on an application package which complies with Rules 20 and 21.~~

CONSUMPTIVE USE -- “Consumptive Use” shall mean the amount of water produced by a Water Distribution System, as measured at the Project Site, that is not returned to the water-bearing aquifer or geologic formation beneath the property. Consumptive Use is determined as described in the Implementation Guidelines for Water Distribution Systems.

MONTEREY PENINSULA WATER RESOURCE SYSTEM – “Monterey Peninsula Water Resource System” (“MPWRS”) shall mean the surface water in the Carmel River and its tributaries (*as listed in the definition of “Sensitive Environmental Receptor”*), Groundwater *flowing in known and definite channels* in the Carmel Valley Alluvial Aquifer which underlies the Carmel River, and Groundwater in the Seaside Groundwater Basin, *including shallow brackish Groundwater from the Aromas Sands Formation used by the Sand City Desalination Facility.*

The District shall maintain a current list of Water Distribution Systems within the Monterey Peninsula Water Resource System.

Section Four: Amendment of Rule 20-A (Permit to Create/Establish a WDS)

District Rule 20-A shall be amended by deleting the following provisions shown in strikeout text (~~strikeout~~), and by adding the following provisions set forth in italicized and bold face type (***bold face***).

RULE 20 - PERMITS REQUIRED

A. PERMIT TO CREATE/ESTABLISH A WATER DISTRIBUTION SYSTEM

Before any Person Creates or Establishes a Water Distribution System or a Mobile Water Distribution System, such Person shall ~~first~~ ***either*** obtain a written Confirmation of Exemption ***from the Water Distribution System Permit requirements*** or ***a Water Distribution System Permit*** from the District, ~~execute and record a notice on the title of the property, and pay all applicable fees.~~

Desalination, reclamation or importation facilities located within the District are not exempt because the Source of Supply is considered to be the water emanating from a facility within the District.

Persons who hold a valid permit for construction and operation of a Water Distribution System from the Monterey County Health Department (*Monterey County Environmental Health Bureau*), prior to March 12, 1980, or a Water Distribution System in existence prior to that date, shall be deemed to have been issued a Permit in compliance with these Rules and Regulations. Persons who filed a completed application to the Monterey County Health Department (*Monterey County Environmental Health Bureau*), date-stamped by the Department on or before March 19, 2001, for construction of a Well serving a Single-Parcel Connection System shall be deemed to have been issued a Permit in compliance with these Rules and Regulations provided all of the following actions were taken: (1) the Applicant received a valid well construction permit from the Monterey County Health Department (*Monterey County Environmental Health Bureau*), made the Well active, metered the Well, had the Well inspected by MPWMD and received an approved MPWMD Water Meter Installation Inspection form issued on or before October 15, 2001; and (2) each Water-Gathering Facility of that system was registered with the District on or before October 15, 2001.

No Mobile Water Distribution System shall be issued a Permit under the provisions of the previous paragraph. Each such system shall be required to apply for and obtain a written Confirmation of Exemption or Permit in accord with Rules 21 and 22.

The Expansion Capacity Limit and System Capacity of ~~previously existing~~ *Water Distribution* Systems shall be determined pursuant to Rule 40-A, *which considers the system location in relation to the Monterey Peninsula Water Resource System, and whether criteria are met* ~~unless they meet the criteria~~ for a Confirmation of Exemption or Level 1 WDS Permit, or *whether* ~~do not have a~~ water rights *are* specified in the Seaside Basin Adjudication Final Decision (as amended), or in a permit issued by the State Water Resources Control Board, *or other water rights are determined to apply*.

An Owner or Operator of a Water Distribution System shall not modify, add to or change his/her Source of Supply, location of uses, change the System Capacity (if applicable) or Expansion Capacity Limit (if applicable), or expand the Service Area unless that Person first files an application to do so with the District and receives an amended creation/establishment Permit or written Confirmation of Exemption.

Section Five: Amendment of Rule 20-C (Exemptions for Water Distribution System Permit)

District Rule 20-C shall be amended by deleting the following provisions shown in strikeout text (~~strikeout~~), and by adding the following provisions set forth in italicized and bold face type (***bold face***).

C. EXEMPTIONS FOR WATER DISTRIBUTION SYSTEM PERMIT

Exemptions for a Water Distribution System Permit for a Well shall only be considered following receipt of a ***complete Request for Confirmation of Exemption package as described in Rule 21 and in the Implementation Guidelines for Processing Applications for Water Distribution Systems and Mobile Water Distribution Systems***. ~~Well Construction Permit from the Monterey County Environmental Health Bureau and a State Department of Water Resources Well Completion Report. The Well must be properly registered with MPWMD, metered, inspected, and have an approved MPWMD Water Meter Installation Inspection form on file. The application package shall be processed as described in Rule 21 (Applications) and Rule 22 (Action on Application for Permit to Create/Establish a Water Distribution System). Additional requirements are described in the Implementation Guidelines.~~

An MPWMD Water Distribution System Permit is not required for the situations enumerated below. Unless noted otherwise, a written and recorded Confirmation of Exemption prepared by MPWMD staff is required.

1. For properties that lie outside the District boundary, where both: (a) the property to be served is wholly outside of the boundaries of the Monterey Peninsula Water Management District; and (b) the water source is also located outside of the District boundary. A written Confirmation of Exemption is not required.
2. For properties that straddle the District boundary, where both: (a) the portion of the property served by the Water Distribution System is outside of the District boundary; and (b) the Source of Supply is outside of the District boundary. A written Confirmation of Exemption is not required.

3. For a Well (or Wells) which serves fewer than four Parcels and is located more than 1,000 feet from the boundary of any component of the Monterey Peninsula Water Resource System as defined in Rule 11.
4. For a Well (or Wells) that serves fewer than four Parcels located less than or equal to 1,000 feet from components of the Monterey Peninsula Water Resource System for which the well log shows no connectivity to these components as determined by qualified MPWMD staff.
5. For a Single-Parcel Connection System located within the Seaside Groundwater Basin with overlying water rights to percolating Groundwater for which annual production shall total less than 5.0 Acre-Feet per year.
6. To Reactivate, Refurbish or Replace existing Wells that are registered with the District, as defined in Rule 11. To qualify for this exemption, the Reactivated, Refurbished or Replacement Well must have substantially the same or lower Capacity of the *existing Well*. ~~structure replaced~~. The replacement structure must be consistent with other MPWMD Rules and Regulations. This exemption from the MPWMD permitting process does not *remove* ~~affect in any way~~ the Applicant's obligation to comply with permit requirements by other regional, state or federal agencies. This exemption shall not apply to an Abandoned Well, or replacement or refurbishment of an Abandoned Well, or Wells that have been Inactive for more than three *consecutive* years from the date of receipt of the ~~Application~~ *Form* described in Rule 21-A.

[Note: Subsections #7 through #14 remain unchanged]

Section Six: Amendment of Rule 20.4-A (Permit Rule Noncompliance Notice)

District Rule 20.4-A shall be amended by deleting the following provisions shown in ~~strikeout~~ text (~~strikeout~~), and by adding the following provisions set forth in italicized and bold face type (*bold face*).

RULE 20.4 - PERMIT RULE NON-COMPLIANCE

A. NOTIFICATION

When the General Manager first becomes aware that a Water Distribution System is operating without a Permit or is in violation of current Permit conditions, particularly the System Limits, he/she shall provide written notification to the Owner or Operator, if known, of the Water Distribution System that District Rule 20 has been violated. Copies of this notice shall be provided to each property owner receiving water from the unpermitted or non-complying Water Distribution System, to the extent known. Notice shall be deemed to have been given when the written notification has been deposited in the U.S. mail, postpaid, addressed to the Responsible Party, or when personally delivered. The Owner of the Water Distribution System shall file an application for a Permit to Create or Amend a Water Distribution System in accord with District Rule 21 or take action in accordance with District Rule 40 within sixty (60) days of notification.

For incomplete applications submitted in response to this Rule, failure to submit all information requested within the time limit specified by the General Manager shall result in enforcement pursuant to Rule 20.4-B, 20.4-C, and 20.4-D, unless due diligence is demonstrated and a written extension with a revised deadline is approved by the General Manager.

If a Water Distribution System had System Limits imposed prior to May 21, 2014 (the effective date of Ordinance No. 160), and meets the criteria for a Confirmation of Exemption without System Limits or a Level 1 Water Distribution System Permit without System Limits, the Owner may submit an application to remove the System Limits pursuant to the procedures specified in Rule 21-A and the Implementation Guidelines.

Section Seven: Amendment of Rule 21-A (Permit Applications)

District Rule 21-A shall be amended by deleting the following provisions shown in strikeout text (~~strikeout~~), and by adding the following provisions set forth in italicized and bold face type (***bold face***).

RULE 21 - APPLICATIONS

- A. **APPLICATION PACKAGE FOR PERMIT TO CREATE/ESTABLISH A WATER DISTRIBUTION SYSTEM AND APPLICATION PACKAGE FOR A CONFIRMATION OF EXEMPTION**

1. The Applicant for a Permit to Create/Establish a Water Distribution System ~~or for a Confirmation of Exemption~~ shall submit the following *information*, based on guidance provided in the Implementation Guidelines *for Processing Applications for Water Distribution Systems and Mobile Water Distribution Systems*. *The application package shall include the following:*
 1. *a.* A completed written ~~A~~ application ~~form~~ signed by the system Owner, ~~in the manner and form prescribed by the Implementation Guidelines. Based on the information provided in the Application, the General Manager shall determine: (a) whether the application qualifies for an exemption under Rule 20; (b) whether ministerial or discretionary action is needed by MPWMD; and (c) which type of Permit is applicable to the project as prescribed by Rule 22 and the Implementation Guidelines. Depending on the situation, the Application package may be required to include some or all of the remaining numbered elements of this Rule 21 A; and~~
 2. *b.* Environmental information as required by the California Environmental Quality Act (CEQA); ~~and~~
 3. *c.* Zoning and land use designations for the property; *including identification of* identify land-use approvals which may be required for the proposed Project by the ~~Municipal Unit Jurisdiction~~ in which the proposed system would be located (i.e., tentative map, use permit, etc.), or by other Governmental agencies, consistent with state and local regulations that require proof of available water supply; ~~and~~
 4. *d.* Identify type of water right claimed to exist with each Water-Gathering Facility and each Source of Supply for the system (e.g., riparian, pre-1914, appropriative, overlying or other). Provide written verification of legal water rights applicable to type of right claimed (*see Implementation Guidelines for further detail*). The verification shall include, but shall not be limited to the following forms of documentation, *as applicable*:

- (1a) Condition of Title Report, prepared by a title company at the Applicant's expense, and any and all supporting documentation to indicate whether legal water rights have been subordinated or severed; this documentation may include a judicial declaration of right or a full title opinion prepared by an attorney with expertise in water law;
- (2b) Information that describes the legal basis or authority for diversion and extraction of water;
- (3e) If Groundwater is being pumped from a Groundwater basin that has not been adjudicated, **or declared to be in a state of overdraft**, a statement to that effect in addition to a copy of the current deed to the property is sufficient documentation to satisfy this requirement; or
- (4d) If the source of the water is subject to permit requirements under the State Water Resources Control Board, a copy of the SWRCB water rights permit or domestic registration must be included. ~~;~~ ~~and~~
5. e. A copy of: ~~(a)~~ an approved Water Well Construction Permit issued by the Monterey County Environmental Health Bureau, including the associated impact assessment ~~conducted~~ **conducted** by the Monterey County Water Resources Agency (if applicable). ~~;~~ ~~(b)~~
- f. A **copy of** the State of California Well Completion Report submitted to the California Department of Water Resources ("well log"). ~~;~~
- g. A **copy of the** ~~and~~ ~~(e)~~ Monterey County Environmental Health Bureau "Source Water Quality and Quantity Analysis Certification Form," "**Source Capacity Test**," or similar approval document from that agency (if applicable). ~~;~~ ~~and~~
6. h. The name and address of each Responsible Party. ~~;~~ ~~and~~
7. i. The results of Well Capacity (~~Aquifer Pumping~~) Tests (**Aquifer Pumping Tests**) as specified by the Implementation Guidelines,

the cost of which shall be borne by the Applicant, and which may be observed by a District representative or agent. ~~;~~ and

8. *j.* The results of water quality tests as specified by the Implementation Guidelines, the cost of which shall be borne by the Applicant. ~~;~~ and
9. *k.* An evaluation of the hydrogeologic information in the manner and form required in the Implementation Guidelines. This evaluation shall be prepared by a qualified individual or firm as determined by the District. Qualified consultants shall include a certified hydrogeologist, a licensed professional geologist with a specialty in hydrogeology, a certified engineering geologist with a specialty in hydrogeology, or a registered civil engineer with a specialty in hydrology; these specialists shall be certified in, registered or licensed by the State of California. The costs of this evaluation shall be borne by the Applicant. ~~;~~ and
10. *l.* Documentation regarding notification to Neighboring Well owners, if applicable. If required by the District, the Applicant shall provide notice to Neighboring Well owners regarding the opportunity to monitor Wells as specified in the Implementation Guidelines. Applicant shall provide documentation of notice to, and responses (if any) by, Neighboring Well owners to the District prior to the commencement of Well Capacity (Aquifer Pumping) Tests, as specified in the Implementation Guidelines.
- m. Current Well registration with MPWMD, and the Well must be metered and in compliance with Regulation V, Well Monitoring.*
11. *n.* For a Mobile Water Distribution System, documentation about the Ssource of Ssupply, quantity and intended uses, including written approval from the agency with regulatory authority over the source (if source is located outside of the MPWMD boundary). ~~;~~ and
12. *o.* The applicable fees prescribed in Rule 60.
2. *Application for a Confirmation of Exemption.*

The Applicant for a Confirmation of Exemption shall submit the following shall submit the following information, based on guidance provided in the Implementation Guidelines for Processing Applications for Water Distribution Systems and Mobile Water Distribution Systems. The application package shall include the following:

- a. A completed written Request for Confirmation of Exemption signed by the system Owner.*
- b. A copy of an approved Water Well Construction Permit issued by the Monterey County Environmental Health Bureau, including the associated impact assessment conducted by the Monterey County Water Resources Agency.*
- c. A copy of the State of California Well Completion Report submitted to the California Department of Water Resources (“well log”).*
- d. A copy of the Monterey County Environmental Health Bureau “Source Water Quality and Quantity Analysis Certification Form,” “Source Capacity Test,” or similar approval document from that agency as applicable.*
- e. The name and address of each Responsible Party.*
- f. Current Well registration with MPWMD, and the Well must be metered and in compliance with Regulation V, Well Monitoring.*
- g. An evaluation of the hydrogeologic information in the manner and form required in the Implementation Guidelines. This evaluation shall be prepared by a qualified individual or firm as determined by the District. Qualified consultants shall include a certified hydrogeologist, a licensed professional geologist with a specialty in hydrogeology, a certified engineering geologist with a specialty in hydrogeology, or a registered civil engineer with a specialty in hydrology; these specialists shall be certified in, registered or licensed by the State of California. The costs of this evaluation shall be borne by the Applicant.*

11. *For a Mobile Water Distribution System: Documentation about the Source of Supply, quantity and intended uses, including written approval from the agency with regulatory authority over the source (if source is located outside of the MPWMD boundary).*
12. *The applicable fees prescribed in Rule 60.*

Section Eight: Amendment of Rule 22-A (Process for Application for WDS Permit)

District Rule 22-A shall be amended by deleting the following provisions shown in strikethrough text (~~strikethrough~~), and by adding the following provisions set forth in italicized and bold face type (*bold face*).

RULE 22 - ACTION ON APPLICATION FOR PERMIT TO CREATE/ ESTABLISH OR AMEND A WATER DISTRIBUTION SYSTEM, REQUEST A CONFIRMATION OF EXEMPTION

A. PROCESS

1. Review of Application Package and Notification to Applicant

The General Manager shall review each ~~Application Form (and attachments)~~ *application package* to Create/Establish a Water Distribution System or Mobile Water Distribution System, or to amend such a system. If the ~~A~~ *application package* is determined to be complete pursuant to *Rule 21 and* the Implementation Guidelines *for Processing Applications for Water Distribution Systems and Mobile Water Distribution Systems*, the General Manager shall confirm the proper Permit Review Level as defined in Rule 11, Definitions. The General Manager shall notify the ~~a~~ Applicant in writing *within 30 days* to confirm the Permit Review Level determination and the associated process steps, including the required recordation of notice on the title of the property, if applicable, and potential additional fees. If the ~~A~~ *application package* is determined to be incomplete, the General Manager shall notify the ~~a~~ Applicant *within 30 days* in writing of the missing or deficient information, and request the Applicant to submit that information *within thirty days*. *Additional extensions of time may be granted at the discretion of the General Manager. Application packages that are not completed within the specified time may be subject to Rule 22-F.*

2. Determination of Permit Review Level

Based on the information in the Application package, the General Manager shall determine the Permit Review Level as follows, using Table 22-A as a guide and consistent with the protocol provided in the Implementation Guidelines, and with the California Environmental Quality Act (CEQA). The Permit Review Levels are as follows:

Exempt: A system meets the criteria identified in Rule 20. *An exemption is a ministerial action not subject to review under CEQA or to requirements of the Permit Streamlining Act.*

Level 1 Water Distribution System Permit (Basic-Non-MPWRS): For a Water Distribution System or Mobile Water Distribution System located outside of the Monterey Peninsula Water Resource System that does not meet the exemption criteria specified in Rule 20, but does qualify for a Permit to be issued without System Limits as a condition of approval, consistent with the criteria in these Rules and the Implementation Guidelines. *Unless the proposed project qualifies for a CEQA categorical exemption, Level 1 permits are a discretionary action subject to requirements of the Permit Streamlining Act.*

Level 2 Water Distribution System Permit (Basic—Seaside Groundwater Basin): For a Water Distribution System or Mobile Water Distribution System located within the Seaside Groundwater Basin that does not meet the exemption criteria in Rule 20, but does qualify for a Permit to be issued with System Limits consistent with ~~production triggers~~ in the Seaside Basin Adjudication Final Decision (March 2006 as amended), and consistent with the criteria specified in Rules 21, 22 and 173, and the associated Implementation Guidelines specified in those rules. *Level 2 permits are subject to the Permit Streamlining Act and CEQA review unless the project qualifies for a CEQA categorical exemption or unless the project is covered by the previous action of the Superior Court which supersedes CEQA.*

Level 3 Water Distribution System Permit (Project-Specific Limits in MPWRS/Other): For a Water Distribution System or Mobile Water Distribution System located within the Monterey Peninsula Water Resource System, or a system located outside the Monterey Peninsula

Water Resource System that does not meet the exemption criteria in Rule 20, or does not meet the criteria for a Level 1 or Level 2 Permit, in Rules 21, 22 and 173, and the associated Implementation Guidelines specified in those rules. The Level 3 Permit is issued with System Limits as a condition of approval, and other restrictions as necessary to protect the MPWRS. ***Unless the proposed project qualifies for a CEQA categorical exemption, Level 3 permits are a discretionary action subject to requirements of the Permit Streamlining Act.***

Each application shall be reviewed pursuant to CEQA, except those projects which meet the CEQA criteria for a ministerial or categorical exemption (CEQA Guidelines Section 15268 and Article 19). ***Government Code §65941 (c) requires the responsible agency to begin processing an application for Level 1, 2, and 3 permits for a development project if so asked by the Applicant “to the extent that the information necessary to commence the processing is available.” Information necessary to begin permit processing is described in the Implementation Guidelines.***

3. Protocol for Exempt System

Unless specified otherwise in Rule 20, the General Manager shall provide a written Confirmation of Exemption to the Applicant in the form and manner prescribed in the Implementation Guidelines, including the applicable fee described in Rule 60. ***A Water Distribution System located within the Carmel Valley Alluvial Aquifer that qualifies for a Confirmation of Exemption is potentially subject to a System Capacity (annual production) limit pursuant to Rule 40-A. A Notice of Deed Restriction Regarding Confirmation of Exemption on the title of the property shall be recorded by the District prior to issuance of the written Confirmation of Exemption. District action is ministerial and is exempt from the requirements of CEQA (Guidelines Section 15268). Notice of the staff action shall be provided to the public via the “Appealable Decisions” section of the District website. The staff determination may be appealed to the MPWMD Board pursuant to Rule 70, “Appeals.”***

4. Protocol for Level 1 Permit (Basic Non-MPWRS)

The General Manager shall review the application package in the form and manner prescribed in Rules 21 *and* 22. ~~to determine if the submitted application is complete, pursuant to the Implementation Guidelines, within thirty (30) days of receipt. If the application is determined to be incomplete, the General Manager shall notify the Applicant concerning that information, in which the application is deficient and request the Applicant to submit that information, in compliance with Rule 22-F.~~ If the ~~A~~application is determined to be complete, and all criteria specified in Rule 22-A-2 and the Implementation Guidelines are met, the General Manager shall issue a Level 1 Permit ~~within a goal of sixty (60) days that specifies terms and conditions that are independent of, but consistent with, Rules 22. -B, 22-C and 22-D.~~ The Level 1 Permit does not set System Limits. However, a mandatory condition of approval shall state, “There shall be no permanent intertie to any other water system *that is required to reduce water use*, and there shall be no intertie to the California American Water system *that relies on Cal-Am water rights*, ~~under any circumstances~~, including a temporary emergency, until there is full compliance with SWRCB Order WR 95-10 (as amended), compliance with the Seaside Groundwater Basin Adjudication Final Decision of 2006 (as amended), and water is available in the respective Jurisdiction’s Allocation for release to the Parcel(s).” District action is discretionary and the application is subject to CEQA review unless the project qualifies for a CEQA categorical exemption (CEQA Guidelines Article 19). Notice of the staff action shall be provided to the public via the “Appealable Decisions” section of the District website. The staff determination may be appealed to the MPWMD Board pursuant to Rule 70, “Appeals.”

5. Protocol for Level 2 Permit (Basic Seaside *Groundwater* Basin)

The General Manager shall review the ~~A~~application package in the form and manner prescribed in Rules 21 *and* 22. ~~to determine if the submitted application is complete, pursuant to the Implementation Guidelines, within thirty (30) days of receipt. If the application is determined to be incomplete, the General Manager shall notify the Applicant concerning that information, in which the application is deficient and request the Applicant to submit that information, in compliance with Rule 22-F.~~ If the ~~A~~application is determined to be complete, and all criteria specified in Rule 22-A-2 and the Implementation Guidelines are met, the General Manager shall issue a Level 2 Permit ~~within a goal of sixty (60) days that~~

specifies terms and conditions that are consistent with Rules 22-B and 22-C, and in compliance with Rule 22-D, unless a specific condition is not applicable. District action is discretionary and the ~~A~~application is subject to CEQA review unless the project qualifies for a CEQA categorical exemption (CEQA Guidelines Article 19) or unless the ~~p~~Project is covered by the previous action of the Superior Court, which supersedes CEQA. Notice of the staff action shall be provided to the public via the “Appealable Decisions” section of the District website. The staff determination may be appealed to the MPWMD Board pursuant to Rule 70, “Appeals.”

6. Protocol for Level 3 Permit (Project-Specific Limits in MPWRS/Other)

- a. The General Manager shall review the ~~A~~application package in the form and manner prescribed in Rules 21 *and* 22. ~~to determine if the submitted application is complete, pursuant to the Implementation Guidelines, within thirty (30) days of receipt. If the application is determined to be incomplete, the General Manager shall notify the Applicant concerning that information, in which the application is deficient and request the Applicant to submit that information, in compliance with Rule 22-F. If the application is determined to be complete, and all criteria specified in Rule 22-A-2 and the Implementation Guidelines are met, the General Manager shall issue a Level 3 Permit within a goal of 120 days that specifies terms and conditions that are consistent with Rules 22-B and 22-C, and in compliance with Rule 22-D unless a specific condition is not applicable. A *Water Distribution System located within the Carmel Valley Alluvial Aquifer is subject to a System Capacity (annual production) limit pursuant to Rule 40-A. Usually complex applications may take longer than 120 days.* District action is discretionary and the ~~A~~application is subject to CEQA review unless the project qualifies for a CEQA categorical exemption (CEQA Guidelines Article 19).~~
- b. The General Manager shall consult with the Board Chairperson to determine if the project is large, complex or controversial enough to be taken directly to the Board of Directors as a public hearing. If a hearing is scheduled before the Board of Directors, the standard Board protocol for such a quasi-judicial hearing shall be

followed. The Chairperson may direct that a hearing be scheduled before the General Manager (or his/*her* designee) as the sole hearing officer, as described in subsections (c), (d) and (e) below. The Chairperson could direct that certain Single-Parcel Connection Systems do not require a public hearing. In that case, notice of the staff action shall be provided to the public via the “Appealable Decisions” section of the District website. The staff determination may be appealed to the MPWMD Board pursuant to Rule 70, “Appeals.”

- c. At a hearing before the staff hearing officer, the Applicant shall be entitled to present evidence in support of the ~~A~~application. Interested Persons may present evidence in opposition or support of the ~~A~~application. The hearing officer, in conducting the public hearing, may request hydrologic, geologic, legal opinions or other studies necessary to obtain information required for his/her decision. The cost of such studies shall be borne by the Applicant. For every ~~A~~application for which a Controversy, based on factual evidence already in the record or introduced into the record, arises concerning the extent or adequacy of water rights, the hearing officer may require and will specify additional documentation needed to support each water right claim. The hearing officer shall continue the public hearing on the ~~A~~application until the specified information is provided by the Applicant.
- d. The hearing officer may deny, approve, or continue the Permit ~~A~~application based on the minimum standards as set forth in Rule 22-C and its findings pursuant to Rule 22-B. The hearing officer may impose such conditions on the Permit that he/she deems necessary and proper, which must include the “Mandatory Conditions of Approval” specified in Rule 22-D, unless a specific condition is not applicable. The General Manager shall notify the Applicant within thirty (30) days in writing by mail or in person of the hearing officer action taken; namely continuance, approval, conditional approval, or denial of the ~~A~~application. Notice of the action taken shall be deemed to have been given when the written notification has been deposited in the mail, postpaid, addressed to the address shown on the Application, or when personally delivered to the Applicant or the Applicant’s representative.

Notice of the hearing officer's action shall be provided to all MPWMD Board members.

- e. The hearing officer's decision may be appealed to the MPWMD Board of Directors pursuant to Rule 70, "Appeals," upon payment of the fee specified in Rule 60. Permits granted under this provision may be appealed to the Board of Directors for a *de novo* hearing. That hearing shall convene under the rules of process set in Rule 70, "Appeals."

Section Nine: Amendment of Rule 22-B (Findings)

District Rule 22-B shall be amended by deleting the following provisions shown in strikeout text (~~strikeout~~), and by adding the following provisions set forth in italicized and bold face type (***bold face***).

B. FINDINGS

In order to protect public trust resources, prior to making its discretionary decision to grant or deny any Permit to Create or Establish any Water Distribution System, or to Create or Establish any Mobile Water Distribution System, the Board (or the General Manager for certain systems) shall determine:

1. Whether the system for which a Permit is sought would cause unnecessary duplication of the same types of services by any existing system; and
2. Whether the Permit would result in exportation or importation of water outside or into the District; and
3. Whether the proposed Water Distribution System would result in significant environmental effects that cannot be mitigated by conditions attached to the Permit; and
4. Whether the ~~A~~application adequately identifies the claim of right for each Source of Supply for the Water Distribution System, whether it provides adequate supporting verification documentation thereto, and/or whether the system relies on any non-existent or questionable claim of right; and
5. Whether the ~~A~~application demonstrates ~~the existence of a long-term reliable Source of Supply~~ ***that the proposed Water-Gathering Facility***

produces a long-term reliable supply as ~~demonstrated~~ *required* by standard methodology adopted by the Monterey County Environmental Health Bureau and/or MPWMD testing procedures identified in the Implementation Guidelines; and

6. *Whether the Source of Supply is the Carmel Valley Alluvial Aquifer, and if the MPWMD protocol established in Rule 40-A has been applied to setting the System Capacity.*
67. Whether the Source of Supply is shared by any other Water Distribution System, and if the system affects the Monterey Peninsula Water Resource System, the extent to which cumulative impacts may affect each Source of Supply, and species and habitat dependent upon those Sources of Supply; and
78. Whether the Source of Supply derives from (a) the Monterey Peninsula Water Resource System, and/or (b) waters within the jurisdiction of the State Water Resource Control Board, and/or (c) waters tributary to the Source of Supply for any other system; and
89. Whether the proposed Water Distribution System (a) shall intertie to any other system, (b) shall be able to obtain emergency supplies in the event of system failure, (c) shall provide fire flow requirements for development served by that system; and (d) the extent other Water Distribution Systems shall be required to provide emergency supplies and/or meet fire flow requirements; and
910. Whether the proposed Water Distribution System shall incorporate adequate cross contamination and backflow measures to protect other systems and Sources of Supply.

Section Ten: Amendment of Rule 22-C (Minimum Standards for Granting Permit)

District Rule 22-C shall be amended by deleting the following provisions shown in ~~strikeout~~ text (~~strikeout~~), and by adding the following provisions set forth in italicized and bold face type (***bold face***).

C. **MINIMUM STANDARDS FOR GRANTING PERMIT**

An application may be considered for approval if it complies with each of the following minimum standards; if any one of the following standards is not met, the application shall be denied:

1. The application identifies at least one Responsible Party who, at all times, will be available and legally responsible for the proper performance of those things required of a Permit holder by this regulation.
2. ~~The ability of the Source of Supply for any Water Distribution System designed to deliver water any Potable use to other than a Single Parcel Connection System, to provide water that complies with the standards set forth in Title 22 of the California Administrative Code or standards set forth by the Monterey County Environmental Health Bureau.~~
32. The ~~A~~application identifies the location of each Source of Supply for the Water Distribution System or Mobile Water Distribution System, and the location of each use supplied by the system.
3. *The application demonstrates that the proposed Water-Gathering Facilities produce a long-term reliable supply for the intended purposes; and for any Potable use other than a Single-Parcel Connection System, that the system complies with the standards set forth in Title 22 of the California Administrative Code or standards set forth by the Monterey County Environmental Health Bureau.*
4. The proposed Water Distribution System will not create an Overdraft or increase an existing Overdraft, unless a valid superior right is proven.
5. The proposed Water Distribution System will not adversely affect the ability of existing systems to provide water to Users unless a valid superior right is proven.
6. *The proposed Water Distribution System, if its Source of Supply is the Carmel Valley Alluvial Aquifer (CVAA), is consistent with the MPWMD Policy for the CVAA adopted on August 15, 2016.*

Section Eleven: Amendment of Rule 22-F (Cancellation of Applications)

District Rule 22-F shall be amended by deleting the following provisions shown in strikeout text (~~strikeout~~), and by adding the following provisions set forth in italicized and bold face type (***bold face***).

F. CANCELLATION OF APPLICATION

In processing an application for a Permit to Create/Establish a Water Distribution System, an Applicant who receives an “incomplete” letter *or interim Permit processing fee invoice* must *respond to the District’s request* ~~provide the needed information~~ within the period of time specified in the letter. Failure to comply shall result in cancellation of the application, without prejudice.

Section Twelve: Amendment of Rule 40-A (Determination of System Limits)

District Rule 40-A shall be amended by deleting the following provisions shown in strikeout text (~~strikeout~~), and by adding the following provisions set forth in italicized and bold face type (***bold face***).

RULE 40 - DETERMINATION OF SYSTEM CAPACITY (~~PRODUCTION~~) AND EXPANSION CAPACITY (~~CONNECTION~~) LIMITS (“SYSTEM LIMITS”)

A. DETERMINATION OF SYSTEM CAPACITY (~~PRODUCTION~~) AND EXPANSION CAPACITY (~~CONNECTION~~) LIMITS (“SYSTEM LIMITS”)

Pursuant to Rule 20, the District shall determine both the System Capacity (annual production) Limit and the Expansion Capacity (Connection) Limit for ~~existing~~ Water Distribution Systems *that do not meet the requirements for a Confirmation of Exemption*. The term “System Limits” is used to refer to the System and Expansion Capacity (production and Connection) Limits. ~~The term “existing” in this context refers to systems existing prior to April 18, 2001, the effective date of MPWMD Ordinance No. 96.~~

1. Existing Water *Distribution* Systems with System Limits Previously Determined by MPWMD

The District need not re-determine the System Limits for Water Distribution Systems that have been issued Permits ~~prior to April 18, 2001~~ that include defined System Limits. *For Water Distribution Systems that meet either of the criteria*

in Rule 40-A-3 below, the Applicant may request that the District waive the System Limits through the Confirmation of Exemption process specified in Rule 22.

2. Existing Water **Distribution** Systems with System Limits Not Previously Defined by MPWMD

The District General Manager shall determine the System Limits for all Water Distribution Systems that meet either of the following two characteristics:

- a. the system was issued an MPWMD Water Distribution System Permit prior to April 18, 2001 (*the effective date of MPWMD Ordinance No. 96*) that did not include defined System Limits; or
- b. the system existed prior to January 15, 2003 (*the effective date of MPWMD Ordinance No. 105*) and never received an MPWMD Permit, but is considered lawful due to age or an exemption described in Rule 20.

Paragraphs A-3 and A-4 below describe two possible scenarios.

3. Existing Water **Distribution** Systems with System Limits Not Previously Defined by MPWMD ~~and that Meet All~~ Criteria to Be Treated as a Class

Properties with ~~W~~water **Distribution** Ssystems existing prior to January 15, 2003 and which meet *either of the two-three* criteria specified below in this paragraph A-3 shall be treated as a class. The District does not calculate individual numerical System Limits for each property within this class. The System Limits for this class are *may be* defined *by the Monterey County Environmental Health Bureau*, as the water use associated with the structures and activities allowed by the zoning and land use regulations of the Jurisdiction in which the property is located. All of the following three criteria must be met in order for the system to be treated as part of this class:

- a. *T*he Water Distribution Ssystem is located outside of, and more than 1,000 feet from, any component of the Monterey Peninsula Water Resource System or Sensitive Environmental Receptor as defined in Rule 11 a Single Parcel Connection System that existed prior to April 18, 2001; or

- b. *the Water Distribution System is located outside of, and less than 1,000 feet from, any component of the Monterey Peninsula Water Resource System or Sensitive Environmental Receptor as defined in Rule 11, and the well log(s) shows no connectivity to these components as determined by qualified MPWMD staff. ~~the single Parcel is zoned primarily for single family Residential use (such as R1, RDR, LDR zoning designations); and~~*
- e. ~~the single Parcel is no larger than 2.5 acres in size.~~

Other valid reasons may be considered by the District Board on appeal (Rule 70).

4. *New or Amended Water Distribution Systems Located Within the Carmel Valley Alluvial Aquifer with System Limits Not Previously Defined by MPWMD Must Be Treated on a Case-by-Case Basis*

Water Distribution Systems located within the Carmel Valley Alluvial Aquifer which do not meet the criteria specified in paragraph A-3 above shall be treated on a case-by-case basis. The System Limits shall be determined as follows as described more fully in the Implementation Guidelines:

- a. *For a Vacant Lot, or conversion of agricultural use, to a single Residential Connection, the System Capacity (production limit) is determined by the existing Consumptive Use on the Site as adjusted for the new Project's Consumptive Use;*
- b. *For a Vacant Lot, or conversion of agricultural use, or conversion of a single Residential Connection to two or three Residential Connections, the System Capacity (production limit) is determined by eighty-five percent (85%) of the existing Consumptive Use on the Site as adjusted for the new Project's Consumptive Use; the remaining 15% is designated for environmental benefits;*
- c. *For a Vacant Lot, or conversion of agricultural use, or conversion of two or three Residential Connections to four or more Residential Connections, or to Non-Residential Use, or to a Mixed-Use Project, the System Capacity (production limit) is determined by seventy-five percent (75%) of the existing Consumptive Use on the Site as adjusted for the new Project's Consumptive Use; the remaining 25% is for*

environmental benefits.

5. Existing New or Amended Water Distribution Systems Located Outside of the Carmel Valley Alluvial Aquifer but within the Monterey Peninsula Water Resource System with System Limits Not Previously Defined by MPWMD Which Must Be Treated on a Case-by-Case Basis

Water *Distribution* Systems existing prior to January 15, 2003 but which do not meet the criteria specified in paragraph A-3 above shall be treated on a case-by-case basis. The System Limits shall be determined based on an assessment that may consider any or all of the following information:

- a. ~~H~~istorical *consumptive* water use *and/or water production* records (especially the 10-year period prior to the date of assessment).;
- b. ~~T~~he physical capabilities of the existing system.;
- c. *Anticipated future water use based on* new or expanded activities that could occur without the need for permits by any Governmental agency *other than the District.*;
- d. *Anticipated future water use based on* development plans approved by the Jurisdiction in which the property is located prior to January 15, 2003 *submittal of the Water Distribution System application.*;
- e. ~~C~~onclusions about environmental effects.;
- f. ~~W~~ater rights, *including Seaside Groundwater Basin Adjudication determinations made by the Superior Court, or other relevant determinations.*; and/or
- g. ~~A~~ny other information submitted by the system Owner and deemed relevant by the General Manager.

Other valid reasons may be considered by the District Board on appeal (Rule 70).

6. New Water Systems Created or Amended on or After January 15, 2003 Are to Be Treated on a Case-by-Case Basis

~~Determination of System Limits for any Water Distribution System Created or Amended on or after January 15, 2003 and requiring an MPWMD Permit is guided by MPWMD Rules and Regulations. Each system shall be considered on a case by case basis. The System Limits shall be determined based on an assessment that may consider the relevant criteria described in paragraph A 4 above, in addition to documentation regarding any or all of the following:~~

- ~~a. anticipated future water use;~~
- ~~b. the physical capabilities of the proposed system;~~
- ~~c. new or expanded activities or development plans for which permit applications submitted to Governmental agencies have been deemed complete and are being processed by those entities;~~
- ~~d. findings on environmental effects;~~
- ~~e. water rights, *including Seaside Groundwater Basin Adjudication determinations made by the Superior Court, or other relevant litigation;* and/or~~
- ~~f. any other information submitted by the system Owner and deemed relevant by the General Manager.~~

~~Other valid reasons may be considered by the District Board on appeal (Rule 70).~~

The System Limits of any system may be amended by the Board upon request by the Permit holder pursuant to Rule 22.

Section Thirteen: Amendment of Rule 60 (Fees and Charges)

District Rule 60 shall be amended by deleting the following provisions shown in ~~strikeout~~ text (~~strikeout~~), and by adding the following provisions set forth in italicized and bold face type (***bold face***).

RULE 60 – FEES AND CHARGES

[Note: Sections A through I, Section L and Section M remain unchanged]

J. FEES RELATING TO CHALLENGES TO PERMITS

1. An Administrative Fee based on MPWMD staff time shall be imposed and collected at a ~~the~~ rate of ~~\$70.00 per hour~~ *shown in the Fees and Charges Table* for all activity associated with any challenge to the issuance, validity or denial of any Permit under the District Rules and Regulations, including, but not be limited to, efforts expended by District staff pursuant to any indemnification agreement.
2. A Legal Defense Fee shall be imposed and collected for any legal work performed by MPWMD Counsel associated with responding to any challenge to the issuance, validity or denial of any Permit under the District Rules and Regulations, to the imposition or validity of any condition imposed on such a Permit, or to any defect in process relating to the review and action on the Permit or Permit conditions. This fee shall be charged at actual cost, based on the hourly rate of retained MPWMD legal counsel at the time services are rendered. This fee shall include, but not be limited to, efforts expended by District Counsel pursuant to any indemnification agreement.

K. FEES RELATING TO PERMIT MODIFICATION OR ENFORCEMENT

1. An Administrative Fee based on MPWMD staff time shall be imposed and collected at ~~the~~ rate of ~~\$70.00 per hour~~ *shown in the Fees and Charges Table* for any Permit violation, condition compliance, Water Distribution System or Expansion Capacity Limit modification, or other enforcement activity.
2. A Legal Enforcement Fee shall be imposed and collected for any legal work performed by MPWMD Counsel associated with any Permit violation, condition compliance, Water Distribution System or Expansion Capacity Limit modification, or other enforcement activity. This fee shall be charged at actual cost, based on the hourly rate of retained MPWMD legal counsel at the time services are rendered. This fee shall include, but not be limited to, efforts expended by District Counsel pursuant to any indemnification agreement.

Section Fourteen: Publication and Application

The provisions of this ordinance shall cause the republication and amendment of the permanent Rules and Regulations of the Monterey Peninsula Water Management District. Section titles and captions are provided for convenience and shall not be construed to limit the application of the text.

Section Fifteen: Effective Date and Sunset

This ordinance shall be given effect at 12:01 a.m. on the 30th day following the date of its adoption on second reading.

Section Sixteen: Severability

If any subdivision, paragraph, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion of Director _____, and second by Director _____, the foregoing ordinance is adopted upon this ___th day of _____, 2016 by the following vote:

AYES: Directors _____

NAYS: Directors _____

ABSENT: Directors _____

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of an ordinance duly adopted on the ___th day of _____, 2016.

Witness my hand and seal of the Board of Directors this ___ day of _____, 2016.

David J. Stoldt, Secretary to the Board

ITEM: PUBLIC HEARING**11. CONSIDER SECOND READING AND ADOPTION OF ORDINANCE NO. 176 – AMENDING RULES 11, 21, 24, 25.5, 60, 64, 141, 143 AND 144**

Meeting Date: November 14, 2016 **Budgeted:** N/A

From: David J. Stoldt,
General Manager **Program/
Line Item No.:** N/A

Prepared By: Stephanie Locke **Cost Estimate:** N/A

General Counsel Review: Yes.

Committee Recommendation: The Water Demand Committee reviewed this ordinance October 3, 2016 and recommended approval.

CEQA Compliance: Categorical Exemption.

SUMMARY: Attached as **Exhibit 11-A** is Ordinance No. 176, “2016 Rule Amendment Ordinance II.” This ordinance amends and clarifies certain actions necessary to process and issue Water Permits and Water Distribution System Permits and clarifies certain permitting and conservation requirements. This ordinance also updates the User fee rule and adds Rebates for Non-Residential new technology and the removal of whirlpool tubs in Visitor-Serving Facilities.

DISCUSSION: The following is a summary of the sections of Ordinance No. 176:

- Rule 11 (Definitions) is amended to add definitions for “Accredited Institution of Higher Education Site” and “Jurisdiction Site” and to amend the definitions for “Parcel” and “Site.” These definitions are in keeping with Board action to allow Public School District’s flexibility in the use of Water Credits. The Water Demand Committee supports the definitions to encourage investments in water efficiency within these institutions.
- Rule 21 (Application for Permit to Connect to or Modify a Connection to a Water Distribution System) is amended to clarify that an amended Water Permit is required when there are changes to the fixture count or Water Use Capacity of an active permit.
- Rule 24, Table 2: Non-Residential Water Use Factors, is amended to require additional Water Use Capacity for the installation of multiple Showerheads in Visitor-Serving Facilities.
- Rule 25.5 (Water Use Credits and On-Site Water Credits) is amended to correct a mislabeled reference to Rule 25.5-H and to clarify that eight years of water records shall be submitted to document historic consumption. The current Rule is contradictory and contains reference to both eight years and ten years of water records.

- Rule 25.5 is also amended to allow recorded documentation of Water Credit on a Parcel when new Assessor's Parcel Numbers are assigned to the Site and the previous Assessor's Parcel Number becomes inactive.
- Rule 60-M (Refunds of Fees and Charges) is amended to specify how a refund is issued when the party who initially paid a fee is unknown.
- Rule 64 (Water Distribution System User Fees) is amended to reflect the current process based on prior ordinances.
- Rule 141 (Water Conservation Rebates) is amended to add a Rebate for removal of a whirlpool bathtub in a Visitor-Serving Facility. Removal of whirlpool bathtubs is encouraged due to the high water use associated with cleaning the whirlpool pipes of soaps and oils.
- Rule 141 (Water Conservation Rebates) is amended to establish a process for consideration of Non-Residential Rebates for water saving technology not listed in Rule 141.
- Rule 143 (Water Efficiency Standards for Existing Non-Residential Uses) is amended to set a standard for Non-Residential Clothes Washers that are unable to comply with the 5.0 Water Factor.
- Rule 144-C (Retrofit Exemptions) is deleted as the exemption in the rule will no longer be applicable upon the effective date of the ordinance.

RECOMMENDATION: Staff recommends adoption of Ordinance No. 176..

EXHIBIT

11-A Draft Ordinance No. 176 – Amending Rules 11, 21, 24, 25.5, 60, 64, 141, 143 and 144

EXHIBIT 11-A**DRAFT
ORDINANCE NO. 176****AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING RULES 11, 21, 24, 25.5, 60, 64, 141, 143, AND 144****FINDINGS**

1. The Monterey Peninsula Water Management District was created to address ground and surface water resources in the Monterey Peninsula area, which the Legislature found required integrated management, and was endowed with the powers set forth in the Monterey Peninsula Water Management District Law (Chapter 527 of the Statutes of 1977, found at West's Water Code, Appendix, Section 118-1, et seq.).
2. The Monterey Peninsula Water Management District has adopted and regularly implements water conservation and efficiency measures which, inter alia, set standards for the installation of plumbing fixtures in New Construction, and requires retrofit or replacement of existing plumbing fixtures upon Change of Ownership, Change of Use, and Expansion of Use, and for existing Non-Residential uses. The Monterey Peninsula Water Management District has general and specific power to cause and implement water conservation activities as set forth in Sections 325 and 328 of the Monterey Peninsula Water Management District Law.
3. The Monterey Peninsula Water Management District has found and determined that it is in the best interests of the Monterey Peninsula Water Management District and its inhabitants to define, implement and enforce water efficient plumbing standards and requirements for the conservation of Potable water supplies. Retrofit or replacement of existing plumbing fixtures lessens consumption of the limited water resources available on the Monterey Peninsula. Installation of water efficient plumbing fixtures reduces the burden of new, expanded or modified uses on the water resources.
4. Rule 11, Definitions, is amended to add definitions for "Accredited Institution of Higher Education Site" and "Jurisdiction Site" and to amend the definitions for "Parcel" and "Site."

5. Rule 21, Application for Permit to Connect to or Modify a Connection to a Water Distribution System, is amended to clarify that an amended Water Permit is required when there are changes to the fixture count or Water Use Capacity of an active permit.
6. Rule 24, Table 2: Non-Residential Water Use Factors is amended to require additional Water Use Capacity for the installation of multiple Showerheads in Visitor-Serving Facilities.
7. Rule 25.5, Water Use Credits and On-Site Water Credits, is amended to correct a mislabeled reference to Rule 25.5-H and to clarify that eight years of water records shall be submitted to document historic consumption. The current Rule is contradictory and contains reference to both eight years and ten years of water records.
8. Rule 25.5, Water use Credits and On-Site Water Credits, is amended to allow recorded documentation of Water Credit on a Parcel when new Assessor's Parcel Numbers are assigned to the Site and the previous Assessor's Parcel Number becomes inactive.
9. Rule 60-M, Refunds of Fees and Charges is amended to specify how a refund is issued when the party who initially paid a fee is unknown.
10. Rule 64, Water Distribution System User Fees, is amended as the text of the Rule was superseded by Ordinance Nos. 29, 32, 36, 37, 41, 51, 55, 58, 61, 67, 78, 82, 123, and 138.
11. Rule 141, Rebates, is amended to add a Rebate for removal of a whirlpool bathtub in a Visitor-Serving Facility. Removal of whirlpool bathtubs is encouraged due to the high water use associated with cleaning the whirlpool pipes of soaps and oils.
12. Rule 141, Rebates, is amended to establish a process for consideration of Non-Residential Rebates for water saving technology not listed in Rule 141.
13. Rule 143, Water Efficiency Standards for Existing Non-Residential Uses, is amended to set a standards for Non-Residential Clothes Washers that are unable to comply with the 5.0 Water Factor.
14. Rule 144-C, Retrofit Exemptions, is deleted as the exemption in the rule is no longer applicable.

15. This Ordinance is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000 et seq.). Pursuant to State CEQA Guidelines section 15307 (14 Cal. Code Regs., § 15307), this Ordinance is covered by the CEQA Categorical Exemption for actions taken to assure the maintenance, restoration, enhancement, or protection of a natural resource where the regulatory process involves procedures for protection of the environment.

NOW THEREFORE be it ordained as follows:

ORDINANCE

Section One: Short Title

This ordinance shall be known as the 2016 Rule Amendment Ordinance II of the Monterey Peninsula Water Management District.

Section Two: Purpose

The Monterey Peninsula Water Management District enacts this ordinance to address certain actions necessary to process and issue Water Permits and Water Distribution System Permits and to clarify permitting and conservation requirements.

Section Three: Amendment of Rule 11, Definitions

The following definitions in Rule 11 shall be amended as shown in bold italics (*bold italics*) and strikeout (~~strikethrough~~).

1. ***ACCREDITED INSTITUTION OF HIGHER EDUCATION SITE*** - “***Accredited Institution of Higher Education Site***” shall mean all facilities and properties owned by a single regional, national faith-related, national career-related or programmatic accreditor that is or has been recognized by the Council for Higher Education Accreditation (CHEA) or the U.S. Department of Education (USDE) or both that is located within the MPWMD and that is supplied water by California American Water.
2. ***JURISDICTION SITE*** - “***Jurisdiction Site***” shall mean all facilities and properties owned by a single Jurisdiction that are located within the MPWMD and that are supplied water by California American Water.
3. **PARCEL** – “Parcel” shall mean any unit of land which qualifies as a Parcel ~~or lot~~ under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other Parcel (or are separated only by a road or easement), and (2) which have identical owners, and (3) ~~which~~ have an identical present use; ***or (4) are an Accredited Institution of Higher Education Site, a Jurisdiction Site, or a Public***

School District Site. The term “Parcel” shall be given the same meaning as the term “Site”.

4. SITE -- “Site” shall mean any unit of land which qualifies as a Parcel ~~or lot~~ under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other Parcel (or are separated only by a road or easement), and (2) which have identical owners, and (3) ~~which~~ have an identical present use; ***or (4) are an Accredited Institution of Higher Education Site, a Jurisdiction Site, or a Public School District Site.*** The term “Site” shall be given the same meaning as the term “Parcel.”

Section Four: Amendments to Rule 21-B, Application for Permit to Connect to or Modify a Connection to a Water Distribution System

Rule 21-B-1 and 21-B-2 shall be amended as shown in bold italics (***bold italics***) and strikethrough (~~strikethrough~~) to clarify credit assignment upon subdivision/sale.

A. APPLICATION FOR PERMIT TO CONNECT TO OR MODIFY A CONNECTION TO A WATER DISTRIBUTION SYSTEM

Each application for a Water Permit shall follow the process set forth in Rule 23. A proper Applicant for a Water Permit may be the prospective User of the proposed or existing Connection as the real party in interest, the property owner, or any agent thereof. The application for a Water Permit to Connect to or modify a water use Connection shall be deemed complete when the Applicant submits all of the following:

1. A Water Release Form pertaining to the Site on which the water use shall occur shall be signed by the authorized official of the applicable Jurisdiction. When the completed ~~P~~project has fewer fixture units than the number permitted (Residential Water Permits), or has a smaller Water Use Capacity than permitted (Non-Residential Water Permits), the Applicant shall not be required to secure the signature of the authorized official of the applicable Jurisdiction on the Water Release Form ***to amend the Water Permit.*** It shall be the responsibility of the Jurisdiction to complete any applicable Environmental Review on a Project prior to authorizing a Water Permit release via the Water Release Form.

2. Complete Construction Plans that reflect water use pursuant to Tables 1 or 2 of Rule 24. ***The Applicant shall amend the Water Permit to reflect together with any amendment, addition, or modification of to the water fixtures and/or Water Use Capacity these plans which may be made prior to use or occupancy of the Pproject, and any plans which may be submitted to the Jurisdiction for land use or building approvals.***

Section Five: Amendments to Rule 24, Table 2: Non-Residential Water Use Factors

- A. Rule 24, Table 2: Non-Residential Water Use Factors (Attachment A), shall be amended as shown in bold italics (***bold italics***) and strikethrough (~~strikethrough~~) to add a factor for multiple Showerheads in Visitor-Serving Facilities.

Section Six: Amendments to Rule 25.5, Water Use Credits and On-Site Water Credits

- A. Rule 25.5-A shall be amended as shown in bold italics (***bold italics***) and strikethrough (~~strikethrough~~) to clarify credit assignment upon subdivision/sale.
- A. Except where a Water Permit has been abandoned, expired, Revoked, Suspended, or canceled under these Rules, a Person may receive a Water Use Credit for the permanent abandonment of some or all of the prior water use on that Site by one of the methods set forth in this Rule. Water Use Credits shall be documented by written correspondence between the District and the property owner, and shall remain valid unless prohibited by this Rule. Water Use Credits shall not be documented by notice on a property title, except as specified in Rule 25.5-~~GH~~. Except as allowed by Rule 28, Water Use Credits shall not be transferable to any other Site.
- B. References to submitting ten (10) years of water records to document previous consumption in Rule 25.5-F-2, 25.5-F-4-d (1) and (2) shall be changed to eight (8) years. The rule currently is inconsistent and lists both eight and ten years.
- C. Rule 25.5-H shall be amended as shown in bold italics (***bold italics***) and strikethrough (~~strikethrough~~) to clarify credit assignment upon subdivision/sale.
- H. When a Water Use Credit on a Site results from demolition of a building that straddled a lot line the property owner shall specify in writing the quantity of

water credit assigned to each of the lots formerly occupied by that building. *When a Site with a valid documented Water Use Credit is assigned new Assessor's Parcel Numbers and the original Assessor's Parcel Number becomes inactive, the Site owner shall specify in writing the quantity of water credit assigned to each of the Parcels.* ~~This~~ *Such* designation shall be recorded upon the title of each of the lots *Parcel*.

Section Seven: Amendments to Rule 60-M, Refunds of Fees and Charges

Rule 60-M shall be amended as shown in bold italics (*bold italics*) and strikethrough (~~strikethrough~~) for consistency with Rule 24-F, Capacity Fee Refunds.

M. REFUNDS OF FEES AND CHARGES

Fees and charges pursuant to Regulation VI are paid to or due the District in consideration of, and as reimbursement for, District incurred costs and expenses relating to the administration and processing of applications, Permits, variances, appeals, notices, investigations, and District enforcement activities. These include, but are not limited to, costs and expenses incurred by the District in planning for, acquiring, reserving, protecting, and maintaining Capacity in present or future water distribution facilities, water resources, and conservation activities. At the conclusion of any activity (e.g. issuance or cancellation of a Permit, conclusion of an enforcement action, or any other final action on a matter) the General Manager may refund remaining fees or charges paid by the Applicant to the extent the remainder exceeds costs or expenses incurred by the District for that matter. Requests for refunds shall be in writing, include a clear reference to the Water Permit number or otherwise identify the matter, and state clearly the reason a refund has been requested. This provision authorizes the General Manager to calculate and issue a refund to the extent that the remainder exceeds costs or expenses incurred by the District for that matter, but shall not confer a right upon any Applicant to receive a refund. Any refund shall be determined as a delegated exercise of the General Manager's discretion. Any refund shall be made solely to the party who initially paid the fee or charge *when that party's current address is known, or the refund shall be made to the current title holder of the property.*

Section Eight: **Deletion of Rule 64**

Rule 64 (Ordinance No. 22) shall be deleted as it has no current standing. Rule 64 was superseded by Ordinance Nos. 29, 32, 36, 37, 41, 51, 55, 58, 61, 67, 78, 82, 123, and 138.

Section Nine: **Amendments to Rule 141, Rebates**

Rule 141, Rebates, shall be amended as shown in bold italics (*bold italics*) and strikethrough (~~strikethrough~~).

A. Rule 141-A, Qualifying Devices, shall be amended to add:

26. Removal of whirlpool bathtubs in Visitor-Serving Facilities.

27. Non-Residential Rebates for technology not listed in Rule 141 shall be considered on a case-by-case basis by the Water Demand Committee. The Water Demand Committee shall make a recommendation to the Board.

B. Rule 141-B, Table XIV-1, Rebate Amounts, shall be amended to add:

Non-Residential Rebates for technology not shown on Table XIV-1 shall be considered on a case-by-case basis by the Board.

C. Rule 141-B, Table XIV-1, Rebate Amounts, shall be amended to add:

Removal of whirlpool bathtubs in Visitor-Serving Facilities - \$250.

Section Ten: **Amendments to Rule 143-F, Water Efficiency Standards for Existing Non-Residential Uses**

Rule 143-F, Water Efficiency Standards for Existing Non-Residential Uses, shall be amended as shown in bold italics (*bold italics*) and strikethrough (~~strikethrough~~).

F. All Non-Residential Clothes Washers shall meet the definition of High Efficiency Clothes Washer rated with a Water Factor of 5.0 or below by December 31, 2013. *Clothes Washers that do not comply with the 5.0 Water Factor shall be programed by a manufacturer/vendor technician to only function on the low water setting (non-user selected setting). A written statement shall be provided to MPWMD by the manufacturer/vendor's technician stating that the machines have been*

programed to only use the low water setting and that there is no way to manipulate the water usage via a user setting. This statement shall be maintained by MPWMD.

Section Eleven: Amendments to Rule 144-C, Retrofit Exemptions

Rule 144-C, Retrofit Exemptions, shall be amended as shown in bold italics (***bold italics***) and strikethrough (~~strikethrough~~).

- C. ~~RETROFIT EXEMPTIONS When a Site has ULF toilets that were installed prior to December 31, 2012, those toilets hall be exempt from this rule until December 31, 2016. This exemption shall not apply to toilets required to be replaced with lower flush volume fixtures as a condition of a Water Permit or other District action.~~

Section Twelve: Publication and Application

The provisions of this ordinance shall cause the amendment and republication of Rules 11, 21, 25.5, 60, 64, 141, and 143 of the permanent Rules and Regulations of the Monterey Peninsula Water Management District.

Section Thirteen: Effective Date and Sunset

This ordinance shall take effect at 12:01 a.m. January 1, 2017.

This Ordinance shall not have a sunset date.

Section Fifteen: Severability

If any subdivision, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion of Director _____, and second by Director _____, the foregoing ordinance is adopted upon this ____ day of _____, 2016, by the following vote:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true, and correct copy of an ordinance duly adopted on the ____ day of _____, 2016.

Witness my hand and seal of the Board of Directors this _____ day of _____, 2016.

David J. Stoldt, Secretary to the Board

TABLE 2: NON-RESIDENTIAL WATER USE FACTORS**Group I** 0.00007 AF/SF

Auto Uses	Retail	Warehouse	Dental Clinic	Office	Bank	Supermarket
Church	Nail Salon	Family Grocery	Medical Clinic	Wine Tasting Room	Fast Photo	Convenience Store
Dry Cleaner (No On-Site Laundry)			Veterinary Clinic	School	Gym	

Group II 0.0002 AF/SF

Users in this category prepare and sell food/beverages that are primarily provided to customers on disposable tableware. Food with high moisture content and liquid food may be served on reusable tableware. Pizza must be served on reusable platters or on disposable plates. Glassware may be used to serve beverages.

Bakery	Pizza	Coffee House	Ice Cream Shop	Dry Cleaner (On-Site Laundry)
Catering	Deli	Bistro	Sandwich Shop	

Group III

Assisted Living (more than 6 beds) ¹	0.085 AF/Bed
Beauty Shop/Dog Grooming	0.0567 AF/Station
Child/Dependent Adult Day Care	0.0072 AF/Person
Dormitory ²	0.040 AF/Room
Laundromat	0.2 AF/Machine
Meeting Hall/Banquet Room	0.00053 AF/SF
Motel/Hotel/Bed & Breakfast	0.1 AF/Room
w/Large Bathtub (Add to room factor)	0.03 AF/Tub
<i>w/Each additional Showerhead beyond one (Add to room factor)</i>	0.02 AF/Showerhead
Irrigated Areas beyond ten feet of any building	ETWU
Plant Nursery	0.00009 AF/SF Land Area
Public Toilet	0.058 AF/Toilet
Public Urinal	0.036 AF/Urinal
Zero Water Consumption Urinal	No Value
Restaurant (including Bar/Brewpub Seats)	0.02 AF/Interior Restaurant Seat
Exterior Restaurant Seats above the “Standard Exterior Seat Allowance” ³	0.01 AF/Exterior Restaurant Seat
Exterior Restaurant Seats within the “Standard Exterior Seat Allowance	No Value
Restaurant (24-Hour and Fast Food)	0.038 AF/Interior Restaurant Seat
Self-Storage	0.0008 AF/Storage Unit
Skilled Nursing/Alzheimer’s Care	0.12 AF/Bed
Spa	0.05 AF/Spa
Swimming Pool	0.02 AF/100 SF of Surface Area
Theater	0.0012 AF/Seat

Group IV - MODIFIED NON-RESIDENTIAL USES

Users listed in this category have reduced water Capacity from the types of uses listed in Groups I-III and have received a Water Use Credit for modifications. Please inquire for specific property information.

All New Connections: Refer to Rule 24-B, Exterior Non-Residential Water Demand Calculations

Notes: Any Non-Residential water use which cannot be characterized by one of the use categories set forth in Table 2 shall be designated as “other” and assigned a factor which has a positive correlation to the anticipated Water use Capacity for that Site.

¹ Assisted living Dwelling Units shall be permitted as Residential uses per Table 1, Residential Fixture Unit Count Values.

² Dormitory water use at educational facilities is a Residential use, although the factor is shown on Table 2.

³ See Rule 24-B-1 and Rule 25.5 for information about the “Standard Exterior Seat Allowance”.

ITEM: PUBLIC HEARING**12. CONSIDER CERTIFICATION OF INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR SLEEPY HOLLOW STEELHEAD REARING FACILITY UPGRADE INCLUDING ADOPTION OF CEQA FINDINGS AND MITIGATION MEASURES**

Meeting Date:	November 14, 2016	Budgeted: N/A
From:	David A. Stoldt General Manager	Program No.: 2-3-1-F Acct. No. 24-04-785812
Staff Contact:	Larry Hampson	Cost Estimate: N/A

General Counsel Approval: Yes.**Committee Recommendation: N/A****CEQA Compliance: Certification is final Board action in the CEQA process.**

SUMMARY: The Board will consider proposed changes to the Draft Initial Study/Mitigated Negative Declaration (IS/MND) and certification for the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade (the Project) in compliance with the California Environmental Quality Act (CEQA). The IS/MND is available on the District web site at:

<http://www.mpwmd.net/environmental-stewardship/carmel-river-steelhead-resources/steelhead-rescue/sleepy-hollow-facility/>

The Project includes: 1) temporarily diverting flow in the Carmel River in order to remove the existing intake and install a new intake capable of providing flow to the rearing facility under a variety of adverse conditions; 2) installing plumbing, filters, and other upgrades to allow recirculation of a portion of rearing channel flow; 3) mitigation measures to reduce potential impacts from the work to a less than significant level.

At the Public Hearing, the Board will consider comments received on the Project and proposed District responses, make findings concerning measures to reduce potential impacts, and determine whether to approve the Project. If the Board approves the Project, a Final IS/MND will be prepared that includes revised text and additions to the Draft IS/MND and a Notice of Determination will be filed concerning the Board's decision. Approval of the Project and Certification of the IS/MND will allow the District to move forward with permit applications to build the Project and request grant funds from the State Coastal Conservancy to reimburse the District for expenses associated with the Project.

RECOMMENDATION: Staff recommends that the Board take the following actions:

1. Accept the written Responses to Comments (**Exhibit 12-A**) and address any additional written or oral comments received at the Public Hearing;

2. Adopt CEQA Findings (**Exhibit 12-B**) to certify the Final IS/MND;
3. Adopt Resolution 2016-19 (**Exhibit 12-C**) certifying the IS/MND and approving the Project;
4. Adopt the revised Mitigation Monitoring and Reporting Plan (attached as **Exhibit 12-D**);
5. Direct staff to prepare a Final IS/MND that incorporates all changes made in response to comments received and file a Notice of Determination of approval of the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade based on the certified Final IS/MND.

DISCUSSION: MPWMD, Cal-Am, the California Department of Fish and Wildlife (CDFW), the National Marine Fisheries Service (NMFS), and the California State Coastal Conservancy (SCC) have been cooperating to upgrade the Sleepy Hollow Steelhead Rearing Facility (facility), which is situated in unincorporated Monterey County on the west bank of the Carmel River about 1 mile downstream of the former San Clemente Dam location. The project will allow for future changes in water supply, sediment, and debris flow that may affect the facility operations. The project includes modifying the river intake and adding the capability to recirculate a portion of the water running through the artificial channel built to rear juvenile steelhead captured from the river before it goes dry in the summer. Specific tasks include: removing an existing water intake structure in the bed of the Carmel River; installing a new intake structure and cone screen in the bed of the Carmel River; installing piping and other improvements to deliver water from the river to the facility; and constructing a recirculating aquaculture system in the floodplain adjacent to the active channel of the Carmel River to provide water clarification and filtration.

Project construction is anticipated to begin in mid-2017, with completion in 2019. Construction may be phased depending on the actual start date and the facility's operating schedule. The initial phase of construction, planned for completion in 2017, would include modification or replacement of existing equipment, including the building in which the reuse infrastructure would be housed, the pump station, pipelines, and the intake screen. The second phase, planned for completion in 2018, would include installation of infrastructure for partial water reuse and solids filtration and connections to existing infrastructure. A final phase would include removal of the existing intake structure after the new intake structure is incorporated into the facility operation.

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the District prepared a Draft Initial Study/Mitigated Negative Declaration (IS/MND) (**Exhibit 12-E**) for the project and published a notice of its intent to adopt the IS/MND on September 30, 2016. The State Clearinghouse received the notice on September 29, 2016 and set the end of the review period at October 28, 2016.

The District received written comments from the NMFS and the Regional Water Quality Control Board (RWQCB) and responded as described in Appendix F to the Final IS/MND (**Exhibit 12-A**). CEQA Guidelines Section 21092.5 does not require that public agencies commenting on a Draft IS/MND be provided the response to comments; however, MPWMD notified the agencies of the Public Hearing to be held on the project at the November 14, 2016 MPWMD Board meeting and provided a draft of the District's written responses. The Final IS/MND would

incorporate the changes requested by each agency. These changes are not considered to be a substantial revision of the Draft IS/MND.

In compliance with CEQA Guidelines Section 15132, the Final IS/MND will include the following components:

- Revisions to the Draft IS/MND to respond to comments received.
- Revisions as directed by the MPWMD Board of Directors.
- A revised Mitigation Monitoring and Reporting Plan (MMRP) that includes responses to comments received and is to be adopted by the Board.

The CEQA Findings (**Exhibit 12-B**) have been prepared to comply with CEQA Article 6 Negative Declaration Process, Sections 15070 to 15075, and Sections 15097 and 15105. The District has determined that the project will not have a significant impact on the environment with implementation of the Mitigation Monitoring and Reporting Program to be included in the Final IS/MND.

Next Steps

The Final IS/MND will be used by the MPWMD Board to comply with CEQA for purposes of constructing the Project. Once the Notice of Determination is filed with the Monterey County Clerk and State Office of Planning and Research, other entities may use the certified IS/MND in their decisions about issuing authorizations to carry out the project. These entities include:

State Coastal Conservancy – can rely on the IS/MND to issue a new grant agreement to fund construction of the Project.

U.S. Army – may use portions of the certified IS/MND to facilitate a project review and issue a Corps permit for work in the Carmel River.

National Marine Fisheries Service – may use portions of the certified IS/MND to facilitate a project review and issue a biological opinion about impacts to steelhead from work in the Carmel River.

U.S. Fish and Wildlife Service – may use portions of the certified IS/MND to facilitate a project review and issue a biological opinion about impacts to California Red-legged frogs from work in the Carmel River.

Regional Water Quality Control Board – can rely on the IS/MND to issue a 401 Water Quality Certification for work in the Carmel River.

California Department of Fish and Wildlife – can rely on the IS/MND to issue a Stream Alteration Agreement for work in the Carmel River.

Monterey County – can rely on the IS/MND to issue a Use Permit and grading permit to construct the Project.

The District's intention is that all permits necessary for the Project are secured by Summer 2017 in order to keep with the current schedule that calls for operation of the new intake and RAS equipment in 2018.

Documents associated with this Project may be viewed or downloaded from the District web site at:

<http://www.mpwmd.net/environmental-stewardship/carmel-river-steelhead-resources/steelhead-rescue/sleepy-hollow-facility/>

IMPACT TO DISTRICT RESOURCES: MPWMD expenses associated with this Project are being reimbursed through a grant agreement with the State Coastal Conservancy, which is disbursing project funds from a Settlement Agreement between Cal-Am, NMFS, and CDFW concerning impacts to Carmel River steelhead from Carmel River diversions.

EXHIBITS:

12-A Responses to Comments

12-B CEQA Findings

12-C Resolution 2016-19 Certifying the Final IS/MND and Approving the Project

12-D Mitigation Monitoring and Reporting Plan

12-E Draft Initial Study/Mitigated Negative Declaration (view on-line or at District office)

<http://www.mpwmd.net/environmental-stewardship/carmel-river-steelhead-resources/steelhead-rescue/sleepy-hollow-facility/>

APPENDIX F

RESPONSES TO COMMENTS



November 7, 2016

Ms. Jacqueline Pearson Meyer
 Fishery Biologist - California Fish Hydroacoustics Coordinator
 NOAA Fisheries West Coast Region
 U.S. Department of Commerce
 777 Sonoma Avenue, Room 325
 Santa Rosa, CA 95404

**SUBJECT: Responses to Comments
 Sleepy Hollow Steelhead Rearing Facility Mitigated Negative Declaration**

Dear Ms. Pearson Meyer:

This is a response to comments by NOAA Fisheries West Coast Region of the National Marine Fisheries Service (NMFS) on “Initial Study/Mitigated Negative Declaration Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade” (the Project), prepared by the Monterey Peninsula Water Management District (District or MPWMD). NMFS submitted comments as notes within the Draft IS/MND document on November 2, 2016. The District has repeated or characterized each comment below with responses. The District intends to hold a Public Hearing on November 14, 2016 at the District office at 7 p.m. to consider approval of the Project. A Final IS/MND will be prepared to reflect comments received.

p. 11 – Sleepy Hollow Steelhead Rearing Facility (SHSRF) operations

Comment:

“Is [the statement that the facility has been unable to operate during the past several years] true? The facility has been operating. I think it did not run maybe for one or two years, but has been operational this past year for example. Please clarify this statement.”

Response

The language will be changed to describe that SHSRF did not operate in 2014 and 2015, but did in 2016.

p. 19 – proposed rock vane for intake protection

Comment

“The rock vane may be an effective means to move larger grain sized material away from the screen, but it may increase deposition of smaller particles near the screen. This will depend on site specific flow field and grain size. NMFS engineers are interested in this concept and would like to participate in the analysis.”

Response

The District notes that the existing drum screen in the bottom of the channel has not been

Ms. Jacqueline Pearson Meyer
November 7, 2016
Page 2 of 6

damaged by high flows, even though some debris has passed through the reach since it was installed in the late 1990s. However, the removal of San Clement Dam has altered fluvial processes and may continue to do so. MPWMD will evaluate potential changes due to changes in sediment and debris loading. The proposed cone screen and intake has been selected for its resistance to erosion at high flows. Currently, the District would prefer to delay installation of a rock vane and assess how fluvial processes in the reach change and then make a determination about installing a rock vane.

If additional flow modeling is warranted, MPWMD will consult with NMFS in the analysis and design of a rock vane, should it be required.

p. 30 – Construction Activities

Comment

“Are you going to prepare a separate B[iological] A[ssessment]? You will need take coverage for the capture and transport of steelhead during dewatering.”

Response

MPWMD will submit an application to the Corps with all necessary documentation.

p. 30 – Construction Activities

Comment

“What about the annual fish rescues that are likely to occur during this time. Will dewatering of the river affect operations?”

Response

In both cases, there should be no downstream effects on flow that would be significant for the annual fish rescue effort. The nearest rescue site is more than four miles downstream near the deDampierre ballfields – and that site is rescued only when flow drops below 5 cfs. The next nearest rescue sites are from 10 to 17 miles downstream of the Project site (from approximately mid-Carmel Valley downstream to Highway 1). Both rescue areas downstream are also influenced by in-stream losses (e.g., from diversions and evapotranspiration) and in-stream gains (i.e., from surface and sub-surface flows), although in very low flow years, changes to flow at the Sleepy Hollow site can have a significant effect on flow downstream.

At the Project site, Carmel River flow will be passed around each work site in the channel so that the downstream channel should not experience dewatering. It is possible that in-channel work may require two phases in two different years. If the SHSRF is to remain operational during construction in the channel, the existing intake would remain while a new intake is constructed. A second construction season in the channel may be required to remove the existing intake after a new intake is operational. If it is determined that the SHSRF can be shut down for an entire season, then both construction phases could be completed in a single season.

Ms. Jacqueline Pearson Meyer
November 7, 2016
Page 3 of 6

p. 30 – Construction Activities

Comment

“The depth of excavation will be 6 feet below grade or down to bedrock, so intermediate pumps will need to be installed *within* the work area to control sub-surface water influx/seepage. These pumps will *not* need fish screens. This water will be turbid and will need to be pumped onto a disposal site that will not drain back to the river. This effect should be included in the analysis.”

Response

It is anticipated that a flow bypass would be gravity fed, which does not require pumps. But, river conditions may change and require a pumped bypass. Water pumped out of the enclosed work areas in the channel will be drained onto nearby gravel bars with high infiltration rates on either side of the river. The text will be changed to clarify these procedures.

p. 62 – BIO-MM-1

Comment

Commenter requests that NMFS be added as a permitting agency because the Carmel River is critical habitat for S-CCC.

Response

MPWMD will either add NMFS within the text or change the text to say “... if required by permitting agencies.” Text will also refer to the list of permitting agencies in the Environmental Checklist, Section 3. The District recognizes that mitigation measures in the NMFS biological opinion would most likely be incorporated into a Corps permit.

p. 65 – fish rescue

Comment

“Are fish not going to be relocated from the reach?”

Response

The in-channel work sites would first be isolated with exclusionary fencing and any steelhead relocated from within the fenced area. Steelhead relocation sites would be determined in consultation with NMFS and CDFW. If a gravity flow bypass channel is feasible, fences would be removed to allow migration after the bypass is installed and the work site areas are isolated from the river. If a piped bypass is required, the reach with the work sites would be closed off to migration until construction is complete.

MPWMD recognizes that there is a small risk of take from rescue and/or construction activities. The mortality rate for MPWMD fish rescues is < 0.2%, but still greater than zero. In addition, mitigation measures such as exclusionary fencing and/or structures can be subject to changes due to unpredictable high wind, debris, flows and other unpredictable conditions, even if the site is monitored frequently. A dewatering and steelhead rescue plan will be submitted for approval

Ms. Jacqueline Pearson Meyer
 November 7, 2016
 Page 4 of 6

with permit applications.

p. 67 – BIO-MM-6

Comment

“Any need to mention pumps needed for disposal of water as well?”

Response

This will be described in the response to the previous comment on p.30 about dewatering.

p. 67 – potential adverse impacts to steelhead during construction period

Comment

Commenter requests insertion of language in italics into the following statement in the IS/MND:

“As described in the preceding section, impacts within the Carmel River are anticipated to be temporary and minimal, and are thus also unlikely to result in *permanent* adverse impacts to steelhead *or their habitat*. *There will be temporary adverse impacts to both.*”

Response

The District will add the requested language.

p. 68 – conclusion about take of steelhead in BIO_MM-6

Comment

“ ‘Take’ is expected for steelhead and minor temporary impacts to their habitat are likely to occur. So the effects are not really less than significant for the purposes of the ESA consultation, but would be considered likely to adversely affect steelhead. Although the benefits of the project would be considered to offset some of these adverse effects.”

Response

The District agrees that the project will benefit S-CCC steelhead; however, under CEQA the District can only address impacts and not benefits. The District agrees that there are differences of standards between CEQA and the ESA and recognizes that NMFS may characterize impacts and avoidance measures somewhat differently under the ESA than what is described in the IS/MND.

p. 69 – in-channel work period

Comment

“[The District] should also include the work window for steelhead, June 1 through October 31st.”

Response

MPWMD will change the text as follows (italic and strikeout):

Ms. Jacqueline Pearson Meyer
 November 7, 2016
 Page 5 of 6

“– Seasonal Avoidance. Work *in the channel* would be limited to the ~~dry season from April 15 to October 15~~ *period between June 1 and October 31st*. Work *outside of the channel or at other times of the year* would be carried out in consultation with permitting agencies.”

p. 112 – Table 8 - Estimated Downstream Water Quality Conditions with the Proposed Project

Comment

“Does the document discuss anywhere that the filtration system will remove a considerable amount of the suspended and settleable solids on a long term basis from the river via the basin and sand separation system? Seems like it should be considered.”

Response

Currently, the rearing channel traps some suspended sediment, which is flushed out each year after steelhead are removed and relocated into the river. Solids carried by the river into the intake system and rearing channel will eventually return to the river. Material dropped out in the settling area, trapped in microfilters, or settled out in the rearing channel will be spread on the gravel bar, where winter high flows will entrain it. This is the same as the current operation. This is described briefly in Section 4.8 in the Basis of Design Report at

<http://www.mpwmd.net/environmental-stewardship/carmel-river-steelhead-resources/steelhead-rescue/sleepy-hollow-facility/>

p. 146 – BIO-MM-4

Comment

“One of these, BIO-MM-4,5, or 6 (likely 5 or 6) should spell out that turbid seepage water pumped from within the construction site needs to be directed to a location that will not drain back to the river.”

Response

MPWMD will change the text in BIO-MM-6 to indicate that any turbid water pumped out of in-channel work sites will be discharged to gravel bar areas that allow infiltration.

p. 147 – BIO-MM-7 Construction Season

Comment

“Again, in-water work for steelhead would be restricted to June through October.”

Response

Comment noted. The language from the response to a similar comment on p. 69 will be included in this Mitigation Measure.

Thank you for your comments. If you have questions or comments about this letter, please contact me at (831) 658-5620.

Ms. Jacqueline Pearson Meyer
November 7, 2016
Page 6 of 6

Sincerely,

A handwritten signature in blue ink that reads "Larry Hampson". The signature is written in a cursive style.

Larry Hampson
District Engineer

Cc: Trish Chapman, State Coastal Conservancy
Julio Gonzales, California American Water

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November 4, 2016

Ms. Kim Sanders
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-7906

**SUBJECT: Responses to Comments
Sleepy Hollow Steelhead Rearing Facility Mitigated Negative Declaration**

Dear Ms. Sanders:

This is a response to Regional Water Quality Control Board (RWQCB) comments on “Initial Study/Mitigated Negative Declaration Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade” (the Project) prepared by the Monterey Peninsula Water Management District (District or MPWMD). Below are RWQCB comments received on October 14, 2016 and the District’s responses. The District intends to hold a Public Hearing on November 14, 2016 at the District office at 7 p.m. to consider approval of the Project. A Final IS/MND will be prepared to reflect comments received.

Comment 1

“Thanks for soliciting our comment regarding the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade, and thanks for asking about using MPWMD’s current 401 Certification. Unfortunately, unless you can get the project built by August 2017, this project cannot be included in the current certification. Your Water Quality Certification Number 32711WQ08 for Carmel River Maintenance and Restoration, Monterey County expires on August 31, 2017.”

Response 1

The District intends to submit a request to renew the current 401 Certification in early 2017; however, if RWQCB staff require a separate Certification for this project, the District will work with RWQCB staff to develop an application.

Comment 2

“Central Coast Water Board staff recognizes that the Sleepy Hollow Steelhead Rearing Facility will be beneficial to supporting the steelhead population. However, Central Coast Water Board has some

Ms. Kim Sanders
November 4, 2016
Page 2 of 6

concerns with the design and inclusion of so much rip rap among a few other concerns regarding information within the MND:

1. Central Coast Water Board staff needs to understand how you avoided impacts to waters of the State during project design. Please provide a demonstration of avoidance through project design.
2. For any design elements that you demonstrate are not avoidable, please demonstrate how you minimized impacts in those particular design elements. “

Response 2

Early in the process of drafting a Request for Proposal and selecting a Consultant for the Project, the District formed a Technical Advisory Committee consisting of staff from the National Marine Fisheries Service (NMFS), the State Coastal Conservancy (SCC), the California Department of Fish and Wildlife (CDFW), California American Water, and MPWMD. After selection of a Consultant, CDFW determined that NMFS staff could represent the interests of the two agencies during the design process (NMFS and CDFW often share resources in these types of projects).

The District worked with the TAC to select a location and design for an intake that should minimize impacts and provide conditions to minimize future maintenance and repair requirements (e.g., from high flows that could damage the intake) while allowing the Sleepy Hollow Steelhead Rearing Facility (SHSRF) to operate under a wider range of flows and river conditions. In late 2013, a site visit was held to evaluate the best location and discuss intake and other design alternatives. NMFS made several recommendations as described in Memos dated January 27, 2014 and May 6, 2014 (Enclosure 1). As recommended in those memos, the District selected the smallest screen that would meet the project design requirements.

Subsequently, the SCC, NMFS, MPWMD, and Cal-Am reviewed a draft Basis of Design (BOD) report and there were several comments that the Consultant responded to in a memo dated November 18, 2015 (Enclosure 2). The BOD is available on the District web site at:

<http://www.mpwmd.net/environmental-stewardship/carmel-river-steelhead-resources/steelhead-rescue/sleepy-hollow-facility/>

In a February 2016 review of the IS/MND, SCC raised concerns about the initial proposal for structural protection in the active channel that included building a concrete wall to protect the intake structure (similar to the wall shown in Image 1 of the NMFS May 6, 2014 memo). A teleconference between NMFS, SCC, MPWMD and TetraTech was held on March 8, 2016 to discuss the river intake design and in particular, the following: erosion protection, alternatives to retaining wall, effects on screen O&M (risk tradeoffs), and effects on channel and bank stability. In response to comments received at that meeting, TetraTech revised the design to reduce the footprint of the Project within the river channel to the area and design described in the IS/MND.

Ms. Kim Sanders
 November 4, 2016
 Page 3 of 6

Design changes to the intake and screen during this process can be summarized as follows:

1) intake and screen location chosen to minimize need for vegetation clearing for access and to reduce the potential for failure due to erosion and need for future maintenance operations in the active channel; 2) permanent access road to intake screen for maintenance deleted in favor of using a large crane if screen needs to be removed and replaced; 3) deleted protective retaining wall in favor of loose riprap that can be revegetated coupled with a small concrete box to allow a piped connection to the screen; 4) footprint of concrete pad reduced by going from original dimensions of 10 ft. x 10 ft. to a 9-ft diameter; 5) cone screen alternative protects steelhead from impingement/entrainment while being resistant to debris/rock flows; 6) substitution of backing rock for traditional filter cloth under riprap to allow root penetration into streambank.

Comment 3

“Once we receive the above information we will also require

1. A demonstration of the need for the precast concrete box that will be embedded into the river bank forming a wall,
2. A demonstration of how the proposed concrete boxes/bases installed in the river bed will not cause erosion, and why the river-facing side of the box would be exposed,
3. A demonstration of how the proposed rip rap laid into the river bed will not cause erosion downstream or upstream of the facility,
4. A shear stress analysis demonstrating the need for any proposed bank rip rap and the proposed precast concrete box on the bank including:
 - a. The flows for which the project is designed, the return period of those flows, and the shear stress and velocity of those flows;
 - b. The least invasive bank stabilization material that will withstand the shear stress based on Table 2, Permissible Shear and Velocity for Selected Lining Materials, in the Corps’ technical note¹), and
 - c. Quantitative demonstration of why non-hardscape means of stabilization are infeasible.

Please note that we prefer to balance protection from erosion with availability of habitat.

Therefore, we prefer to protect the banks to a lesser year flood to avoid the use of harder-scape materials and more of those materials.”

Response 3

The District understands that these comments will be addressed during the permitting phase of the project; however, here are some initial responses that will be more fully developed during final design and with a permit application.

Ms. Kim Sanders
November 4, 2016
Page 4 of 6

Shear stress and velocity analysis show that there is a high risk of erosion just due to water flow at the intake site (see Enclosure 3). The District has a concern that this type of analysis is unable to explain how large boulders and riprap far in excess of what the flow can theoretically move are present in this reach and have moved over time (see Enclosure 4).

There is also a new, unquantified risk to the intake and nearby streambank from the reintroduction of large wood below the site of the former San Clemente Dam. With the removal of San Clemente Dam in 2015, large wood weighing several tons is more likely to be passing through this reach and posing an erosion risk either from directly impinging on the streambank and intake and/or causing the formation of a logjam nearby.¹ Such logjams are common in natural rivers and may be persistent over time; however, there is no body of evidence to indicate where logjams may form and how large wood may influence channel geometry in this reach. Based on experience in the lower 16 miles of the river, the presence of large wood can increase the risk of failure to infrastructure placed in the active channel.²

There is also a design risk introduced from the relatively short record of peak flows. The current predicted 100-year magnitude event at this site is 10,200 cfs. There have been a wide range of estimates for peak flows in this reach and a significant amount of uncertainty surrounding peak flow estimates.³ The 1911 flood event swept away the gage at the Old Carmel River Dam about 0.5 miles upstream at a flow of 18,000 cfs and was estimated to peak at 20,000 cfs. The 1995 and 1998 peak events at San Clemente Dam were at or near the current estimated 100-year flood peak prediction. The great flood of 1862 was estimated to exceed 30,000 cfs in the lower river.

The District understands the reasoning for maintaining suitable streamside habitat in this reach and believes that the habitat that will grow up around the proposed new intake will be compatible with maintaining its high value. Significant damage to the intake area during an erosion event would likely cause the SHSRF to be inoperable for an extended period and repairs would cause additional disturbance.

¹ Prior to removal of San Clemente Dam, the superstructure on the dam, which was comprised of 10-foot wide ports, trapped significant portions of the large wood coming into the reservoir from upstream. To pass this material downstream, Cal-Am would cut large wood into 8 to 10 foot sections and manually pass the wood through the ports.

² Almost every bridge across the lower 16 miles of the river has had abutments and/or piers scoured and damaged during high flows. Most of the damage has involved debris. Eight of the 20 bridges across the lower 16 miles of the river were washed out at high flows. Six were rebuilt. Several bridges have needed repairs to abutments or supports.

³ One the predictions for the 100-year event at the USGS Robles Del Rio gage at RM 14.5 varies from 15,600 cfs to 43,000 cfs. See Carmel River Flood Insurance Study Hydrology Report, Prepared for FEMA, Prepared by Northwest Hydraulic Consultants, January 2006.

Ms. Kim Sanders
November 4, 2016
Page 5 of 6

NMFS and CDFW have both expressed that the SHSRF will need to be operated for a minimum of 10 years. It is likely to be run for far longer, given that the S-CCC population will not recover in that time period. Therefore, the risk of an event greater than the design event (i.e., getting toward the upper limits in the confidence interval) will increase the longer the facility is operated. It would be prudent, in my opinion, to use hardscape materials at this site to reduce the risk due to streambank failure or damage to the intake.

Comment 4

5. "An understanding of what will be used as backfill for the current intake feature."

Response 4

Because the existing pump housing was not anchored into the streambank or channel bottom and consisted of concrete rings stacked vertically to form a caisson, there is a possibility the rings can simply be lifted straight up without disturbing the streambank; however, if material around the existing intake must be excavated to remove the caisson, riprap and native material would be used for backfill, with native material over riprap and native vegetation incorporated into the material. The former approach will be used first.

Comment 5

"Thank you for not proposing petroleum based fabrics for laying underneath your rip rap."

Response 5

MPWMD has not used fabrics to prevent piping under riprap since 1993. Currently, the District prohibits fabrics from being used in projects requiring MPWMD River Work Permits. Instead, project applicants are encouraged to substitute materials that can provide the same function, but that allows more natural development of rooted vegetation.

Comment 6

Other General MND Comments:

1. Section 3.3.4.1.2 Reads, "Carmel River waters below the ordinary high water mark would qualify as jurisdictional waters of the U.S. and State, falling under the jurisdiction of the USACE and RWQCB. Improvements within the channel, channel banks, and adjacent riparian areas would also be subject to review and approval by CDFW." While the first sentence is correct, the

Ms. Kim Sanders
November 4, 2016
Page 6 of 6

second sentence should also include RWQCB as having regulatory authority over channel, channel banks, and adjacent riparian areas. Please revise.

2. Please revise BIO-MM-2 to read, "Replacement planting for riparian trees would occur at a ratio determined through consultation with CDFW and the RWQCB, to..." since the RWQCB has regulatory authority over impacts to riparian areas.

We may have additional questions once we receive your application for this project.

Response 6

MPWMD will revise the Final IS/MND to either list RWQCB specifically or change the description to be more general to say "federal and state permitting authorities" and include a table of the permitting agencies.

If you have questions or comments about this letter, please contact me at (831) 658-5620.

Sincerely,



Larry Hampson
District Engineer

Cc: Trish Chapman, State Coastal Conservancy
David White, Jacqueline Pearson-Meyer, National Marine Fisheries Service
Julio Gonzales, California American Water

Enclosures: 1. NMFS Memo dated May 6, 2014
2. Memo dated November 18, 2015
3. Memo dated Nov. 2, 2016

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¹ Fischenich, J.C. (2001) *Stability Thresholds for Stream Restoration Materials*, EMRRP Technical Notes Collection (ERDC TN-EMRRP-SR-29), U.S. Army Engineer Research and Development Center, U.S. Army Corps of Engineers, Vicksburg, MS



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Southwest Region
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404

January 27, 2014

MEMORANDUM FOR: Joyce Ambrosius

CC: Rick Wantuck, Steve Thomas

FROM: David White

SUBJECT: Sleepy Hollow SRF Water Intake Recommendations

INTRODUCTION

This memo has been prepared to provide comments in response to the Sleepy Hollow Steelhead Rearing Facility Sediment Control and Intake Retrofit reports (List Engineering Company 2010, 2003) and observations made during a site visit on November 15, 2013. These comments are meant to supplement the discussion of facility improvements and possible upgrades.

SUMMARY

The highest priorities at this facility are 1. Improved access to the pumps and controls during extreme high and low water events, 2. An improved fish screen that does not clog with leaves or go dry during low water conditions, and 3. Reduced sediment input and associated damage to pumps and other equipment. The List Engineering reports appropriately identify these priorities. Design suggestions are provided in the Existing Intake *Recommendations* section.

Another important priority, not highlighted in the reports, is improving the reliability of the water supply source. In some years (including this past year), river flows are less than the level needed to supply the facility, requiring the premature release of fish back to the river. In addition, future sediment levels may increase in response to the dam removal. Finally, facility capabilities may need to be changed or upgraded in response to the needs of the steelhead population. These factors call for an improved water source.

The water supply source could be improved by moving the intake to the deep pool near the facility outfall, or by adding a recirculating water system. A recirculating system is ultimately a more secure and predictable water source. If needed, a recirculating system can be isolated from the river entirely for extended periods. A recirculating system may allow the new intake and screen to be reduced in size. Other benefits and drawbacks are



provided in the Existing Water Supply *Recommendations* section. A recirculating system for this facility could likely be constructed for approximately \$500,000.

DETAILED COMMENTS

EXISTING INTAKE

The existing intake is a drum screen on the river bottom supplying water to a pump housing on the river bank. The screen is vulnerable to clogging or damage from leafy debris and sediment moving downstream. The pump housing is a confined space containing pumps, motors, and electrical connections. This makes intake operation and maintenance difficult. At high river levels, the pump housing is underwater and operation and maintenance is not possible.

Recommendations

Intake

The intake should be moved out of the stream channel to a location where it is deeper and better protected from debris and sediment moving downstream. One way to do this is to build a concrete alcove into the stream bank that houses the fish screen (Image 1 below). This would require bank excavation for the alcove, as well as digging a trench for the supply pipe to the pumps. This would likely require additional environmental permitting.



Image 1- Example of alcove built into stream bank to house a cone-shaped fish screen.

Another possibility is relocating the intake from the current location to the 12 foot deep pool at the facility outfall. Water supply may be somewhat colder at this location, and water level would be more secure during drought periods. An intake at this location would also be more protected from leaves and other debris, reducing maintenance. However, pumping costs at this location would be significantly higher.

Fish Screen

Various types of fish screens are possible at this location. A cone screen (Image 2 below) is able to operate in as little as a foot of water depth. A cone screen also performs well under high debris and sediment loads. Given the shallow depth of this stream in summer, as well as past trouble here with heavy leafy debris and an expected increase in sediment supply, a cone screen would be a good choice for this project. A 3 cfs flow to the facility can easily be supplied by a relatively small (5 and 1/2 foot diameter) cone screen.



Image 2- Example of cone screen underwater in an alcove with external cleaning brushes in operation.

Pump Housing

The existing pump housing (wet well) should be improved. Maintenance, repair, and switching from one pump to another is difficult because the pump housing is in a cramped and partially submerged space. At higher flows, the entire pump housing is submerged and is therefore inaccessible. There are several ways that safety and functionality of the pump housing could be improved, including:

1. Enlarge the housing.
2. Replace existing pumps with retractable pumps that are raised from above on rails.
3. Raise the motors and/or valve controls above the high water mark (Image 3 below). This would likely require installing a raised platform, and access during high water events would likely require a significant catwalk or a boat.



Image 3- Example of pump motor and electrical supply raised out of wet well to improve access.

EXISTING WATER SUPPLY

The facility currently operates between May and December in order to rear steelhead when river conditions are unfavorable. Approximately 900 gpm (2 cfs) of river water is pumped to the cooling tower, and from there flows into a cold well. From the cold well, water is pumped into the raceways, where it supports from 16,000 to 48,000 juveniles. After the last rearing pond, the water flows through a lava rock filter and back to the river. This is a single-pass system,

meaning there is no water recirculation.

There are several water supply issues with the existing single-pass system. In some drought years, water depth at the existing intake is too low to operate. As a result (last year included), fish have had to be released from the facility prematurely, before river conditions were optimal. Also, the existing cooling tower is not cooling water to optimal levels (<60F) during periods of hot, humid weather and warm river temperatures.

As described previously, facility operations are limited to the periods when the river levels are below the level of the pumps, which are submerged at high flows and cannot be accessed. Access in the pump housing is difficult even when water levels are below the pumps. Additionally, at low water conditions in the Fall, the screen becomes clogged with leaves and requires frequent maintenance. Finally, there is no water disinfection system.

Recommendations

Water Recirculation

Installing a full or partial water recirculation system would improve the reliability of operations, improve fish health, and expand the capabilities of the facility to potentially include year-round operation. While at this time year-round operation is not required, it may make sense to plan for this potential need during facility improvements.

In such a system, water would be collected at the downstream end of the rearing facility and pumped back upstream to the beginning of the system (Diagram 1). There it would be chilled, filtered (solids filter, biofilter, and protein skimmer), disinfected, and passed back into the rearing ponds. A concept diagram is provided below. A small quantity of water would still need to be drawn from the river to make up for evaporative loss, water leakage in the rearing channels, and to dilute waste build-up in the recirculating system. Also, single pass operation may still be needed during periods of salt or chemical treatments in the rearing ponds.

Benefits of a recirculating system:

1. Sediment protection- Protect the intake pumps and recirculating pumps from damage from sediment, since intake water could be stopped when sediment levels in the river are high.
2. Reduced size of the fish screen and intake pumps, since less intake water would be needed.
3. Year round facility operation, if desired.
4. Improving control of temperature and water quality by selecting when water is drawn from the river.
5. Reduced energy cost to pump intake water. (This would be offset by increased energy costs to pump for recirculation).

- Possibly increasing effectiveness of cooling tower- In hot and humid weather, water in the downstream rearing channels is cooler than river temperatures, and recirculating it will likely yield lower overall temperatures.

Drawbacks of a recirculating system:

- Additional capital costs of pumps and piping to recirculate water.
- Additional capital costs of filtration (solids filter, biofilter, and protein skimmer to remove fish waste).
- Additional energy cost to pump water from facility end to beginning. (This would be partially offset by reduced pumping costs of intake water).
- Additional cost of water disinfection.

Potential Costs:

Adding recirculation to this facility would require a water collection tank below the last rearing pond, additional pumping, piping, filtration, protein skimmers, and disinfection. Based on the costs of two other recirculating facilities, a very rough estimate of the cost of additional equipment needed for recirculation at this facility is \$500,000.

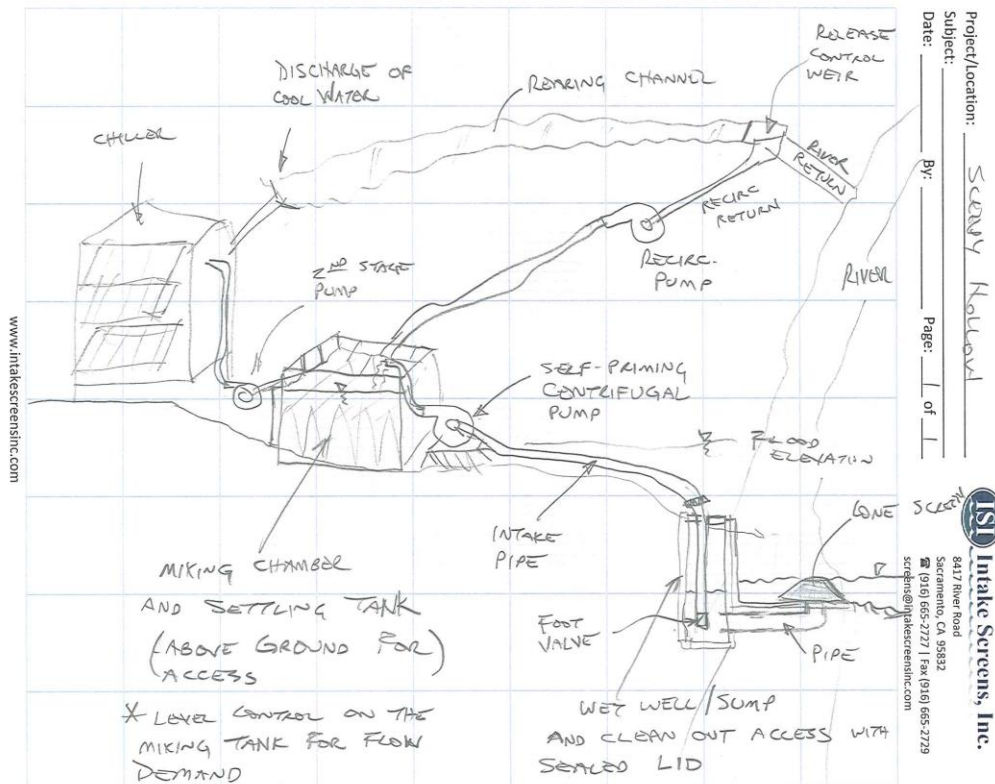


Diagram 1- Concept Drawing of Recirculating System (from Darryl Hayes, ISI)



Enclosure 1

UNITED STATES DEPARTMENT OF COMMERCE
 National Oceanic and Atmospheric Administration
 National Marine Fisheries Service
 Southwest Region
 777 Sonoma Avenue, Room 325
 Santa Rosa, California 95404

May 5, 2014

MEMORANDUM FOR: Joyce Ambrosius

CC: Rick Wantuck, Steve Thomas

FROM: David White

SUBJECT: Sleepy Hollow SRF Water Intake Recommendations

INTRODUCTION

This memo has been prepared to provide comments in response to the Sleepy Hollow Steelhead Rearing Facility Sediment Control and Intake Retrofit reports (List Engineering Company 2010, 2003) and observations made during a site visit on November 15, 2013. These comments are meant to supplement the discussion of facility improvements and possible upgrades.

SUMMARY

High priority needs at this facility include 1. Improved access to the pumps and controls during extreme high and low water events, 2. An improved fish screen that does not clog with leaves or go dry during low water conditions, and 3. Reduced sediment input and associated damage to pumps and other equipment. The List Engineering reports appropriately identify these priorities. Design suggestions are provided in the Existing Intake *Recommendations* section.

Another important priority, not highlighted in the reports, is improving the reliability of the water supply source. In some years (including this past year), river flows are less than the level needed to supply the facility, requiring the premature release of fish back to the river. In addition, future sediment levels may increase in response to the dam removal. Finally, facility capabilities may need to be changed or upgraded in response to the needs of the steelhead population. These factors call for an improved water source.

The water supply source could be improved by moving the intake to the deep pool near the facility outfall, or by adding a recirculating water system. A recirculating system is ultimately a more secure and predictable water source. If needed, a recirculating system



can be isolated from the river entirely for extended periods. A recirculating system may allow the new intake and screen to be reduced in size.

Another priority is sufficient water storage and a system to deal with occasional disease treatments (either storage tanks or on-land dispersal) to deal with treated water when it is not appropriate to discharge treated water directly into the stream or back into a recirculating system.

Other benefits and drawbacks are provided in the Existing Water Supply *Recommendations* section. A recirculating system for this facility could likely be constructed for approximately \$500,000.

DETAILED COMMENTS

EXISTING INTAKE

The existing intake is a cylindrical Tee screen on the river bottom supplying water to a pump housing on the river bank. The screen is vulnerable to clogging or damage from leafy debris and sediment moving downstream. The pump housing is a confined space containing pumps, motors, and electrical connections. This makes intake operation and maintenance difficult. At high river levels, the pump housing is underwater and operation and maintenance is not possible.

Recommendations

Intake

The intake should be moved out of the stream channel to a location where it is deeper and better protected from debris and sediment moving downstream. One way to do this is to build a concrete alcove into the stream bank that houses the fish screen (Image 1 below). This would require bank excavation for the alcove, as well as digging a trench for the supply pipe to the pumps. This would likely require additional environmental permitting.



Image 1- Example of alcove built into stream bank to house a cone-shaped fish screen.

Another possibility is relocating the intake from the current location to the 12 foot deep pool at the facility outfall. Water supply may be somewhat colder at this location, and water level would be more secure during drought periods. An intake at this location would also be more protected from leaves and other debris, reducing maintenance. However, pumping costs at this location would be significantly higher.

Fish Screen

Various types of fish screens are possible at this location. A cone screen (Image 2 below) is able to operate in as little as a foot of water depth. A cone screen also performs well under high debris and sediment loads. Given the shallow depth of this stream in summer, as well as past trouble here with heavy leafy debris and an expected increase in sediment supply, a cone screen would be a good choice for this project. A 3 cfs flow to the facility can easily be supplied by a relatively small (5 and 1/2 foot diameter) cone screen.



Image 2- Example of cone screen underwater in an alcove with external cleaning brushes in operation.

Pump Housing

The existing pump housing (wet well) should be improved. Maintenance, repair, and switching from one pump to another is difficult because the pump housing is in a cramped and partially submerged space. At higher flows, the entire pump housing is submerged and is therefore inaccessible. There are several ways to improve the safety and functionality of the pump housing, including:

1. Enlarge the housing.
2. Replace existing pumps with retractable pumps that are raised from above on rails.
3. Raise the motors and/or valve controls above the high water mark (Image 3 below). This would likely require installing a raised platform, and access during high water events would likely require a significant catwalk or a boat.



Image 3- Example of pump motor and electrical supply raised out of wet well to improve access.

EXISTING WATER SUPPLY

The facility currently operates between May and December in order to rear steelhead when river conditions are unfavorable. Approximately 900 gpm (2 cfs) of river water is pumped to the cooling tower, and from there flows into a cold well. From the cold well, water is pumped into the raceways, where it supports from 16,000 to 48,000 juveniles. After the last rearing pond, the water flows through a lava rock filter and back to the river. This is a single-pass system, meaning there is no water recirculation.

There are several water supply issues with the existing single-pass system. In some drought years, water depth at the existing intake is too low to operate. As a result (last year included), fish have had to be released from the facility prematurely, before river conditions were optimal. Also, the existing cooling tower is not cooling water to optimal levels (<60F) during periods of

hot, humid weather and warm river temperatures.

As described previously, facility operations are limited to the periods when the river levels are below the level of the pump motors, which are submerged at high flows and cannot be accessed. Access in the pump housing is difficult even when water levels are below the pump motors. Additionally, at low water conditions in the fall, the screen becomes clogged with leaves and requires frequent maintenance. Finally, there is no water disinfection system.

Recommendations

Water Recirculation

Installing a full or partial water recirculation system would improve the reliability of operations, improve fish health, and expand the capabilities of the facility to potentially include year-round operation. While at this time year-round operation is not required, it may make sense to plan for this potential need during facility improvements.

In such a system, water would be collected at the downstream end of the rearing facility and pumped back upstream to the beginning of the system (Diagram 1). There it would be chilled, filtered (solids filter, biofilter, and protein skimmer), disinfected, and passed back into the rearing ponds. A concept diagram is provided below. A small quantity of water would still need to be drawn from the river to make up for evaporative loss, water leakage in the rearing channels, and to dilute waste build-up in the recirculating system. Also, single pass operation may still be needed during periods of salt or chemical treatments in the rearing ponds.

Benefits of a recirculating system:

1. Sediment protection- Protect the intake pumps and recirculating pumps from damage from sediment, since intake water could be stopped when sediment levels in the river are high.
2. Reduced size of the fish screen and intake pumps, since less intake water would be needed.
3. Year round facility operation, if desired.
4. Improving control of temperature and water quality by selecting when water is drawn from the river.
5. Reduced energy cost to pump intake water. (This would be offset by increased energy costs to pump for recirculation).
6. Possibly increasing effectiveness of cooling tower- In hot and humid weather, water in the downstream rearing channels is cooler than river temperatures, and recirculating it will likely yield lower overall temperatures.

Drawbacks of a recirculating system:

1. Additional capital costs of pumps and piping to recirculate water.
2. Additional capital costs of filtration (solids filter, biofilter, and protein skimmer to remove fish waste).
3. Additional cost of water disinfection.
4. Additional energy cost to pump water from facility end to beginning. (This would be partially offset by reduced pumping costs of intake water).
5. Possible additional energy cost to chill water on an annual basis (see number 6 under “Benefits” above).
6. O&M costs of recirculation system components.

Potential Costs:

Adding recirculation to this facility would require a water collection tank below the last rearing pond, additional pumping, piping, filtration, protein skimmers, and disinfection. Based on the costs of two other recirculating facilities, a very rough estimate of the cost of additional equipment needed for recirculation at this facility is \$500,000.

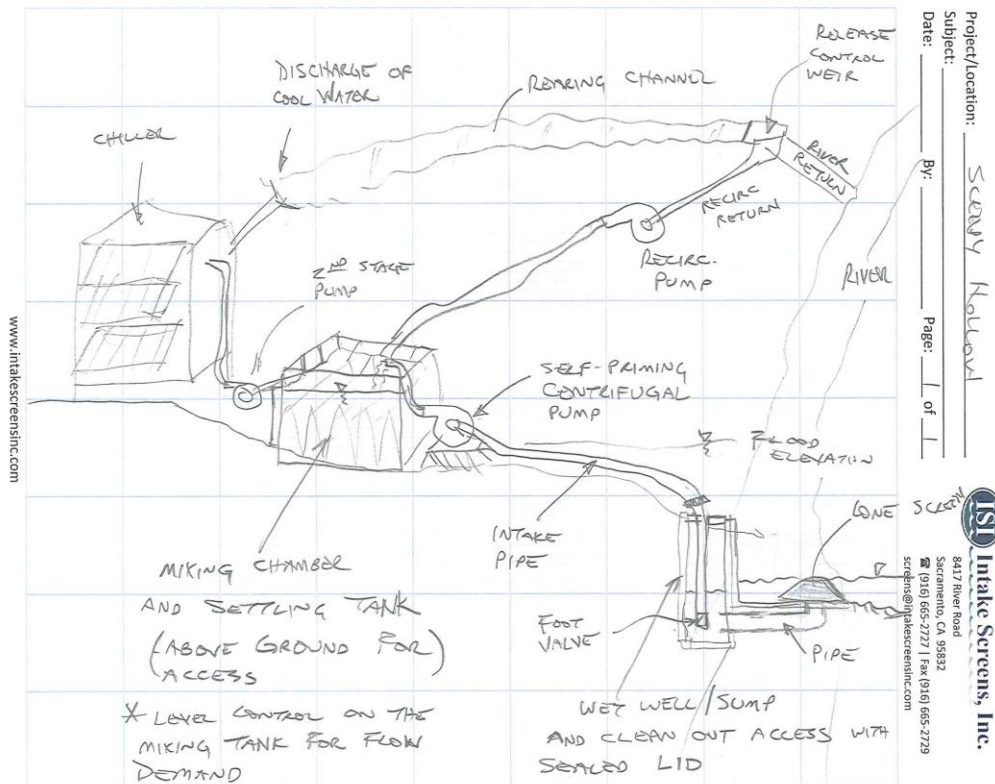


Diagram 1- Concept Drawing of Recirculating System (from Darryl Hayes, ISI)

Date: November 18, 2015

To: Larry Hampson, Monterey Peninsula Water Management District

Cc: Kevan Urquhart, MPWMD; Katie Chamberlin, Anchor QEA; Brian Vinci, Freshwater Institute

From: Darrel Nice, Tetra Tech

Project: Sleepy Hollow Steelhead Rearing Facility – **Project Number:** 135-124674-15001
Raw Water Intake and Water Supply System Upgrade

Subject: Response to Review Comments for Basis of Design Report

The purpose of this memorandum is to provide responses to review comments of the October 2015 Basis of Design (BOD) report. The BOD report was reviewed by the Coastal Conservancy and by NMFS. A brief summary of the comment is provided prior to each response. The original comments are attached to this memo for reference. Draft responses below are prepared by Tetra Tech and will be supplemented by Freshwater Institute and MPWMD. The final memo will be used during our meeting on November 24 (need to confirm date).

Responses to Coastal Conservancy Review Comments

Comment 1a: Additional analysis of the feasibility of a recirculation system is needed due to its significant cost. Consult with NMFS and CDFW to determine what flows the agencies would allow for diversions from the river.

Response: These agencies will be consulted to determine allowable diversion rates during low river flows. Technically the system requires a minimum river flow to replenish water lost in the rearing system, and to keep fresh water supplying the intake without causing flow reversal in the river. About 0.2 cfs of river flow beyond what is being withdrawn should keep water moving past the intake, resulting in at least 1.4 cfs flow needed in the river.

Comment 1b: Prepare an analysis of how often the recirculation system will be needed, taking into account any restrictions on water withdrawals. Analysis to take into account historical river flows.

Response: In addition to use during low river flows, the system will also operate during high river turbidity events and can improve normal facility operation. We estimate without reuse the river flow would need to be about 3 cfs, and with reuse river flow could be as low as 1.4 cfs for extended periods.

Comment 2: For option #3, is the second set of pipes that bypasses the treatment facility necessary? Is the increased cost of pipeline construction worth the savings in energy cost?

Response: The pipeline that goes directly from in RW intake pump station to the cooling tower provides operational flexibility to bypass the treatment facility when the river water quality is good. There is some increased energy costs associated with running the filters and re-pumping the

river water. The second pipeline allows the sediment basin and filter to be taken offline for maintenance, while still providing river water to the facility. Fish rearing operations benefit from this type of redundancy and the added pipe cost is minimal when two pipes are installed in one excavated trench as is planned.

Comment 3: Provide more information and justification for need of the proposed aeration/oxygenation tower. Consider installing a second smaller fan on existing cooling tower for aeration.

Response: The second fan option can be reviewed during design. The additional aeration tower is more efficient and allows for supplementation with pure oxygen in the future if it is needed. This will be discussed during the teleconference.

Comment 4a: Is the quarantine flow from river needed throughout the season?

Response: Yes, the quarantine occurs any time fish are rescued, which occurs throughout the season.

Comment 4b: Concern about formalin and other treatment chemical effects on river water quality during low river flows.

Response: The quarantine tanks are used to observe and sort fish and reduce shock when the fish first arrive. Formalin is the first treatment in every quarantine effort and is often the only treatment. When it is used the drain water is diverted to small storage tanks where it is treated and tested before release onto the gravel bar in accordance with the District's waiver from the RWQCB. The majority of the time the drain water is chemical free and safe for fish and returns to the river in an underdrain pipe that is installed below the rearing channel. This water could be used in the reuse system, but it is difficult to capture because of its lower elevation hydraulic grade line and was determined not cost effective.

Comment 5: When pumps are turned off will rearing channel quickly go dry? Consider channel modifications to address concern.

Response: The channel is already constructed to hold a certain level of water in each pool. There is some leakage that is unavoidable, which limits the amount of time it can hold water at a safe level. Another time limitation comes from fish consumption of oxygen and maintaining safe oxygen level. This does provide risk mitigation, but the only for limited time.

Comment 6: In the last sentence of section 4.8 "Effluent Water Treatment and Discharge" what is meant by "in the future"?

Response: This sentence should be revised. There is no requirement to store or remove the solids. The permitting agency has indicated discharge to the flood plain is acceptable and is consistent with the current practice.

Comment 7: Separate permitting and phased construction will not make sense unless it is agreed that the recirculation facilities are worth the cost.

Response: Permitting for the intake work will take longer because it impacts the river bank and includes in-water work. The reuse system construction is outside the normal river levels, and could be operated using the existing intake making the system more reliable.

Comment 8a: Revise cost summary table 6-1 to include line items for sub-total, contingency, and sales tax.

Response: This is a planning level cost estimate. The comments are helpful and will be included in future cost estimates once additional design detail is developed.

Comment 8b: Sales tax should be applied to materials only

Response: Tax will be clarified in future cost estimates.

Comment 8c: 25% contingency seems low given vague nature of the cost estimate

Response: At this planning level design each cost item also includes contingency.

Comment 8d: Cost estimate backup does not show how lump sum values were estimated

Response: Lump sum values and unit costs are based on several sources of information including: experience from similar past projects, bid tabs and schedules of values from other projects, consultation with RS Means, and correspondence with equipment suppliers.

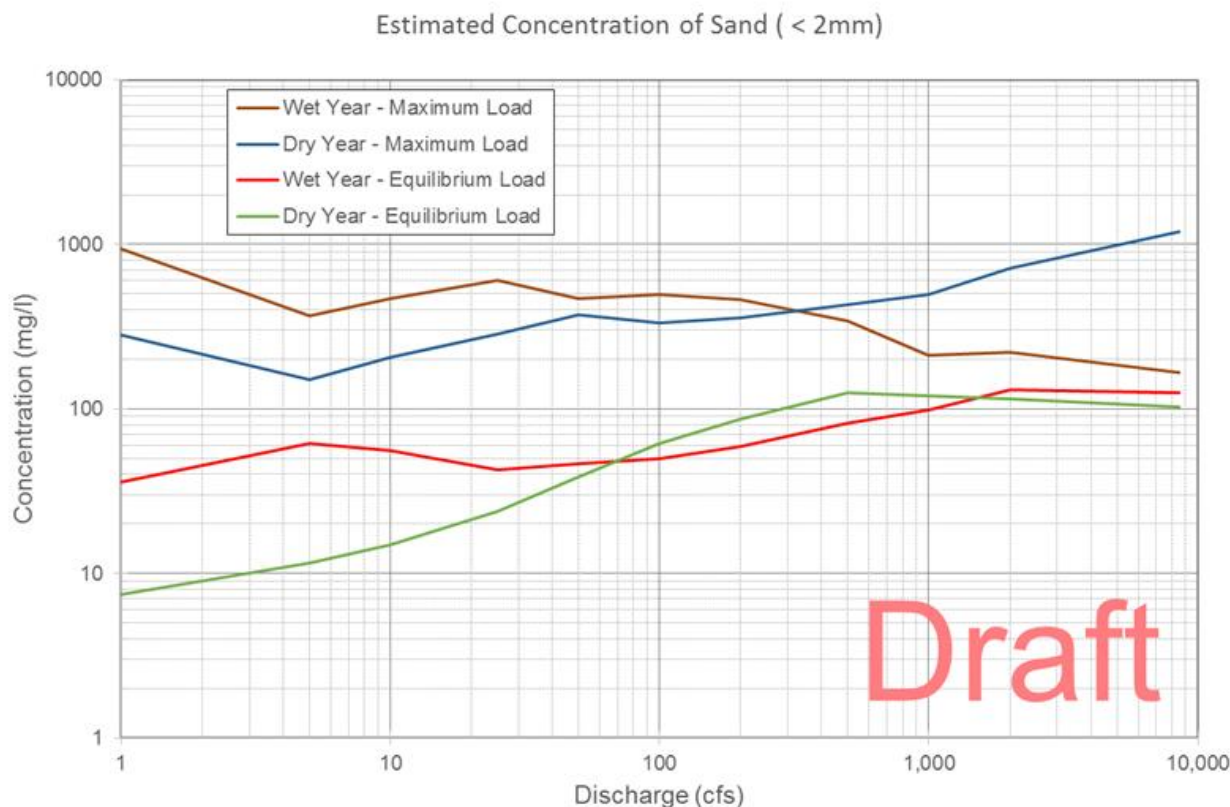
Comment 8e: Cost estimate does not include environmental monitoring and mitigation.

Response: These items will be reviewed more closely in future cost estimates.

Responses to NMFS Review Comments

Comment 1: Additional analysis of recirculation elements should include both low flow years and sediment mobilizing flows. Primary benefit of the recirculation system is as an insurance policy for future sediment transport events related to upstream dam removal. Recirculation may allow for improvements in normal facility operations such as increasing feed rates or increasing population density.

Response: The design for the project did incorporate the potential for some erosion of sediment deposited at the upstream end of the former San Clemente Reservoir. It is unknown how quickly that area will adjust to the new river grade, but we estimate it will happen fairly quickly if there are average flows. However, that area of reservoir deposits has the highest fraction of gravel (5-10%) and the sand fraction is likely to move downstream to the alluvial reach within a few years. Although MPWMD experience with Carmel River channel work is further downstream in a lower energy part of the system, from what was seen at the Reroute Project, we expect an initial adjustment of the Reroute Channel that could result in an elevated sediment level that will decrease over a number of years. The channel and floodplain are built with structural components (i.e., rip-rap and energy dissipaters) to withstand the 50-year and 10-year flood levels, respectively. Naturally recruited and planted vegetation will further reduce the potential for erosion in large events. The chart below shows estimated near term (Maximum Load) and long term (Equilibrium Load) sediment concentrations related to river discharge.



The more important and significant increase in sediment may come from other areas of the watershed. For example, intense rainfall on the 1,000-acre Tassajara fire (see photo) could send a mudslide into Cachagua Creek that will eventually pass by the Sleepy Hollow facility. In the past, erosion and sedimentation from upstream of the former San Clemente Dam appear to have been much more episodic than chronic. But, significant episodes can take several years to work through the system. So, the RAS can definitely benefit the facility by decreasing the volume of sediment reaching the rearing channel after an episodic event.

Comment 2: The Maximum Screen Approach Velocity in Table 2-1 should be changed to 0.33 feet/second and reference the NMFS Southwest Region Fish Screening Criteria for Anadromous Salmonids, 1997.

Response: Comment noted. Table 2-1 will be revised.

Comment 3: Did you consider a vertical cylinder screen located a bit downstream of the proposed location in a deeper area of the pool?

Response: We have considered the vertical cylinders and do not feel they are justified at this project. The river depth even in the pools is very limiting and cone screens are better for shallow conditions.

Comment 4: If there is significant current, internal baffles may be needed inside the fish screen to get the approach velocities right.

Response: Maximum river velocity at the screen location will be reviewed during design and baffles added if required.

Comment 5: Spray bar system suggested improvements / modifications

Response: The spray bar suggestions will be used during design and we may want to see some photos and details if they are available. We will also take a closer look at what we have designed at other facilities.

Comment 6: Air burst systems don't tend to much move sediment and they often promote growth of stubborn black algae on the screen

Response: It has been our experience that air burst does not remove sediment very well. However, based on the operators experience at Sleepy Hollow, air burst may be useful in removing lighter debris such as leaf mats that stick to the screen. This will be reviewed with the screen vendor during design.

Comment 7: Figure 2-3 River Pump Station: Should gate valve be provided between pump and check valve? Should the pipeline increase in size where the two 12" pipes come together at the wye?

Response: The isolation valve located downstream of the check valve is standard configuration for pump stations we have designed in the past, and is the recommended configuration in manufacturer literature and industry design references. The valve in this location can still be used for pump isolation and maintenance. The pumps will not need to be throttled open as there is sufficient static head to prevent the pumps from running off their curve. However, if throttling is needed, such as during testing, it can still be done downstream of the check valve.

The pumps are sized for one pump to deliver the entire facility flow. The pipe size increase is not needed because both pumps will typically not operate at the same time.

Comment 8: Ozone systems can be difficult to operate and maintain and can produce harmful byproducts. UV systems have been effectively used in other recirculating applications.

Response: We do not anticipate ozone use on this project. This will be discussed during the teleconference.

Comment 9: When calculating recirculation capacity, are you able to assume decreased feed rates or is cannibalism too big a problem?

Response: This will be discussed during the teleconference.

Comment 10: How much (if any) extra power does recirculating require? Would it require new transformers? Can the back-up generators power the recirculation system?

Response: The initial assessment concluded that the facility only has enough power for existing operations. TetraTech is working with PG&E to determine what additional power infrastructure will be required to add the RAS. Right now, the design goal is to be able to operate the facility under all conditions for as long as necessary (this will come under discussion in the near future). So, depending on the back-up generator to power the RAS may not be desirable (would we need a back-up for the back-up?).

SHSRF Raw Water Intake and Water Supply System Upgrade
Basis of Design Report, October 2015

Coastal Conservancy comments and questions

1. The recirculation elements of the project are a significant part of the cost. Before moving into more detailed design, additional analysis of the feasibility of using the system needs to be done. Specifically
 - a. Consultation with NMFS and CDFW to determine at what flows the agencies would allow diversions from the river, with the understanding the other than evaporative losses, the water would be returned to the extraction point. For instance the river flow is now less than 2 cfs – would CDFW allow you to take out 1.2 cfs to operate at 75% recirc?
 - b. Based on the outcome of these consultations, prepare an analysis of how often when recirc would be needed due to low river flows, water withdrawals would actually be allowed. For instance, in looking backwards at which years would have used recirc, what percentage of those had flows high enough throughout the rearing seasons to have successfully operated the system.
2. The preferred option #3 has a second set of pipes to allow for flow through of river water rather than having clean river water go through a solids treatment process (settling and filtration). Is this really necessary? If the river water is clean, wouldn't the "solids treatment process" be fast and easy? It will cost more to construct, so will it save significant energy costs?
3. Report does not adequately explain what the new aeration/oxygenation tower would be. Is this incorporated into the cooling tower or a separate structure? In either case, is a new structure more cost effective than just having a second smaller fan that can be used when only aeration is needed? More explanation and justification needed.
4. Quarantine flow from river
 - a. Does this need apply throughout the season or only at the beginning when fish are being brought in?
 - b. If you are operating on recirc, is there a level at which the channel water being discharged is not sufficient to dilute the formalin and other treatment chemicals in the water. I ask that particularly in light of the fact that recirc would be needed in dry years when the facility could be taking a very high percentage of the river flow out, so the new river water would be primarily outflow from the facility. For instance if you are running at 50% recirc and the river has 2 cfs, the flow from the holding tanks would be 30% of the flow. Is that going to be okay from an impact on the river standpoint?
5. It is my understanding that if the pump system is turned off or fails, then the channel will go dry fairly quickly. Is this correct? Is there a design revision that would allow for temporarily changing the channel to a system of holding ponds (by damming up the downstream end of the end of each segment? Would this be a valuable risk mitigation?

6. P25, Section 4.8, last sentence of paragraph – Explain what is meant by this sentence: “in the future” – what is this referring to?; “for storage and periodic removal as required” – required by who? Is it required now?
7. Permitting and Construction Strategy – It will only make sense to move forward with the recirc elements first if the regulatory agencies have signed off on the water withdrawal protocols that prove that recirc facilities are worth the cost. Based on this, I’m not sure separating the permitting will make sense.
8. Cost Estimate
 - a. Summary cost estimate on page 30 should include line items for the subtotal of itemized elements, plus lines for contingency and tax.
 - b. Sales tax is applied on materials, but not on labor. Why is 8% applied to everything.
 - c. 25% contingency seems low given the very vague nature of the cost estimate.
 - d. Cost estimate backup is largely based on lumpsum numbers that provide no indication of how they were estimated.
 - e. Cost estimate is missing the cost of environmental monitoring and mitigation. For instance you will likely need to deal with bird surveys, woodrats, and revegation. \$5K for erosion control doesn’t seem adequate.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Southwest Region
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404

November 2, 2015

MEMORANDUM FOR: Joyce Ambrosius

CC: Rick Wantuck

FROM: David White

SUBJECT: Environmental Services Branch Comments on Sleepy Hollow Raw
Water Intake and Water Supply System Upgrade BOD Report

1. Regarding recirculation elements being a significant part of the cost-- If further analysis of the benefits of a recirculation system is performed, the analysis should include both low flow years (when recirculation will expand the operational capacity of the SHSRF) **and sediment mobilizing flows** and bank failure events (from the newly constructed channel above the dam) that may overwhelm the proposed single pass screening and sediment removal system.

For me, the primary benefit of the recirculation system is as an insurance policy for sediment transport events caused by dam removal, and secondarily as a means to expand the operational or seasonal capacity of the facility. I haven't been closely involved in the sediment studies, but I would think that sediment transport risks will exist for several years as the newly cut channel and banks stabilize, especially in El Nino years. Perhaps someone more intimate with potential sedimentation issues can weigh in? Also, recirculation may allow significant improvements in normal operations such as increasing feed rates (to decrease cannibalism) or increasing allowable population density without increasing diversion from the river.

2. The Maximum Screen Approach Velocity in Table 2-1 should be changed to 0.33 feet/second and reference the NMFS Southwest Region Fish Screening Criteria for Anadromous Salmonids, 1997 (rather than the NMFS Northwest Region document, 2011). While the Northwest and Southwest regions have merged into a single West Coast Region, in California we still use the more protective 1997 criteria. Required Screen Effective Area should reflect this change. This should not affect the screen selected as the screen selected was sized with some excess



capacity.

3. The chosen location and type of cone screen will be a dramatic improvement over the existing configuration. Just curious--Did you consider a vertical cylinder screen located a bit downstream of the proposed location in a deeper area of the pool? Darryl Hayes has been having some success with that shape in deeper areas. Deeper may mean slower velocities and more sedimentation of course, but it makes me wonder if there is a circulation pattern or scouring that has caused that deeper pool to develop and persist and might be a good location. I only visited the site once so my recollection of the pool may be off on this.
4. If there is significant current, internal baffles may be needed inside the fish screen to get the approach velocities right. Without baffles, water tends to flow into the screen on the upstream side and out of the screen on the downstream side, reducing the effective surface area of the screen. We have found that 4 vertical baffles (dividing the cone into 4 quarter pie shapes) are effective.
5. In our fish screen inspections, we have seen spray bars work very well for resuspending sand and silt near fish screens. The most effective openings are small holes drilled in galvanized pipe--Nozzles tend to erode or plug. The spray bars work to about 2 feet away from the sprayer, so I don't think one spray bar will keep the whole 10 foot by 10 foot pad clean. I suggest building a spray ring around the cone rather than on just one side of it. In the plan view in Figure 2-2, the spray bar looks below the 12" pipe, but in the profile view below, it looks above the 12 inch pipe. It might be more effective to have the spray bar below the pipe so that it sprays and deflects near the hard pad.
6. We have not had much luck with air burst systems. They don't tend to much move sediment and they often promote growth of stubborn black algae on the screen. I have little experience with low elevation vanes in this type of application.
7. In Figure 2-3, I'm used to seeing a gate valve downstream from the pumps but before the check valve so we could throttle the pumps open, or isolate a pump for maintenance as check valves can fail. I defer to the designers however as I've never worked with 12" pipe or variable speed pumps. Where the two 12" pipes come together at the Y, should the pipe diameter increase?
8. I know of two expensive hatchery ozone systems that are not in use because they are complicated and can produce harmful byproducts, depending on what's in the water

supply. We ended up using UV effectively for raising endangered winter run Chinook in a near total recirculating system. Our water was free of sediment, however, and we were using Cornell-type tanks.

9. When calculating recirculation capacity, are you able to assume decreased feed rates or is cannibalism too big a problem? I would think that recirculation ability would be greatly enhanced by decreasing feed rate.

10. I see on page 28 that existing transformers barely provide enough power to the existing system. How much (if any) extra power does recirculating require? Would it require new transformers? Can the back-up generators power the recirculation system? How about adding a section on emergency procedures (power outage, high sediment load, water shortage)?

DRAFT

Sleepy Hollow Steelhead Rearing Facility Hydraulic Report and Scour Analysis

November 2, 2016

1 Introduction

This memo provides background information and hydraulic analysis to support the design of a cone screen intake structure at the Sleepy Hollow Steelhead Rearing Facility (SHSRF) on the Carmel River in Monterey County, CA. The current facility is located approximately 18.5 miles upstream from the Pacific Ocean and the proposed intake location is on the outside of a natural bend in the river at the upstream end of a deep pool (**Figure 1**). A one-dimensional HEC-RAS hydraulic model (USACE, 2010) was used to predict hydraulic conditions in the vicinity of the proposed location. These results were then used to estimate the amount of scour and specify appropriate countermeasures.

2 Hydrology

The Monterey County Flood Insurance Study (FEMA, 2009) contains a flood-frequency analysis developed for the Carmel River. This analysis provides projected peak discharge values for a range of recurrence intervals at the location “Below San Clemente Dam”. This location is appropriate for the SHSRF analysis because the facility is located approximately 1.4 miles downstream of the former San Clemente Dam (SCD) site. Though the SCD has been removed since the FEMA study was completed, this is not expected to alter the discharge values because the former dam did not provide any meaningful flood storage or flow attenuating capacity (FEMA, 2009). **Table 1** summarizes the peak discharge values from the FEMA analysis.

Table 1. Project peak discharge values below San Clemente Dam (from FEMA, 2009).

Recurrence Interval (yr)	Annual Exceedance Probability (%)	Discharge (cfs)
10	10	5,700
50	2	10,200
100	1	12,100

3 Hydraulics

The HEC-RAS model boundary conditions were based on a model of the Sleepy Hollow Ford area developed for the Monterey Peninsula Water Management Agency in 2012 (Avila and Associates, 2012). A survey of the bathymetry in the area around the proposed intake was conducted in 2015 and used to create detailed digital surface of the existing conditions (**Figure 2**). From this survey additional model cross-sections were added to improve the understanding

of the hydraulics in the area. The proposed intake was modeled as a solid obstruction into the channel (**Figure 3**). The model was then run over a range of flows from 1 cfs to the 100-year peak flow of 12,100 cfs. As expected, velocity, depth and shear stress increase with discharge and are predicted to have maximum values at the highest discharges (**Figures 4 through 7**). Results indicate that at levels between the 10-year peak and 100-year peak discharge, the proposed intake location flow depths would vary between about 15 and 19 feet, velocities would be about 7 ft/s and shear stress would vary between about 3.5 lb/ft² and 3.7 lb/ft² (**Table 2**).

Table 2. Predicted hydraulics at proposed intake location.

Discharge (cfs)	Depth (ft)	Velocity (ft)	Shear Stress (lb/ft ²)
10-yr (5,700)	15.4	6.8	3.7
50-yr (10,200)	18.4	6.8	3.4
100-yr (12,100)	19.3	7.0	3.5

4 Scour Analysis

The proposed intake location is at the upstream end of a natural pool that forms as the Carmel River makes a right hand turn against a bedrock outcropping. The geometric configuration and resulting hydraulic conditions at this location will provide the flow depths and sweeping velocities that will optimize the intake operation over a range of flows. Mature vegetation and large substrate along the banks indicate a stable planform geometry that is not expected to migrate significantly over the expected lifetime of the installation. Evidence exists that indicates some amount of periodic natural erosion (scour) and deposition has occurred in the area and is projected to continue. Scour along the outside of the bend, however, may threaten the stability of the proposed intake and should be mitigated.

Bend scour represents erosion of the channel bed caused by the transverse or secondary flow that occurs within the bend of a meandering channel. The magnitude of the amount of scour was estimated by using the ratio of shear stress along the outside of the bend to the average shear across the channel using the following equation:

$$S_b = (\sqrt{K} - 1)y \quad (1)$$

where S_b is the bend scour depth, K is the ratio of local shear stress on the outside of the bend to the average shear across the channel, and y is the flow depth. The shear stress multiplier (K) was estimated using a relationship published by the U.S. Soil Conservation Service (1977) (**Figure 8**). For the range of flows examined, the maximum resulting scour depth occurred during the 100-year peak flow and was about 6 feet.

Installing the intake is anticipated to induce local scour due to the projection of the structure into the channel. The National Cooperative Highway Research Program (NCHRP) Abutment Scour Approach as outlined in the Federal Highway Administration (FHWA) HEC-18 circular (Arneson et al., 2012) was used to estimate the total anticipated scour depth. This approach has the advantage of considering both the effects of the acceleration of flow due to the contraction in channel width as well as the turbulence that develops in the immediate vicinity of the structure. At the 100-year peak discharge, the expected scour depth was about 7.5 feet. While this amount is larger than the predicted bend scour, the abutment scour approach is somewhat

conservative and likely over-predicts the amount of scour that will occur. For this reason, the bend scour limit of 6 feet was used as the determining depth.

5 Erosion Protection

With an understanding of the amount of scour to anticipate, it is necessary to determine the material that will resist movement and maintain protection over the range of expected flow conditions. Given the predicted hydraulic conditions at the proposed location with velocities up to 7 ft/s (100-year peak flow) and shear stresses up to 3.7 lb/ft² (10-year peak flow), a review of potential materials indicates that stone riprap is the most suitable application (Frischneich, 2001). Using the approach outlined in the FHWA HEC-23 circular (Lagasse et al., 2009) for sizing revetment riprap and hydraulic input from the HEC-RAS model, the stone should have a median diameter (D_{50}) of 12 inches and conform to the FHWA Class III size and shape as outlined in **Table 3**. The stone size assumes that it is placed at a slope angle of 2H:1V and that it is quarried, angular rock. If the final slope angle is steeper or angular rock is not available, the median stone size should be increased.

Table 3. Minimum and maximum allowable particle size (inches).*

Nominal Riprap Class by Median Particle Diameter		d_{15}		d_{50}		d_{85}		d_{100}
Class	Size	Min	Max	Min	Max	Min	Max	Max
I	6 in	3.7	5.2	5.7	6.9	7.8	9.2	12.0
II	9 in	5.5	7.8	8.5	10.5	11.5	14.0	18.0
III	12 in	7.3	10.5	11.5	14.0	15.5	18.5	24.0
IV	15 in	9.2	13.0	14.5	17.5	19.5	23.0	30.0
V	18 in	11.0	15.5	17.0	20.5	23.5	27.5	36.0
VI	21 in	13.0	18.5	20.0	24.0	27.5	32.5	42.0
VII	24 in	14.5	21.0	23.0	27.5	31.0	37.0	48.0
VIII	30 in	18.5	26.0	28.5	34.5	39.0	46.0	60.0
IX	36 in	22.0	31.5	34.0	41.5	47.0	55.5	72.0
X	42 in	25.5	36.5	40.0	48.5	54.5	64.5	84.0

Note: Particle size d corresponds to the intermediate ("B") axis of the particle.

*Source: FHWA HEC-23 Table 4.1.

6 Summary and Recommendations

Scour calculations based on modeling results indicate that the design of the proposed cone intake structure should expect up to 6 feet of scour below the existing grade. A stone riprap application is recommended to mitigate the scour based on the predicted velocities and shear stresses, with a D_{50} of 12 inches (FHWA Class III Riprap). The stone should be placed down to the expected level of scour, unless bedrock is discovered in which case the bedrock layer can serve as the minimum depth. The stone must be placed at the recommended 2H:1V slope and should extend up to the top of the bank. The stone layer thickness of the application must be a minimum of 2 feet (the D_{100} for Class III Riprap). The rock protection should also be underlain by a granular filter or geotextile filter fabric to prevent piping. Final determination of the appropriate filter should be determined once the excavated surface is exposed and the native bank material is examined. Riprap placement along the bank should extend upstream and downstream of the structure a distance equal to the longitudinal distance (width) of the proposed structure such

that the total distance is three times the width of the structure. At the up- and downstream limits, the riprap should be keyed into the bank over a distance of 6 feet based on a minimum key length equal to three times the stone layer thickness.

7 References

- Arneson, L.A., Zevenbergen, L.W., Lagasse, P.F., and Clopper, P.E., 2012. Evaluation Scour at Bridges. Fifth Edition, Hydraulic Engineering Circular No. 18 (HEC-18), Publication No. FHWA-HIF-12-003, April, 340 p.
- Avila and Associates, 2012. Final Design Hydraulic Study, Carmel River Bridge at Sleepy Hollow Ford, Monterey, CA, May 22, 43 p.
- Federal Emergency Management Agency (FEMA), 2009. Flood Insurance Study, Monterey County, California and incorporated Areas. Volumes 1 – 3. Flood Insurance Study Number: 06053CV001A, Revised: April 2.
- Fishnenich, C., 2001. Stability Thresholds for Stream Restoration Materials. Water Operations Technical Support Program Special Report ERDC TN-EMRRP SR-29, Vicksburg, MS, May, 10 p.
- Lagasse, P.F., Clopper, P.E., Pagan-Ortiz, J.E., Zevenbergen, L.W., Arneson, L.A., Schall, J.D., and Girard, L.G., 2009. Bridge Scour and Stream Instability Countermeasures. Third Edition, Hydraulic Engineering Circular No. 23 (HEC-23), Publication No. FHWA-NHI-09-111, September, 256 p.
- U.S. Army Corps of Engineers (USACE), 2010. HEC-RAS Version 4.1 User's Manual, January.
- U.S. Soil Conservation Service, 1977. Design of Open Channels, Engineering Division, Technical Release No. 25, Washington, D.C.

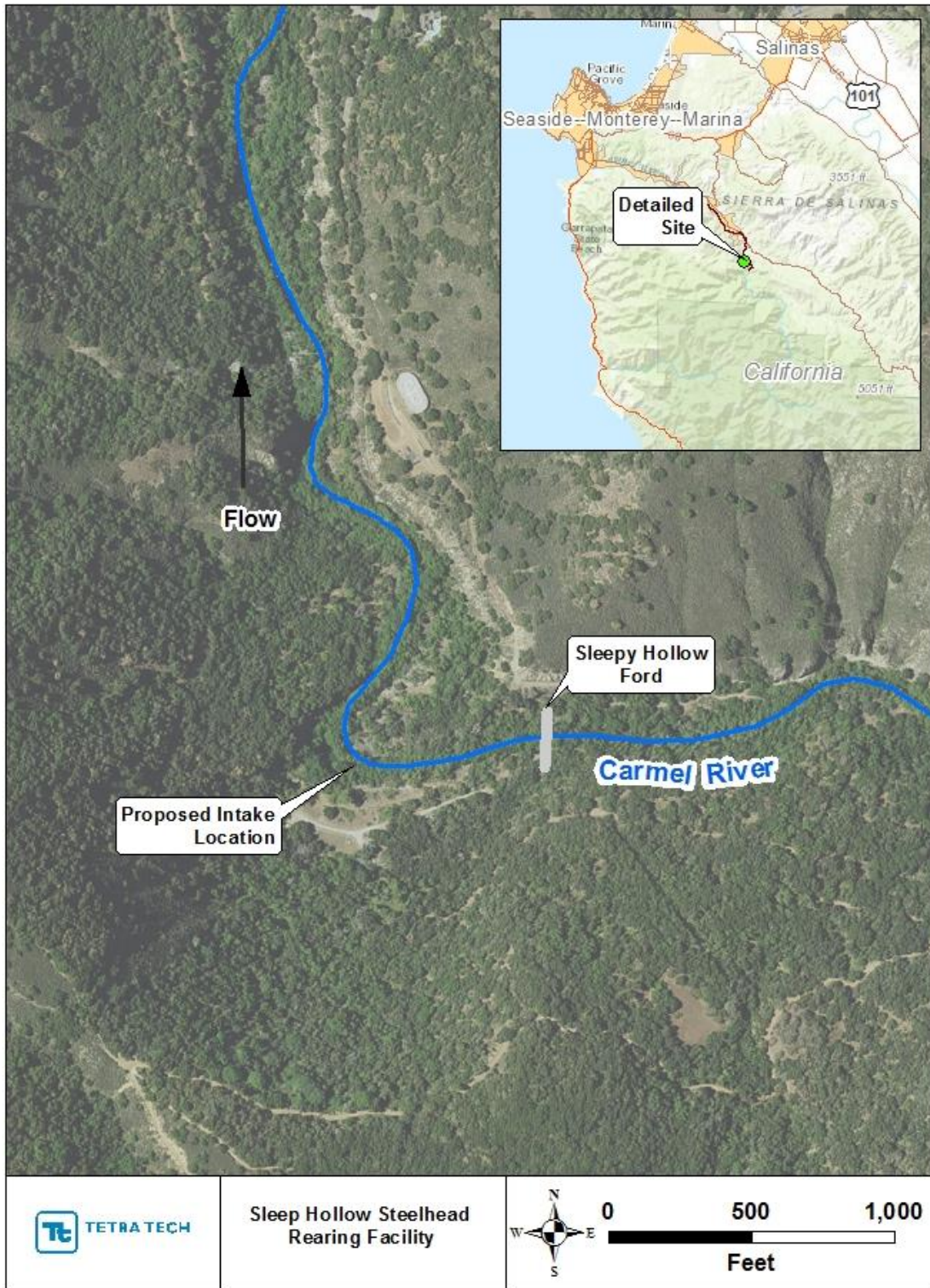


Figure 1. Sleepy Hollow Steelhead Rearing Facility site map.

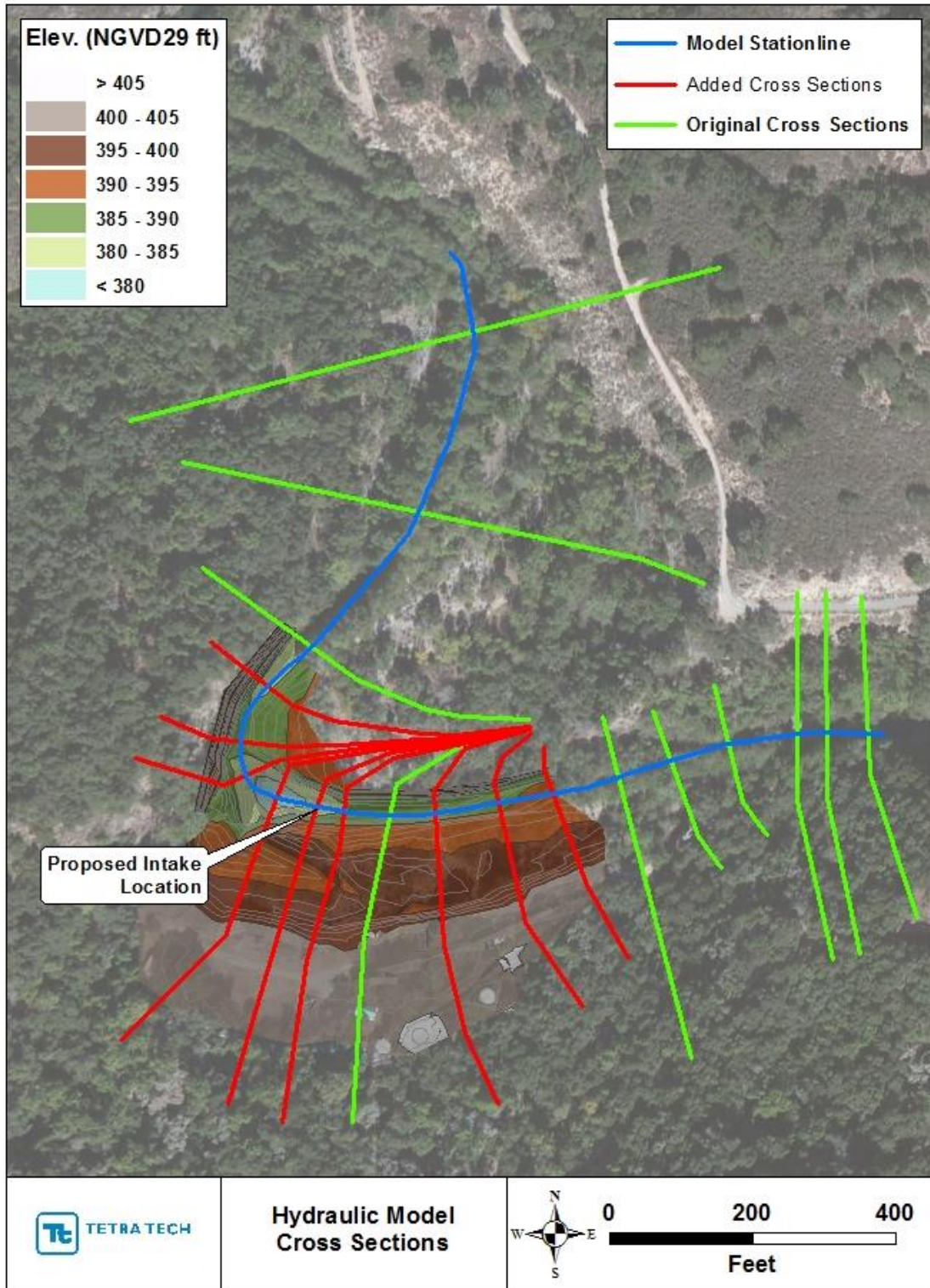


Figure 2. Detailed layout of digital surface and HEC-RAS model cross sections.

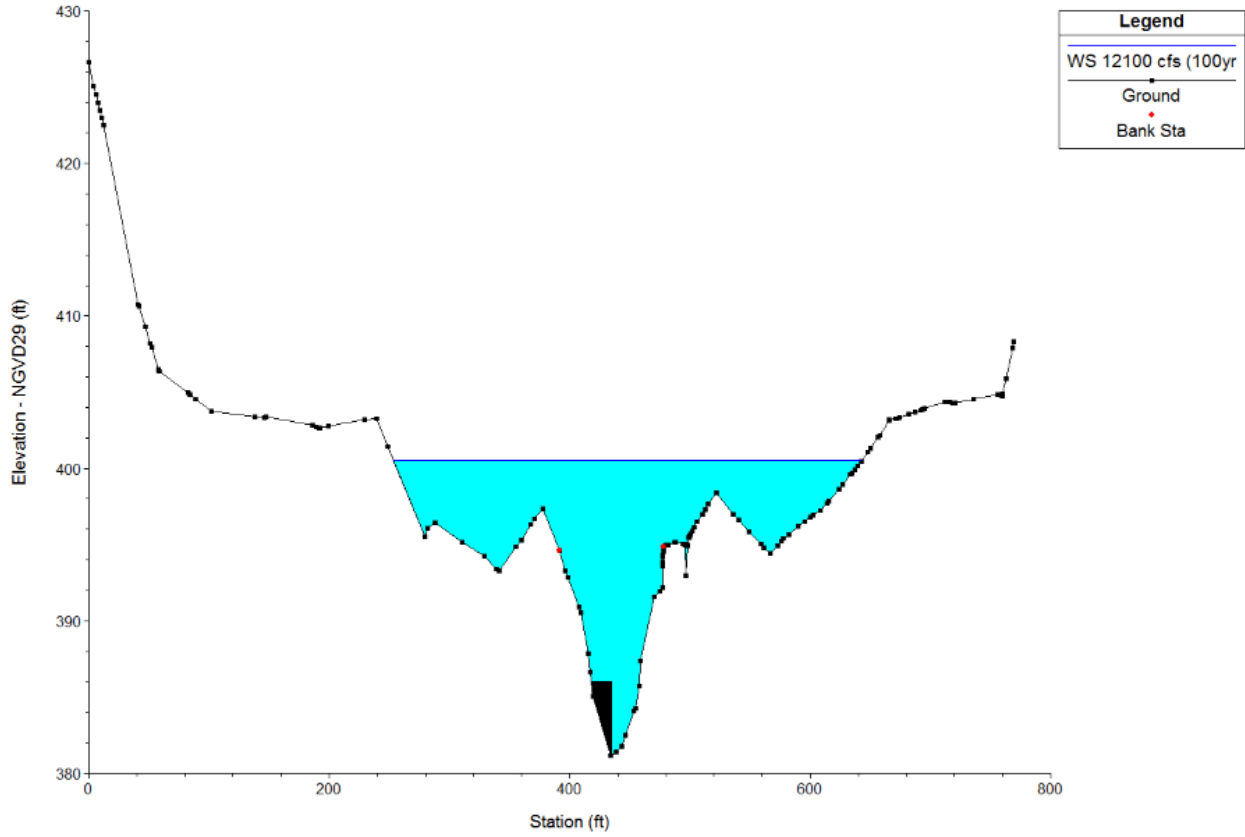


Figure 3. HEC-RAS cross section showing modeled proposed intake and water-surface elevation at the 100-year discharge (12,100 cfs).

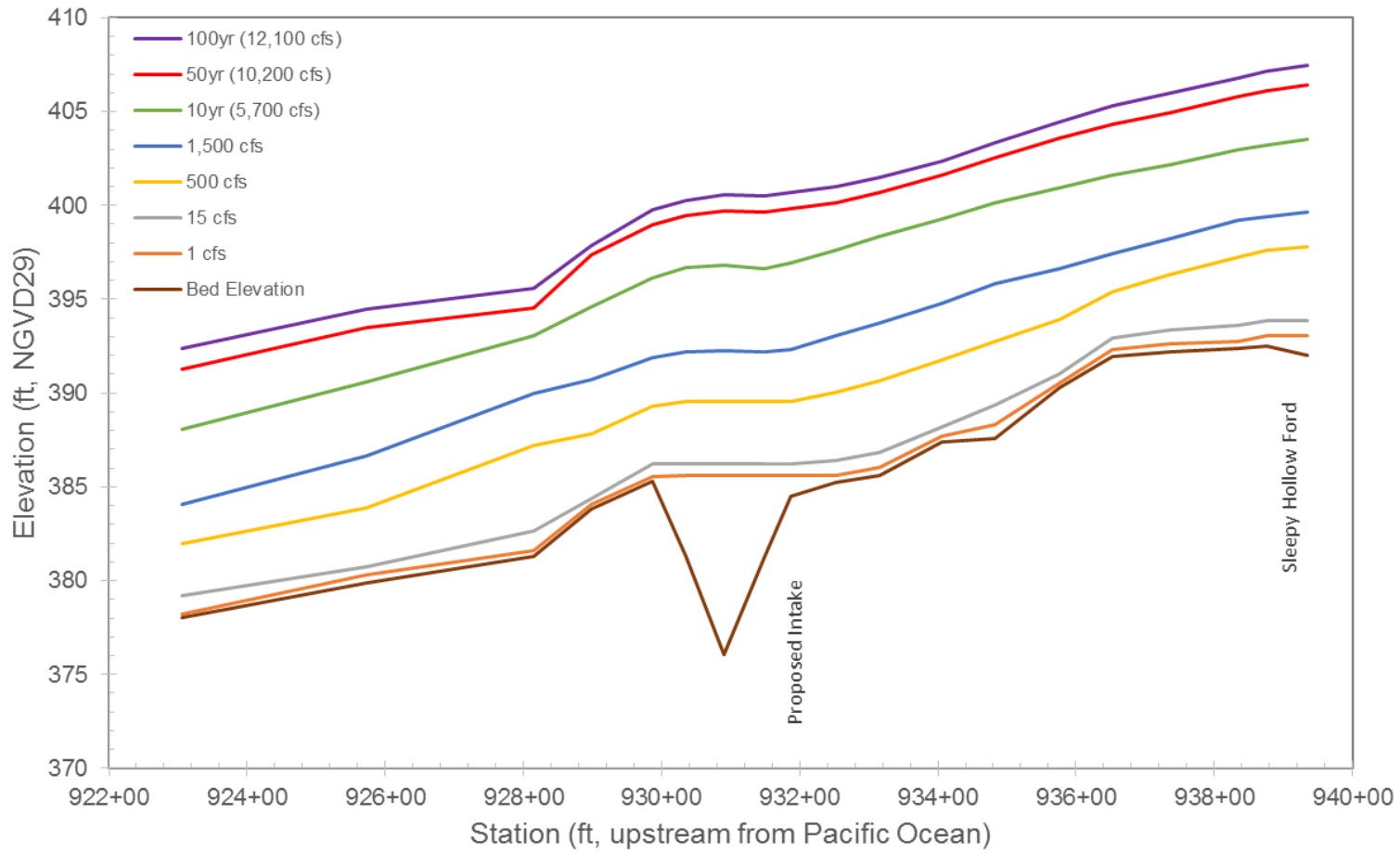


Figure 4. Predicted water-surface elevation of proposed condition.

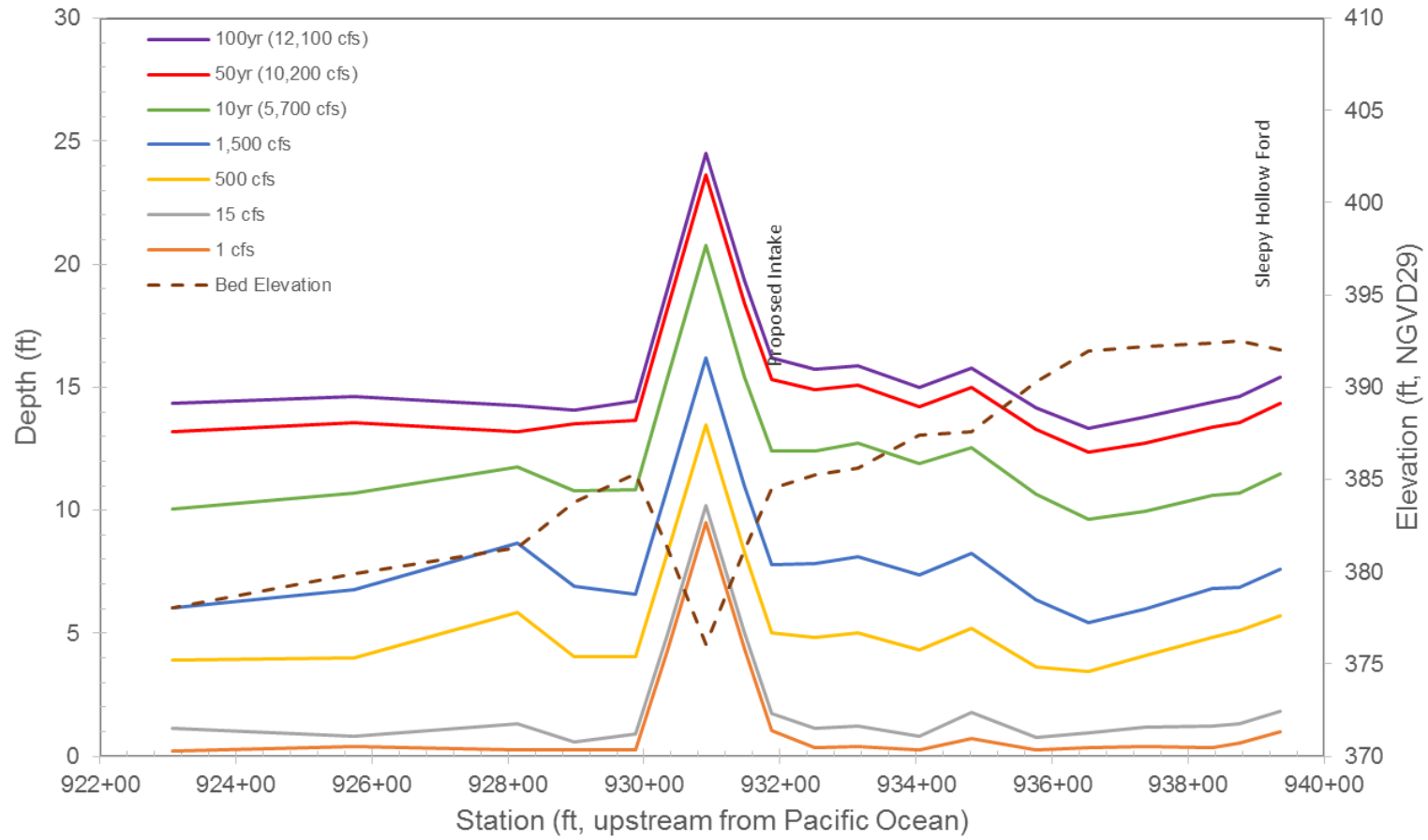


Figure 5. Predicted flow depths of proposed condition.

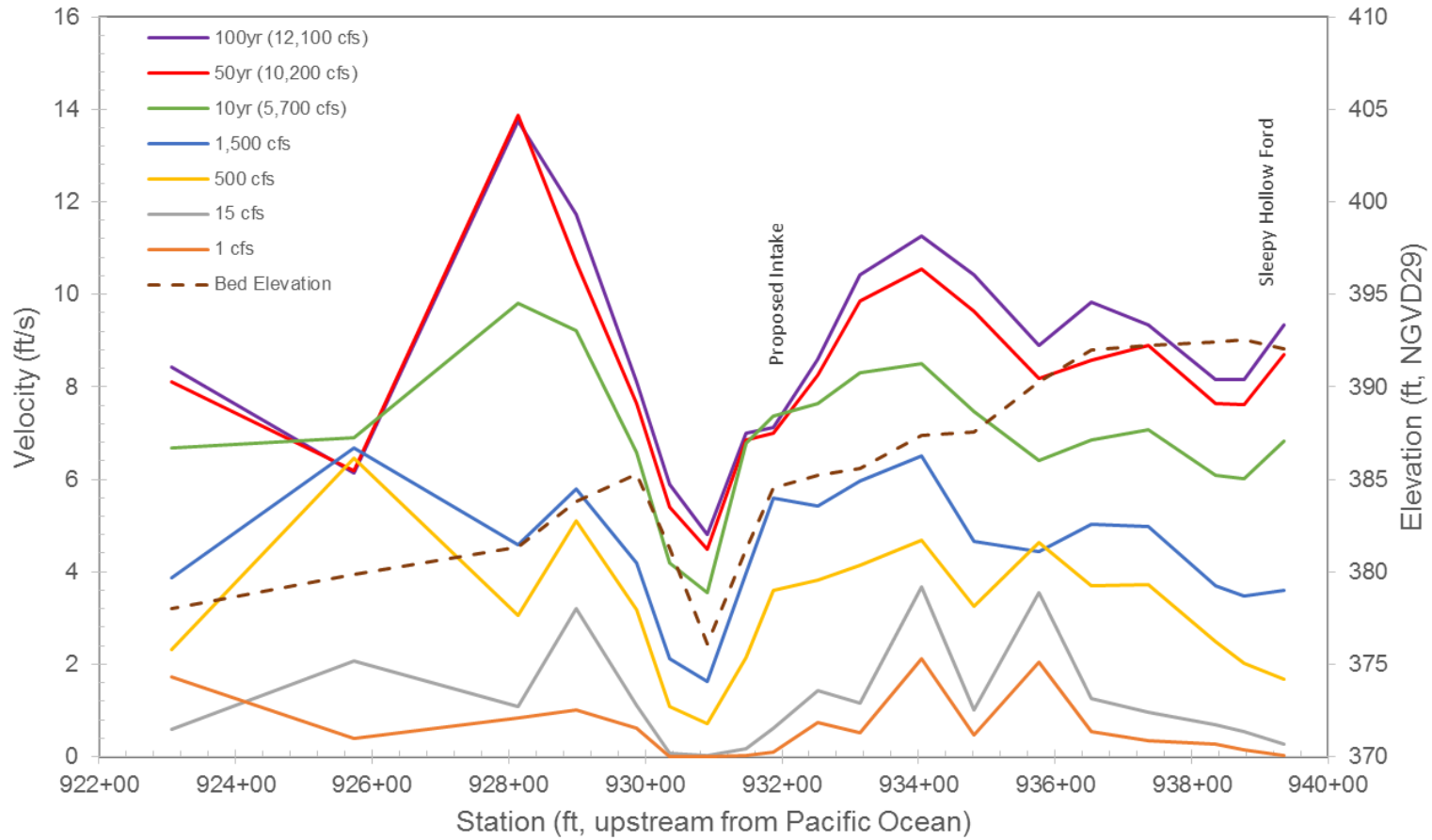


Figure 6. Predicted velocities of proposed condition.

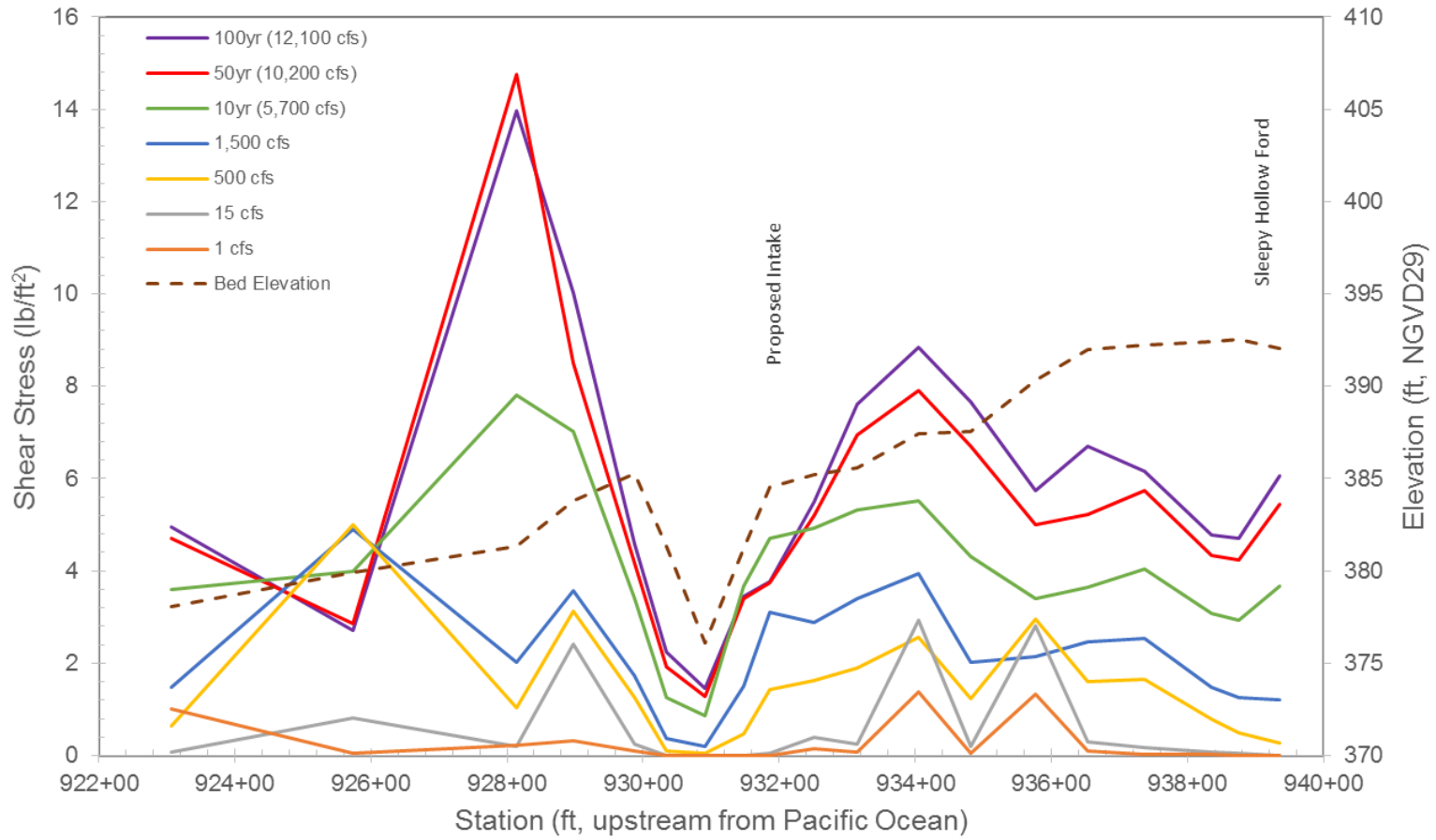


Figure 7. Predicted shear stress for proposed condition.

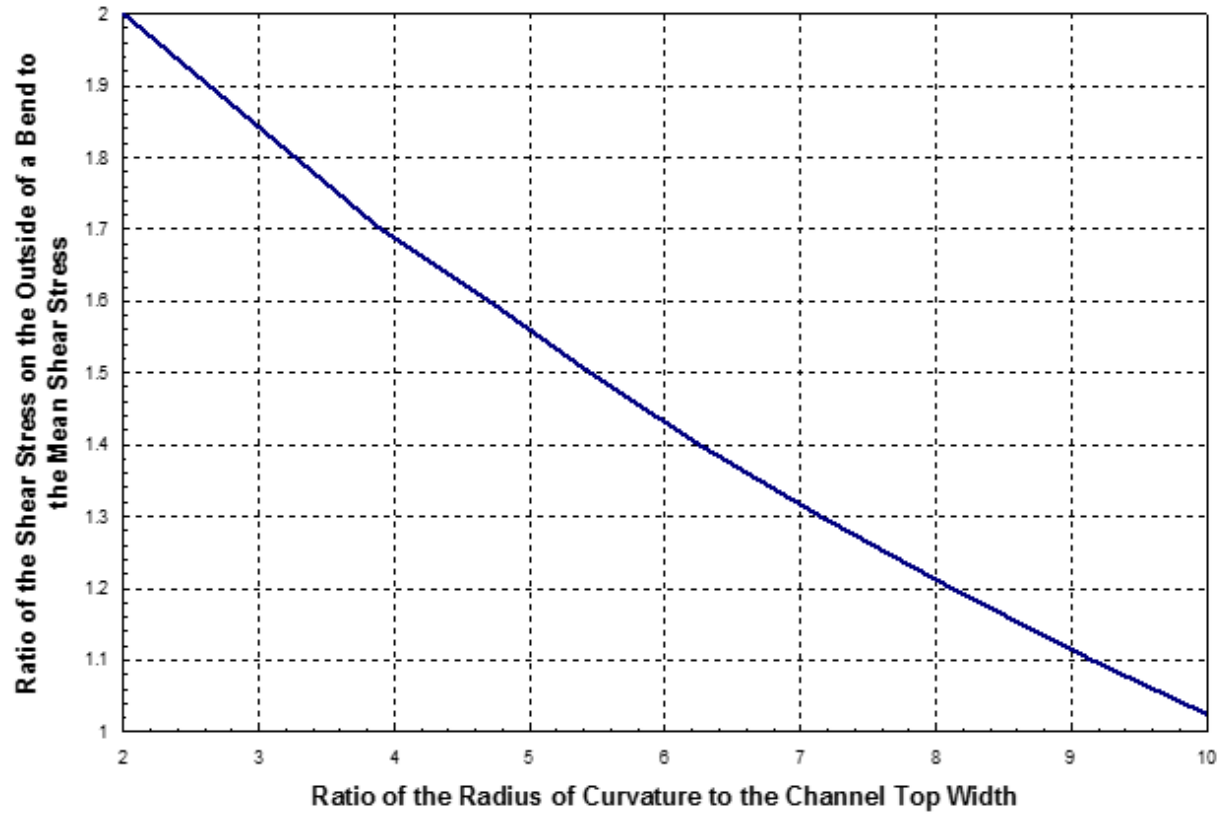


Figure 8. Relationship of bend shear stress to the mean shear stress (modified from U.S. Soil Conservation Service, 1977).

Enclosure 4



EXHIBIT 12-B**FINDINGS OF ENVIRONMENTAL REVIEW
SLEEPY HOLLOW STEELHEAD REARING FACILITY
RAW WATER INTAKE AND WATER SUPPLY SYSTEM UPGRADE**

- 1) **FINDING:** The Monterey Peninsula Water Management District (District) Board certified the Environmental Impact Report (EIR) for the Water Allocation Program on November 5, 1990.

EVIDENCE: The EIR is on file in the District office.

- 2) **FINDING:** On November 5, 1990 the District Board adopted findings which included the mitigation measures described in planning document titled, Five-Year Mitigation Program for Option V -- 16,700 acre-feet (af) Cal-Am Production.

EVIDENCE: The Mitigation Plan is on file in the District office.

- 3) **FINDING:** As part of the Mitigation Program the District adopted a program to rescue and rear juvenile steelhead during summer months when streamflow cannot be maintained below the Narrows. This program is described as Fisheries Mitigation #3 in the Five-Year Mitigation Plan.

EVIDENCE: The Mitigation Plan is on file in the District office.

- 4) **FINDING:** The District built and operates the Sleepy Hollow Steelhead Rearing Facility (Facility) downstream of the site of the former San Clemente Dam for the purpose of rearing juvenile steelhead.

EVIDENCE: The Facility exists at 45 San Clemente Drive, Carmel Valley and is currently operational.

- 5) **FINDING:** Changes in water supply, sediment and debris flows negatively affect the Facility operations.

EVIDENCE: The District was unable to divert flow to operate the facility in 2014 and 2015 due to extreme low flows resulting from drought conditions; removal of San Clemente Dam in 2015 allows sediment and debris to flow through the Carmel River at the Facility location that damages intake pumps and associated equipment and degrades water quality in the rearing channel. The foregoing evidence is on file at the District Office, 5 Harris Court, Bldg. G, Monterey, CA.

- 6) **FINDING:** The District followed the Negative Declaration Process outlined in Article 6 of the California Environmental Quality Act (CEQA) Guidelines. The District Board judges that an EIR for the project is unnecessary.

EVIDENCE: a) The District published a Public Notice of the Initial Study and Intent to Adopt a Mitigated Negative Declaration on September 30, 2016 in the Monterey Herald;

b) Following receipt of the Initial Study and a Notice of Completion for the Initial Study, the State Clearinghouse in the Governors' Office of Planning and Research and the State Clearinghouse posted SCH Number 2016091071 and set a review and comment period from September 29, 2016 through October 28, 2016. The notice can be downloaded at:

<http://www.ceqanet.ca.gov/ProjDocList.asp?ProjectPK=649195>

c) The District received comment letters on the proposed Mitigated Negative Declaration from the National Marine Fisheries Service and the California Regional Water Quality Control Board--Central Coast Region.

d) The District prepared written Responses to Comments for incorporation into a Final Initial Study/Mitigated Negative Declaration;

e) The Draft Findings, Draft Initial Study/Mitigated Negative Declaration, Responses to Comments, and Mitigation Monitoring and Reporting Program were reviewed by the District Board of Directors in a Public Hearing on November 14, 2016.

The foregoing evidence is on the District web site at:

<http://www.mpwmd.net/environmental-stewardship/carmel-river-steelhead-resources/steelhead-rescue/sleepy-hollow-facility/>

and is on file at the District Office, 5 Harris Court, Bldg. G, Monterey, CA.

- 7) **FINDING:** Based on results of surveys carried out on site and reviews of previous surveys other information available for the site, an initial environmental study, and consideration of comments received to date, the District finds that the proposed project could result in several environmental impacts.

EVIDENCE: The District has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) that includes identification of potential impacts. This information is available on the District web site and at the District Office 5 Harris Court, Bldg. G, Monterey, CA.

- 8) **FINDING:** The District reviewed options to minimize construction impacts through a design process that included on site visits, review of facility operations, and by soliciting comments on proposed design alternatives.

EVIDENCE: 1) May 5, 2014 Memo from David White to Joyce Ambrosius, National Marine Fisheries Service, Sleepy Hollow SRF Water Intake Recommendations;

2) Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade Basis of Design Report, TetraTech, October 2015;

3) Sleepy Hollow Steelhead Rearing Facility River Intake Structure Solutions, TetraTech, March 8, 2016.

This information is available on the District web site and at the District Office 5 Harris Court, Bldg. G, Monterey, CA.

9) **FINDING:** The District finds that although the proposed project may affect the environment, specific measures will be included to mitigate the effects to a less than significant level.

EVIDENCE: Potential impacts from the project are described in the IS/MND and mitigation measures are specified in Appendix D.

10) **FINDING:** The Mitigated Negative Declaration has been prepared in compliance with the provisions of the CEQA and State CEQA Guidelines.

EVIDENCE: The preparation, circulation, and public review of the initial study outlining the environmental impacts and proposed mitigation measures included in the Mitigated Negative Declaration.

11) **FINDING:** The Mitigated Negative Declaration reflects the independent judgement of the District Board and each participating Director has reviewed and considered the information contained in the Draft Initial Study/Mitigated Negative Declaration and subsequent related documents prior to making the decision on the Sleepy Hollow Steelhead Rearing Facility Upgrade project.

EVIDENCE: As evidenced by the November 14, 2016 Board meeting Packet, each member of the Board received a copy of the Draft Initial Study/Mitigated Negative Declaration, a copy of the District response letters to comments received, and a copy of the revised Mitigation Monitoring and Reporting Program.

12) **FINDING:** The District finds that the Mitigated Negative Declaration is substantively adequate. The District finds that there is no substantial evidence that the proposed Sleepy Hollow Steelhead Rearing Facility Upgrade will cause a significant effect for the reason that the project shall be constructed together with the specified mitigation measures, and these measures shall avoid any significant environmental effect.

EVIDENCE: The above stated facts.

EXHIBIT 12-C**RESOLUTION 2016-19**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
CERTIFYING FINDINGS OF ENVIRONMENTAL REVIEW
ADOPTING A MITIGATED NEGATIVE DECLARATION
AND
APPROVING THE SLEEPY HOLLOW STEELHEAD REARING FACILITY
RAW WATER INTAKE AND WATER SUPPLY SYSTEM UPGRADE**

WHEREAS, The Monterey Peninsula Water Management District (MPWMD) is committed to mitigating the environmental impact of diversions from the Carmel River Basin; and

WHEREAS, The MPWMD certified an Environmental Impact Report (EIR) for its Water Allocation Program and adopted a Mitigation Program as part of the EIR; and

WHEREAS, One element of the Mitigation Program includes rescue of juvenile and adult steelhead from the lower Carmel River and to rear the rescued juvenile fish in the Sleepy Hollow Steelhead Rearing Facility (Facility) adjacent to the Carmel River below the former San Clemente Dam site; and

WHEREAS, Changes in water supply, sediment, and debris flow negatively affect the Facility operations, which requires a Project to modify the river intake and plumbing for the Facility;

WHEREAS, The District has followed guidelines of the California Environmental Quality Act (CEQA) and prepared an Initial Study comprised of an environmental checklist and review of the impacts of the Project; and

WHEREAS, The District published a Notice of Intent to Adopt a Mitigated Negative Declaration and circulated the Draft Initial Study/Mitigated Negative Declaration for the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade (the Project) for the Facility in accordance with CEQA requirements; and

WHEREAS, The District responded to comments received on the IS/MND at a Public Hearing on November 14, 2016 and directed that a Final IS/MND be prepared that incorporates responses to comments;

WHEREAS, The District has prepared a Mitigation Monitoring and Reporting Program that will reduce potential impacts to a less than significant level;

WHEREAS, The District has prepared Findings of Environmental Review based on the Draft Initial Study/Mitigated Negative Declaration and comments received;

NOW THEREFORE, BE IT RESOLVED:

We, the Board of Directors of the Monterey Peninsula Water Management District, certify the Findings of Environmental Review as a true and accurate statement of the environmental impacts of the construction of the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade; and

Adopt a Mitigated Negative Declaration for the project based on the Initial Study/Mitigated Negative Declaration for the project which found that, although the project could have a significant effect on the environment, mitigation measures can be included that will reduce the potential impacts to less than significant levels;

Adopt the Mitigation Monitoring and Reporting Program and incorporate the mitigation measures described into the Project;

Approve the project, direct staff to prepare a Final IS/MND, and file a Notice of Determination for the Project.

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors on the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 14th day of November, 2016.

Witness my hand and seal of the Board of Directors this ____ day of _____, 2016.

David J. Stoldt, Secretary to the Board

Exhibit 12-D

Appendix D
Mitigation Monitoring and Reporting Plan

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>BIO-MM-1: Placement of anchored large wood would be proposed as mitigation for loss of streambed, if required by permitting agencies. Anchored large wood would be placed at a suitable location in the Carmel River to enhance habitat value for aquatic species as mitigation for any loss of streambed habitat. Large wood will be partially buried and anchored in the streambank nearby and downstream of the intake facility. Suitable wood material, such as redwood, douglas fir, pine, or other suitable material would be used. An approximately 15 to 20 foot piece of large wood, preferably with a rootball attached, with a diameter of 24 inches or more, would be cabled and anchored into the streambank to counteract sliding and buoyancy forces. The structure would form the nucleus for complex habitat to develop in the channel bottom in the vicinity of the structure. Placement of large wood would occur per the methods detailed in the National Large Wood Manual (USBR and USACE 2016).</p>	<p>During construction or project-related activities</p>	<p>Construction Contractor and/or District Environmental</p>	<p>District Engineer</p>	
<p>BIO-MM-2: Prior to construction, a qualified botanist or riparian specialist would identify and record the number, type, and size of trees to be removed or trimmed. Replacement planting for riparian trees would occur at a ratio determined through consultation with permitting agencies.</p>	<p>Prior to and during construction or project-related activities</p>	<p>District Environmental and/or Contract Biologist</p>	<p>District Engineer</p>	

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>BIO-MM-3: Any oak tree removal will occur in compliance with the Monterey County Oak Preservation Ordinance. The ordinance requires a permit for removal of oaks greater than 6 inches in diameter in most sections of the county and 1:1 replacement. Removal of more than 3 protected trees per lot per year requires a Forest Management Plan, Use Permit, and is subject to CEQA. Monterey County will be the regulatory authority responsible for oversight of the replacement of the oak trees.</p> <p>Any oak trees planned for removal under the proposed project would be assessed for sudden oak death. If trees are found to have the disease, the District will implement additional measures to prevent spreading the disease and will replace the lost oaks with species that are resistant to sudden oak death.</p>	Prior to and during construction or project-related activities	Construction Contractor and/or District Environmental	District Engineer	
<p>BIO-MM-4: To avoid impacts to water quality and aquatic habitats, erosion control BMPs would be developed and implemented to minimize any wind or water-related erosion and would comply with permitting agency requirements. Protective measures would include, at a minimum:</p> <ul style="list-style-type: none"> • No discharge of pollutants from vehicle and equipment cleaning would be allowed into any storm drains or watercourses. • Vehicle and equipment fueling and maintenance operations would be at least 50 feet away from watercourses, except at established commercial gas 	Prior to and during construction or project-related activities	Construction Contractor and/or District Environmental	District Engineer	

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>stations or established vehicle maintenance facilities.</p> <ul style="list-style-type: none"> • Spill containment kits would be maintained on site at all times during construction operations and/or staging or fueling of equipment. • Coir rolls or straw wattles that do not contain plastic or synthetic monofilament netting would be installed along or at the base of slopes during construction to capture sediment. • Graded areas would be protected from erosion using a combination of silt fences, fiber rolls, or other similar protection along toes of slopes or along edges of designated staging areas, and erosion control netting (such as jute or coir) as appropriate on sloped areas. • A speed limit of 15 miles per hour in the project footprint in unpaved areas would be enforced to reduce dust and excessive soil disturbance. • All food and food-related trash items would be enclosed in sealed trash containers and properly disposed of off site. • Pets would not be allowed within the work area or environmentally sensitive areas. • No firearms would be allowed on the project site except for those carried by authorized security personnel or local, State, or federal law enforcement officials. • A Spill Response Plan would be prepared. Hazardous materials (e.g., fuels, oils, or solvents) would be stored in sealable containers in a designated location that is at 				

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
least 50 feet from hydrologic features.				
<p>BIO-MM-5: Prior to the start of construction, a qualified biologist would conduct an educational training program for all construction personnel. The training would include, at a minimum, a description of the species identified as potentially present in Appendix B; an explanation of the status of these species and protection under federal or State laws; the avoidance and minimization measures to be implemented to reduce take of these species; communication and work stoppage procedures in case a listed species is observed within the action area; and an explanation of the environmentally sensitive areas and wildlife exclusion fencing and the importance of maintaining these structures. A fact sheet conveying this information would be prepared and distributed to all construction personnel. Upon completion of the program, personnel would sign a form stating that they attended the program and understand all the avoidance and minimization measures and implications of the ESA and CESA.</p>	Prior to construction or project-related activities	District Environmental and/or Contract Biologist	District Engineer	
<p>BIO-MM-6: The following project design or avoidance measures would be implemented to avoid construction impacts to steelhead:</p> <ul style="list-style-type: none"> • MPWMD staff trained in steelhead relocation would remove and relocate any steelhead within construction areas that are to be dewatered • Pumps or bypass pipes required during dewatering would be screened as appropriate to avoid entrainment of steelhead 	Prior to and during construction or project-related activities	Construction Contractor and/or District Environmental	District Engineer	

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<ul style="list-style-type: none"> Turbid water pumped from in-channel sites would be discharged onto adjacent gravel bars and not directly into the river 				
<p>BIO-MM-7: The following project design or avoidance measures would be implemented to avoid construction impacts to amphibious special status species:</p> <ul style="list-style-type: none"> Seasonal Avoidance. Work would be limited to the work window for steelhead, from June 1 through October 31, or as required by consultations with permitting agencies. Wet Weather Restrictions. No work would occur during or within the 24 hours following a rain event exceeding 0.2 inch as measured by Cal-Am at the former San Clemente Dam site. Environmentally Sensitive Areas. Prior to the start of construction all environmentally sensitive areas, defined as areas containing sensitive habitats adjacent to or within construction work areas for which physical disturbance is not allowed, would be clearly delineated. Construction work areas include the active construction site and all areas providing support for the proposed action (e.g., areas used for vehicle parking, equipment and material storage and staging, and access roads). The delineation of environmentally sensitive areas would remain in place throughout the duration of the active construction phase and would be regularly inspected and fully maintained at all times. 	Prior to and during construction or project-related activities	Contract Biologist, Construction Contractor, and/or District Environmental	District Engineer	

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<ul style="list-style-type: none"> • Wildlife Exclusion Fencing. Prior to the start of construction and after wildlife surveys have been completed, MPWMD, in consultation with permitting agencies, will determine if wildlife exclusion fencing is to be installed within the project footprint, including access road and staging areas. If the fencing is necessary, it would comprise a material that frogs, turtles, or snakes cannot climb or traverse and be a minimum of 36 inches tall, with the bottom edge buried a minimum of 4 inches deep. The fencing would be backfilled with soil, sand bags, or other means to prevent CRLF, western pond turtles, or two-striped garter snakes from passing underneath the fence and entering the project site. Vegetation would be cleared within 18 inches of either side of the fence and remain clear while the fence is operational to prevent species from using vegetation to gain access to the project site by climbing over the fence. The wildlife exclusion fencing would remain in place throughout the construction phase of the project, and would be regularly inspected and fully maintained. Upon project completion, the fencing would be completely removed, and the area cleaned of debris and trash and returned to natural conditions. • Proper Use of Erosion Control Devices. To prevent CRLF, western pond turtle, or two-striped garter snake from becoming entangled, trapped, or injured, erosion control materials that use plastic or synthetic monofilament netting would not be used within the 				

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>project area. This includes products that use photodegradable or biodegradable synthetic netting, which can take several months to decompose. Acceptable materials include natural fibers such as jute, coconut, twine or other similar fibers.</p> <ul style="list-style-type: none"> • Avoidance of Entrapment. To prevent inadvertent entrapment during construction, all excavated steep-walled holes or trenches more than 1 foot deep would be covered with plywood or similar materials at the close of each working day or provided with one or more escape ramps constructed of earth fill or wooden planks. The biological monitor would inspect all holes and trenches at the beginning of each workday and before such holes or trenches are filled. • Preconstruction Surveys. Preconstruction surveys would be conducted by a qualified biologist immediately prior to the initiation of any ground disturbing activities and vegetation clearing. The qualified biologist or biological monitor would conduct daily clearance surveys when construction activities are occurring. • Species Observation and Stop Work Authority. If individuals of CRLF, western pond turtles, or two-striped garter snakes are encountered, work activities within 50 feet of the individual must cease immediately and the on-site construction supervisor notified. Based on the professional judgment of the on-site biologist, if project activities can be conducted without injuring or killing the individual, it may be left at the location of discovery and 				

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>monitored by the biologist. All project personnel would be notified of the finding and at no time would work occur within 50 feet of the animal without a qualified biologist present. Capture and relocation would only be allowed if directed by the USFWS or CDFW.</p>				
<p>BIO-MM-8: The following project design or avoidance measures would be implemented to avoid construction impacts to coast horned lizard:</p> <ul style="list-style-type: none"> • Minimize habitat disturbance. Excavation within upland habitat would be the minimum required to complete the proposed improvements. To minimize surface disruption, pipe and utility features would be installed in common trenches and situated in existing roads where possible. • Preconstruction surveys and relocation. Preconstruction surveys would be conducted by a qualified biologist immediately prior to the initiation of any ground disturbing activities and vegetation clearing. The qualified biologist or biological monitor would conduct daily clearance surveys when construction activities are occurring. Any coast horned lizards encountered would be relocated away from the work area by a qualified biologist. 	<p>Prior to and during construction or project-related activities</p>	<p>Contract Biologist, Construction Contractor, and/or District Environmental</p>	<p>District Engineer</p>	

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>BIO-MM-9: A pre-construction survey would be conducted in and adjacent to the limits of grading to identify any woodrat nests that could be impacted by project activities. All nests would be mapped and flagged in the field. If nests are encountered, the following measures would be implemented:</p> <ul style="list-style-type: none"> • Nest Protection. To the extent feasible, woodrat nests would be avoided during construction. If the nest can be avoided, it would be isolated from the work zone by installation of environmentally sensitive area fencing. • Nest Removal – Non-Breeding Season. If a woodrat nest is detected in the work zone and it cannot be avoided, site clearing would be performed during the non breeding season (i.e., September 1 through November 30). During the non breeding season, the nest would be disassembled by hand and the nest materials (e.g., sticks) moved outside the project footprint. Any adult animals present would be permitted to disperse into adjacent habitat. This work may only be performed by a qualified biologist in coordination with the CDFW. • Nest Removal – Breeding Season. If site clearing must proceed during the breeding season (i.e., December 1 through August 31), it will be necessary to determine whether or not the nest is occupied. This may be done by direct observation over the course of at least two evenings no more than 48 hours prior to nest disassembly. Direct observation may consist of installation of camera traps at the nest or by a biologist 	<p>Prior to and during construction or project-related activities</p>	<p>District Environmental and/or Contract Biologist</p>	<p>District Engineer</p>	

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>on the ground. If no animals are observed, the nest may be disassembled by hand. If, during the process of disassembling the nest, live animals are encountered, nest materials would be replaced on top of the nest and the effort abandoned. The nest may not be disassembled if young woodrats are present. Construction must then be postponed until the end of the breeding season when juveniles are able to survive on their own.</p>				
<p>BIO-MM-10: The following project design or avoidance measures would be implemented to avoid construction impacts to special status bird species:</p> <ul style="list-style-type: none"> • If clearing, grubbing, and tree removal or pruning are to be conducted outside of the breeding season (i.e., September 1 through January 31), no preconstruction surveys for nesting migratory birds would be necessary. • If clearing, grubbing, and tree removal or pruning are to be conducted during the breeding season (i.e., February 1 through August 31), a preconstruction nesting bird survey would be conducted. The survey would be performed by a qualified biologist no more than 2 weeks prior to the initiation of work. If no nesting or breeding activity is observed, work may proceed without restrictions. To the extent allowed by access, all active nests identified within 92 m (300 feet) for raptors and 31 m (100 feet) for passerines would be mapped. • For any active nests found near the construction 	<p>Prior to and during construction or project-related activities</p>	<p>District Environmental and/or Contract Biologist</p>	<p>District Engineer</p>	

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>limits (i.e., 92 m [300 feet for raptors and 31 m [100 feet] for passerines), the project biologist would make a determination as to whether or not construction activities are likely to disrupt reproductive behavior. If it is determined that construction is unlikely to disrupt breeding behavior, construction may proceed. If it is determined that construction may disrupt breeding, the no-construction buffer zone would be expanded; avoidance is the only mitigation available. The ultimate size of the no construction buffer zone may be adjusted by the project biologist based on the species involved, topography, lines of sight between the work area and the nest, physical barriers, and the ambient level of human activity. If it is determined that construction activities are likely to disrupt raptor breeding, construction activities within the no-construction buffer zone may not proceed until the project biologist determines that the nest is no longer occupied.</p> <ul style="list-style-type: none"> • If maintenance of a no-construction buffer zone is not feasible, the project biologist would monitor the nest(s) to document breeding and rearing behavior of the adult birds. If it is determined that construction activities are likely to cause nest abandonment, work would cease immediately and the CDFW and/or the USFWS Division of Migratory Bird Management would be contacted for guidance. 				
<p>BIO-MM-11: The following project design or avoidance measures would be implemented to avoid construction</p>	<p>Prior to and during</p>	<p>District Environmental and/or Contract</p>	<p>District Engineer</p>	

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>impacts to special status bat species:</p> <ul style="list-style-type: none"> • Bat Habitat Assessment. If work is to take place during the bat breeding season (i.e., April 1 through August 31), a qualified biologist would conduct a survey of the project site and vicinity to determine if active maternity roosts are present. This survey would be conducted no more than 14 days prior to the initiation of work. • Maternal Roosts. If any trees or structures are determined to support or potentially support maternal bat roosts, work may not proceed if it would destroy roosts or disrupt breeding. Maternal bat roosts may only be removed or demolished after coordination with the CDFW. Passive exclusion of roosting bats would be required, and this may only be performed during the non-breeding season (i.e., between October 1 and March 30). • Preconstruction Survey. A preconstruction survey would be conducted by a qualified biologist to identify suitable bat roosting sites. The survey would be conducted no more than 48 hours prior to the initiation of work and would include an area extending up to 61 m (200 feet) of the limits of work, access permitting. • Protocol for Observations of Live Bats. If live bats are detected in the work area, work may not proceed until CDFW has been consulted. Contractors or others may not attempt to disturb (e.g., shake or prod) roosting 	<p>construction or project-related activities</p>	<p>Biologist</p>		

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>features to coax bats to leave.</p> <ul style="list-style-type: none"> • Day or Night Roosts. Any trees determined to provide suitable day or night roosting sites for bats would be identified and marked on site plans. Such roosting sites include snags, rotten stumps, decadent trees with broken limbs, exfoliating bark, cavities, and openings leading to interior portions of any structures. If no suitable roost sites or evidence of bat roosting are identified, impact minimization measures are not warranted. If suitable roosting sites or evidence of bat roosting are identified, the following measures would be conducted in coordination with CDFW: <ul style="list-style-type: none"> – A qualified biologist would survey suitable roost sites immediately prior to the removal or significant pruning of any of the larger trees, or demolition or significant renovation of any structures. – If the project biologist identifies suitable day or night roost sites or evidence of bat occupation, the following steps would be followed to discourage use of the sites by bats and to ensure that any bats present are able to safely relocate. – For trees: <ul style="list-style-type: none"> – Tree limbs smaller than 7.6 centimeters (3 inches) in diameter would be removed and any loose bark would be peeled away. – Any competing limbs that provide shelter 				

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>around the potential roost site would be removed to create as open of an area as possible.</p> <ul style="list-style-type: none"> - The tree would then be left alone to allow any bats using the tree/snag to find another roost during their nocturnal activity period. - Trees would be re-surveyed 48 hours after trimming. - If no bats are present, work may proceed. - If bats remain on site, additional measures would be prescribed by the biologist. 				
<p>BIO-MM-12: A qualified biologist would survey the work area for presence of CNPS list species prior to any work in upland areas. If any CNPS list species are identified, potential impacts from construction activities would be avoided to the extent possible by working around the populations.</p>	<p>Prior to and during construction or project-related activities</p>	<p>District Environmental and/or Contract Biologist</p>	<p>District Engineer</p>	

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>CULT-MM-1: An archaeological monitor will be on-site during construction that may extend into native sediments. Monitoring will be supervised by a qualified archaeologist. If archaeological materials are encountered, the monitor will be authorized to stop construction as necessary to protect the find. The monitor will contact the qualified archaeologist. The qualified archaeologist will work with the District to assess the significance of the find, contact the Native American Heritage Commission, and determine appropriate avoidance or mitigation measures. Construction may resume in the area when mitigation has been completed and the District has authorized the activity.</p>	<p>During construction or project-related activities</p>	<p>District Environmental and/or Contract Archaeologist</p>	<p>District Engineer</p>	
<p>CULT-MM-2: Pursuant to CEQA Guidelines 15064.5 (f), “provisions for historical or unique archaeological resources accidentally discovered during construction” should be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and the District would consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of the District and the qualified archaeologist and/or paleontologist would meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be subject to scientific analysis, professional museum inclusion, and a report prepared by the qualified archaeologist according to current professional standards. If</p>	<p>During construction or project-related activities</p>	<p>District Environmental and/or Contract Archaeologist</p>	<p>District Engineer</p>	

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>the discovery includes human remains, CEQA Guidelines 15064.5 (e)(1) shall be followed, which is as follows:</p> <p>(e) In the event of the accidental discovery or other than a dedicated cemetery, the following steps should be taken:</p> <p>(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <p>(A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and</p> <p>(B) If the coroner determines the remains to be Native American:</p> <ol style="list-style-type: none"> 1. The coroner shall contact the Native American Heritage Commission within 24 hours. 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American. 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and 				

Mitigation Measure	Implementation Timing	Implementation Responsibility	Verification Responsibility	Compliance Verification Date
<p>any associated grave goods as provided in Public Resources Code Section 5097.98, or</p> <p>(2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>(A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;</p> <p>(B) The descendant identified fails to make a recommendation; or</p> <p>(C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</p>				

Notes:

- BMP = best management practice
- CDFW = California Department of Fish and Wildlife
- CEQA = California Environmental Quality Act
- CESA = California Endangered Species Act
- CNPS = California Native Plant Society
- CRLF = California red-legged frog
- ESA = Endangered Species Act

MPWMD = Monterey Peninsula Water Management District

NMFS = National Marine Fisheries Service

RWQCB = Regional Water Quality Control Board

USACE = U.S. Army Corps of Engineers

USBR = U.S. Bureau of Reclamation

USFWS = U.S. Fish and Wildlife Service

ITEM: INFORMATIONAL ITEMS/STAFF REPORTS**13. LETTERS RECEIVED****Meeting Date:** November 14, 2016 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** Arlene Tavani **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** N/A

A list of letters that were submitted to the Board of Directors or General Manager and received between October 7, 2016 through November 4, 2016 is shown below. The purpose of including a list of these letters in the Board packet is to inform the Board and interested citizens. Copies of the letters are available for public review at the District office. If a member of the public would like to receive a copy of any letter listed, please contact the District office. Reproduction costs will be charged. The letters can also be downloaded from the District's web site at www.mpwmd.net.

Author	Addressee	Date	Topic
Chris Morello	David Stoldt	11/3/16	Environmental Assessment for Proposed Airfield Safety Enhancement Project for Taxiway "A" Relocation & Associated Building Relocations at Monterey Regional Airport, Monterey County, CA
David A. Heuck	John O' Hagen cc: David Stoldt	10/18/16	Certification Under Order WR 2009-0060, as Amended by Order WR 2010-0001
Charlton H. Bonham	Kevan Urquhart cc: David Stoldt	10/10/16	Appointment to Fisheries Restoration Grant Program's Peer Review Committee
Gary Cursio; Janine Chicourrat; Bonnie Adams	David Stoldt	09/30/16	Letter of Thanks for Sponsorship of MCHA Fundraiser

ITEM: INFORMATIONAL ITEMS/STAFF REPORTS**14. COMMITTEE REPORTS**

Meeting Date:	November 14, 2016	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
Prepared By:	Arlene Tavani	Cost Estimate:	N/A

General Counsel Review: N/A
Committee Recommendation: N/A
CEQA Compliance: N/A

Attached for your review as **Exhibits 14-A through 14-D**, respectively, are final minutes of the committee meetings listed below.

EXHIBIT

- 14-A** Final Minutes of October 10, 2016 Administrative Committee Meeting
- 14-B** Final Minutes of September 20, 2016 Water Supply Planning Committee Meeting
- 14-C** Final Minutes of July 20, 2016 Monterey Peninsula Water Supply Project Governance Committee Meeting
- 14-D** Final Minutes of June 7, 2016 Ordinance No. 152 Oversight Panel Minutes



EXHIBIT 14-A

FINAL MINUTES
Monterey Peninsula Water Management District
Administrative Committee
October 10, 2016

Call to Order

The meeting was called to order at 3:30 PM in the District Conference Room.

Committee members present: Molly Evans (alternate)
 David Pendergrass

Committee members absent: Brenda Lewis
 Andy Clarke

Staff present: Suresh Prasad, Administrative Services Manager/Chief Financial Officer
 Cynthia Schmidlin, Human Resources Analyst
 Sara Reyes, Office Services Supervisor

Oral Communications

None

1. Approve Minutes of September 12, 2016 Committee Meeting

On a motion by Evans and second by Pendergrass, the minutes of the September 12, 2016 meeting were approved on a vote of 2 to 0.

Items on Board Agenda for October 17, 2016

2. Receive Alternative Measurement Method Report for Determining Annual Cost for Post-Employment Medical Benefits

On a motion by Evans and second by Pendergrass, the committee voted 2 to 0 to recommend the Board receive the Alternative Measurement Method Report prepared by Milliman, Inc., and continue to pay retiree medical costs on a pay-as-you-go basis.

3. Consider Adoption of Resolution 2016-16 – Revisions to MPWMD Conflict of Interest Code

On a motion by Evans and second by Pendergrass, the committee voted 2 to 0 to recommend the Board adopt Resolution 2016-16.

4. Consider Approval of Reclassification of the Hydrography Programs Coordinator Position

On a motion by Evans and second by Pendergrass, the committee voted 2 to 0 to recommend the Board approve the reclassification of the Hydrography Programs Coordinator Position.

5. Consider Adoption of Resolution No. 2016-17 – Resolution of Intention to Approve an Amendment to the District’s Contract with the California Public Employees’ Retirement Systems

On a motion by Pendergrass and second by Evans, the committee voted 2 to 0 to recommend the Board approve Resolution 2016-17, stating the District’s approval of an amendment of its Retirement Contract with CalPERS to provide Section 20516 (Employees Sharing Additional Cost) of 3% for classic local miscellaneous members.

6. Consider Approval of July 2016 Treasurer’s Report

On a motion by Evans and second by Pendergrass, the committee voted 2 to 0 to recommend the Board adopt the July 2016 Treasurer’s Report and financial statements, and ratification of the disbursements made during the month.

7. Consider Approval of August 2016 Treasurer’s Report

On a motion by Evans and second by Pendergrass, the committee voted 2 to 0 to recommend the Board adopt the August 2016 Treasurer’s Report and financial statements, and ratification of the disbursements made during the month.

Other Business

8. Review Draft October 17, 2016 Board Meeting Agenda

General Manager Stoldt reviewed the agenda with the committee. The committee made no changes to the agenda.

Adjournment

The meeting was adjourned at 4:13 PM.



EXHIBIT 14-B

**FINAL MINUTES
Water Supply Planning Committee of the
Monterey Peninsula Water Management District
September 20, 2016**

Call to Order The meeting was called to order at 10 am in the MPWMD conference room.

Committee members present: Robert S. Brower, Sr. - Committee Chair
 Jeanne Byrne
 David Pendergrass

Committee members absent: None

Staff members present: David Stoldt, General Manager
 Larry Hampson, Planning & Engineering Division Manager
 Maureen Hamilton, Water Resources Engineer
 Arlene Tavani, Executive Assistant

District Counsel present David Laredo

Comments from the Public: George Riley stated that at a public meeting, Ian Crooks of California American Water announced that Cal-Am encountered difficulty removing casings from the desalination project test wells that are 750 feet long at a 19 degree angle. Cal-Am expects to also encounter difficulty removing casings from the 1,000 feet long, 14 degree angle production wells to be installed. Riley urged the Water Management District staff and Board to be aware of this situation, because the public is learning about the problems.

Action Items

1. **Consider Adoption of Committee Meeting Minutes of July 12, 2016**
 On a motion by Pendergrass and second of Byrne, the minutes of the July 12, 2016 committee meeting were adopted on a vote of 3 – 0 by Pendergrass, Byrne and Brower.

2. **Develop Recommendation to the Board of Directors on First Reading of Ordinance No. 175 – Modification of District Rules re Use of Water from the Carmel Valley Alluvial Aquifer for Water Supply**
 Byrne offered a motion that was seconded by Pendergrass to recommend that the Board of Directors adopt the first reading of Ordinance No. 175 with the following modification: where appropriate include language that specifies that if an application is incomplete when received, the District should deem it incomplete and allow the

applicant 30 days to complete the application. The motion was approved on a vote of 3 – 0 by Byrne, Pendergrass and Brower.

Set Next Meeting Date: The meeting was scheduled for October 18, 2016 at 10 am.

Adjournment: The meeting was adjourned at 10:40 am

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**GOVERNANCE COMMITTEE
FOR THE
MONTEREY PENINSULA WATER SUPPLY PROJECT**

California American Water • Monterey County Board of Supervisors
Monterey Peninsula Regional Water Authority • Monterey Peninsula Water Management District

**FINAL MINUTES
Regular Meeting
Governance Committee
for the
Monterey Peninsula Water Supply Project
July 20, 2016**

- Call to Order:** The meeting was called to order at 2:00 pm in the conference room of the Monterey Peninsula Water Management District offices.
- Members Present:** Bill Kamp, representative for Monterey Peninsula Regional Water Authority
Jeanne Byrne, representative for Monterey Peninsula Water Management District (alternate to Robert S. Brower Sr.)
David Potter, representative for Monterey County Board of Supervisors
Robert MacLean, representative for California-American Water
- Members Absent:** Robert S. Brower, Sr. representative for Monterey Peninsula Water Management District
- Pledge of Allegiance:** The assembly recited the Pledge of Allegiance.
- Public Comments:** No comments were directed to the committee during the public comment period.

Elect Governance Committee Chair and Vice Chair

Potter offered a motion that was seconded by Byrne, to elect Bill Kamp as committee Chair and Jeanne Byrne as Vice Chair. The motion was approved on a vote of 3 – 0 by Potter, Byrne and Kamp. No comments were directed to the committee during the public comment period on this item.

Presentations

1. Progress Report from California-American Water on the Monterey Peninsula Water Supply Project Including Updates on Production from Test Slant Well; Desalination Project Design; and Design and Procurement of Conveyance Facilities

Chris Cook, Assistant Engineering Manager, California-American Water (Cal-Am), presented the progress report. A summary of his presentation is on file at the Water Management District office and can be viewed on the Governance Committee webpage.

Public Comment: **(a) Tom Rowley**, Monterey Peninsula Taxpayers Association, stated that the plan is to utilize eight or ten slant wells for the project. He asked if pumping from multiple slant wells will affect salinity levels of the source water. *Rich Svindland, Vice President of*

Operations, California American Water, stated that the goal of 98% salinity has not yet been reached. Results of computer modeling indicate It could take one year for salinity to reach 98%. If additional wells were in operation, the preferred salinity level would be reached more quickly. Even if the percentage of potable water is higher than expected, agreements are in place for the return of that water back to the Salinas Valley groundwater basin. The salinity level is high due to long-term pumping from the Salinas Valley groundwater basin for agricultural use.

Action Items

2. **Approve Committee Meeting Minutes of December 14, 2015 and February 29, 2016**
On a motion by Potter and second of Byrne, minutes of the December 14, 2015 and February 29, 2016 committee meetings were approved on a vote of 3 – 0 by Potter, Byrne and Kamp.
 No comments were directed to the committee during the public comment period on this item.

3. **Develop Recommendation to Monterey Peninsula Water Management District on Selection of Consultant to Conduct Value Engineering Analysis of MPWSP Pipelines and Conveyance Facilities**
 Stoldt presented a summary of the issue. The committee discussed the item and made the following comments. (a) Savings that could be achieved from conducting a value engineering (VE) study on the pipelines would likely be minimal because pipeline systems have few complex components that could be modified in order to cut costs. (b) The proposed pipeline design will change due to the addition of the Hilby pump station. (c) Completion of a VE study would delay Monterey pipeline construction. The goal is to have the pipeline operational for the Aquifer Storage and Recovery Project injection season.

Public Comment: **(a) Michael Warburton**, Public Trust Alliance, stated that this has been a very costly project for everyone involved, and is the most expensive public water supply project for this area. The five cities involved will be dependent on a privately owned and operated entity for their public water supply. The community will pay extra not to look at reasonable alternatives. The biggest value on the desalination plant could have been achieved by looking at desalination alternatives versus other alternatives. The head waters of rivers involved are all in the same county as the mouth of the river. There are projects at the head waters which could add up to 53,000 acre feet of water for the whole system. That water that has not been used before in the systems. You have a “Rube Goldberg” technological project and a “Rube Goldberg” administrative system with the way benefits have been handled in the Salinas Valley Basin. This committee is responsible to investigate some of the alternatives. **(b) George Riley** distributed a statement from Charles Cech titled Monterey Pipeline Alternative C, dated July 17, 2016. Mr. Riley recommended that a VE study be conducted on both the Monterey Pipeline and the Alternative C outlined in the letter. He expressed a concern that decisions will be made regarding the Monterey Pipeline before the EIR on California American Water’s desalination project is complete. He estimated that the Alternative C pipeline would result in “enormous” savings as compared to the Monterey Pipeline. **(c) Tom Rowley** stated that the Monterey Peninsula Taxpayers Association’s governing board supported the Monterey Pipeline, and that analyzing another pipeline route would increase costs and delay construction of the project. *Stoldt stated that to delay construction of the Monterey pipeline would result in serious consequences. CEQA review would be required for any new pipeline alternative, which would delay the anticipated early approval of the Pure Water Monterey*

project. The Alternative C pipeline is analyzed in the EIR on Cal-Am's desalination project, but it is scheduled for certification in November 2017, and construction would begin in 2018. A two-year delay in pipeline construction would result in a minimum of two years loss of additional production from the ASR project that is needed by the community in order to meet production requirements and milestones established in the modified Cease and Desist Order. Svindland explained that several months ago he presented information on the Alternative C pipeline to the committee. The route was studied in the Coastal Water Project EIR, but was rejected because: (a) it crosses through environmentally sensitive areas; (b) pipelines in Carmel Valley would have to be replaced and that would require additional study, time and cost; and (c) the pumping costs would be much higher than for the Monterey Pipeline.

Potter made a motion to contract with Hazen and Sawyer for preparation of a value engineering study, and to drop the Monterey pipeline from the study. The motion died for lack of a second.

Following are comments from the committee members. (a) The Pure Water Monterey Project is likely to be the most environmentally beneficial project that has been proposed, and has involved collaboration between many agencies. Project opponents intend to delay the project. There may be savings realized by conducting a VE study, but to change the pipeline route would raise many environmental, topographical and geographical issues. (b) The Monterey Pipeline project should move forward unless there are absolutely compelling, clear benefits for another alternative.

Byrne offered a motion that value engineering would not be conducted on all elements of the project as there does not appear to be savings that could be achieved, and pipeline construction would be delayed. Potter seconded the motion and it was approved on a vote of 3 – 0 by Byrne, Potter and Kamp. MacLean stated that he was in agreement with the motion.

4. **Develop Recommendation to Consider Approval of Amendment No. 2 to Amended and Restated Agreement to Form the Monterey Peninsula Water Supply Project Governance Committee**
No action taken.

Discussion Items

5. **Suggest Items to be Placed on Future Agendas**

Michael Warburton stated that changed circumstances should be a future agenda topic because of the physical and institutional changes in circumstances that have occurred while the project was underway. He referenced Hurricane Sandy as an event that changed the economics of construction of public infrastructure in coastal zones. He noted that in 2014, California groundwater law changed. Warburton stated that the request for a five-year extension of the Cease and Desist Order was carefully engineered so that it was very unlikely that reasonable alternatives would be considered. He said that the committee should look seriously at the mechanism for formulation of a particular project, and its "ramrodding" and "railroading" through the public process.

Adjournment: The meeting was adjourned at approximately 2:55 pm.

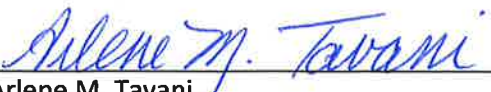

Arlene M. Tavani,
Clerk to the MPWSP Governance Committee



EXHIBIT 14-D

FINAL MINUTES
Ordinance No. 152 Oversight Panel of the
Monterey Peninsula Water Management District
June 7, 2016

Call to Order The meeting was called to order at 10:35 am in the conference room at the offices of the Monterey Peninsula Water Management District.

Committee members present:

John Bottomley
 Paul Bruno
 Jason Campbell
 Jody Hanson
 Todd Kruper
 John Bottomley
 George Riley
 Christine Monteith

MPWMD Staff members present:

David J. Stoldt, General Manager
 Suresh Prasad, Administrative Services Manager
 Arlene Tavani, Executive Assistant

District Counsel Present:

Heidi Quinn

Committee members absent:

John Tilley

Comments from the Public:

No comments were directed to the committee.

Discussion Items

1. Update on Annual Water Supply Spending – Discuss Proposed Budget and Capital Improvement Plan for FY 2016-17

Stoldt reviewed Exhibit 1-A, 2016-17 Capital Improvement Plan, with the committee and responded to questions. Prasad reviewed Exhibit 1-B, Water Supply Charge Proposed Budget. He stated that the Net Revenue Over Expenses shows a shortage of \$795,650. This will be covered by shifting a percentage of 2016-17 Mitigation and Conservation fund revenues to the Water Supply Fund. There will be no need to return that money to the Conservation and Mitigation funds. However, funds that were previously transferred from the MPWMD Reserves must be replenished. Stoldt explained that Pure Water Monterey Project (PWM) expenses have been partially funded from MPWMD Reserves. When debt funding for PWM has been obtained, Water Supply Charge (WSC) funds will be used to pay back the MPWMD Reserves. In response to a question from the committee, Stoldt stated that the estimated cost for PWM is \$83 to \$113 million depending on reimbursements received. The estimated costs are: \$7 million for conveyance and diversion facilities; \$36 million for the reclamation facility; \$27 million for the pipeline; and other costs related to injection

facilities and engineering. The maximum cost per acre-foot has been capped at \$1,720. The estimated cost for the 6.4 mgd desalination plant is \$4,800 per acre-foot, and the 9.6 mgd desalination plant is approximately \$4,400 per acre-foot. The difference in cost between the two desalination plants is approximately \$1,200 to \$2,300 per acre-foot, depending upon assumptions, and that is the number that the PWM cost is being compared to. Typically, the California Public Utilities Commission (CPUC) only considers the cost of operation and financing for the first year and does not consider future replacement and energy costs. Over time, the desalination project replacement and energy costs will increase, so PWM is reasonable and a benefit to ratepayers over its lifecycle, but the CPUC must agree to the methodology of determining cost.

2. **Review of Revenues and Expenditures of Water Supply Charge Related to Water Supply Activities**

Prasad reviewed Exhibit 2-B, Water Supply Charge Availability Analysis. He noted that the 16.1% listed as indirect costs as a percent of the WSC reflects the July 2015 through March 31, 2016 time period. By June 30, 2016, the percentage will be reduced based on receipt of the entire \$3,400,000 that is expected to be received from the WSC.

Action Items

3. **Develop Recommendation for 2016 Annual Report**

The committee discussed development of recommendations for an Annual Report to the MPWD Board of Directors. It was agreed that Stoldt would prepare a report that states: the committee accepts the Board of Directors plan to collect the user fee and WSC for three years; the District should prioritize payoff of the Rabobank loan and develop a blueprint for ending the WSC. Stoldt will submit a draft report to the committee members for review. Comments should be directed only to Stoldt. The Annual Report should be submitted at the July 18, 2016 Board of Directors meeting.

Comments from the committee and Stoldt. (a) The main concern is: when will the WSC sunset. (b) The District must exhibit fiscal restraint if it will simultaneously collect both the WSC and the User Fee. (c) Propose that each year, \$1.5 million from the WSC be allocated to payment of the Rabobank loan. *Stoldt – as we continue to collect the WSC and the user fee, a sinking fund would be established to pay off the Rabobank loan. Once the amount of revenue the user fee will provide is known, it could be collected for three years and then a portion of the WSC could be sunset based on the portion of PWM and desalination project expenses that will have been paid. If the desalination project is delayed and there is no immediate need for the WSC, it should not be de-authorized. The District needs the opportunity to implement the WSC again if needed.* (d) Collecting two sources of revenue is appropriate because: the commitment to development of the desalination project is unpredictable; Cal-Am revenues will be in flux; and under collection of Cal-Am revenues will be an issue. (e) How was the WSC intended to augment revenues when collection of the user fee was denied? *Stoldt – the user fee generated approximately \$2.4 million each year but it was not enough to build a water supply project. The WSC was proposed to generate approximately \$3.4 million per year.* (f) The District is now viewed as a partner in water supply development. (g) A good solution would be for the District to spend \$600,000 each year from the WSC to pay off the Rabobank loan, in the event that desalination is not approved and another water supply option must be funded.

4. Consider Adoption of Minutes of September 24, 2015 and February 29, 2016 Committee Meetings

On a motion by Riley and second of Kruper, the minutes of the September 24, 2015 and February 29, 2016 committee meetings were approved unanimously on a vote of 7 – 0 by Riley, Kruper, Bottomley, Bruno, Campbell, Hanson, and Monteith. Tilley was absent.

Other Items

5. Update on District User Fee and CPUC

Stoldt reviewed the information provided in the staff report. He noted that an all-hands meeting between the Office of Ratepayer Advocates, Cal Am and the CPUC has been scheduled on June 22, 2016 to discuss issues related to reinstatement of the user fee. Definitive action must be taken soon, so that Cal Am can modify its rate request to include or exclude the user fee.

6. Water Supply Project Update

No report.

Adjourn: The meeting was adjourned at 12:10 pm

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ITEM: INFORMATIONAL ITEM/STAFF REPORTS**15. MONTHLY ALLOCATION REPORT****Meeting Date:** November 14, 2016 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program:** N/A
Line Item No.:**Prepared By:** Gabriela Ayala **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** N/A

SUMMARY: As of October 31, 2016, a total of **25.830** acre-feet (**7.5%**) of the Paralta Well Allocation remained available for use by the Jurisdictions. Pre-Paralta water in the amount of **35.561** acre-feet is available to the Jurisdictions, and **29.208** acre-feet is available as public water credits.

Exhibit 15-A shows the amount of water allocated to each Jurisdiction from the Paralta Well Allocation, the quantities permitted in October 2016 (“changes”), and the quantities remaining. The Paralta Allocation had no debits in October 2016.

Exhibit 15-A also shows additional water available to each of the Jurisdictions and the information regarding the Community Hospital of the Monterey Peninsula (Holman Highway Facility). Additional water from expired or canceled permits that were issued before January 1991 are shown under “PRE-Paralta.” Water credits used from a Jurisdiction’s “public credit” account are also listed. Transfers of Non-Residential Water Use Credits into a Jurisdiction’s Allocation are included as “public credits.” **Exhibit 15-B** shows water available to Pebble Beach Company and Del Monte Forest Benefited Properties, including Macomber Estates, Griffin Trust. Another table in this exhibit shows the status of Sand City Water Entitlement.

BACKGROUND: The District’s Water Allocation Program, associated resource system supply limits, and Jurisdictional Allocations have been modified by a number of key ordinances. These key ordinances are listed in **Exhibit 15-C**.

EXHIBITS**15-A** Monthly Allocation Report**15-B** Monthly Entitlement Report**15-C** District’s Water Allocation Program Ordinances

EXHIBIT 15-A
MONTHLY ALLOCATION REPORT
Reported in Acre-Feet
For the month of October 2016

Jurisdiction	Paralta Allocation*	Changes	Remaining	PRE-Paralta Credits	Changes	Remaining	Public Credits	Changes	Remaining	Total Available
Airport District	8.100	0.000	5.197	0.000	0.000	0.000	0.000	0.000	0.000	5.197
Carmel-by-the-Sea	19.410	0.000	1.397	1.081	0.000	1.081	0.910	0.000	0.182	2.660
Del Rey Oaks	8.100	0.000	0.000	0.440	0.000	0.000	0.000	0.000	0.000	0.000
Monterey	76.320	0.000	0.203	50.659	0.000	0.030	38.121	1.176	2.485	2.718
Monterey County	87.710	0.000	10.284	13.080	0.000	0.000	7.827	0.000	1.891	12.175
Pacific Grove	25.770	0.000	0.000	1.410	0.000	0.012	15.874	0.000	0.133	0.145
Sand City	51.860	0.000	0.000	0.838	0.000	0.000	24.717	0.000	23.373	23.373
Seaside	65.450	0.000	8.749	34.438	0.000	34.438	2.693	0.000	1.144	44.331
TOTALS	342.720	0.000	25.830	101.946	0.000	35.561	90.142	1.176	29.208	90.599

Allocation Holder	Water Available	Changes this Month	Total Demand from Water Permits Issued	Remaining Water Available
Quail Meadows	33.000	0.000	32.277	0.723
Water West	12.760	0.119	9.181	3.609

* Does not include 15.280 Acre-Feet from the District Reserve prior to adoption of Ordinance No. 73.

EXHIBIT 15-B
MONTHLY ALLOCATION REPORT
ENTITLEMENTS
Reported in Acre-Feet
For the month of October 2016

Recycled Water Project Entitlements

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
Pebble Beach Co. ¹	235.480	0.900	25.994	209.486
Del Monte Forest Benefited Properties ² (Pursuant to Ord No. 109)	129.520	0.544	45.082	84.438
Macomber Estates	10.000	0.000	9.595	0.405
Griffin Trust	5.000	0.000	4.809	0.191
CAWD/PBCSD Project Totals	380.000	1.444	85.480	294.520

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
City of Sand City	165.000	0.000	2.999	162.001
Malpas Water Company	80.000	0.244	0.690	79.310
D.B.O. Development No. 30	13.95	0.000	0.000	13.95
City of Pacific Grove	66.000	0.000	0.000	66.000
Cypress Pacific	3.170	0.000	0.000	3.170

Increases in the Del Monte Forest Benefited Properties Entitlement will result in reductions in the Pebble Beach Co. Entitlement.

EXHIBIT 15-C

District's Water Allocation Program Ordinances

Ordinance No. 1 was adopted in September 1980 to establish interim municipal water allocations based on existing water use by the jurisdictions. Resolution 81-7 was adopted in April 1981 to modify the interim allocations and incorporate projected water demands through the year 2000. Under the 1981 allocation, Cal-Am's annual production limit was set at 20,000 acre-feet.

Ordinance No. 52 was adopted in December 1990 to implement the District's water allocation program, modify the resource system supply limit, and to temporarily limit new uses of water. As a result of Ordinance No. 52, a moratorium on the issuance of most water permits within the District was established. Adoption of Ordinance No. 52 reduced Cal-Am's annual production limit to 16,744 acre-feet.

Ordinance No. 70 was adopted in June 1993 to modify the resource system supply limit, establish a water allocation for each of the jurisdictions within the District, and end the moratorium on the issuance of water permits. Adoption of Ordinance No. 70 was based on development of the Paralta Well in the Seaside Groundwater Basin and increased Cal-Am's annual production limit to **17,619** acre-feet. More specifically, Ordinance No. 70 allocated 308 acre-feet of water to the jurisdictions and 50 acre-feet to a District Reserve for regional projects with public benefit.

Ordinance No. 73 was adopted in February 1995 to eliminate the District Reserve and allocate the remaining water equally among the eight jurisdictions. Of the original 50 acre-feet that was allocated to the District Reserve, 34.72 acre-feet remained and was distributed equally (4.34 acre-feet) among the jurisdictions.

Ordinance No. 74 was adopted in March 1995 to allow the reinvestment of toilet retrofit water savings on single-family residential properties. The reinvested retrofit credits must be repaid by the jurisdiction from the next available water allocation and are limited to a maximum of 10 acre-feet. This ordinance sunset in July 1998.

Ordinance No. 75 was adopted in March 1995 to allow the reinvestment of water saved through toilet retrofits and other permanent water savings methods at publicly owned and operated facilities. Fifteen percent of the savings are set aside to meet the District's long-term water conservation goal and the remainder of the savings are credited to the jurisdictions allocation. This ordinance sunset in July 1998.

Ordinance No. 83 was adopted in April 1996 and set Cal-Am's annual production limit at **17,621** acre-feet and the non-Cal-Am annual production limit at **3,046** acre-feet. The modifications to the production limit were made based on the agreement by non-Cal-Am water users to permanently reduce annual water production from the Carmel Valley Alluvial Aquifer in exchange for water service from Cal-Am. As part of the agreement, fifteen percent of the historical non-Cal-Am production was set aside to meet the District's long-term water conservation goal.

Ordinance No. 87 was adopted in February 1997 as an urgency ordinance establishing a community benefit allocation for the planned expansion of the Community Hospital of the Monterey Peninsula (CHOMP). Specifically, a special reserve allocation of 19.60 acre-feet of production was created exclusively for the benefit of CHOMP. With this new allocation, Cal-Am's annual production limit was increased to **17,641** acre-feet and the non-Cal-Am annual production limit remained at **3,046** acre-feet.

Ordinance No. 90 was adopted in June 1998 to continue the program allowing the reinvestment of toilet retrofit water savings on single-family residential properties for 90-days following the expiration of Ordinance No. 74. This ordinance sunset in September 1998.

Ordinance No. 91 was adopted in June 1998 to continue the program allowing the reinvestment of water saved through toilet retrofits and other permanent water savings methods at publicly owned and operated facilities.

Ordinance No. 90 and No. 91 were challenged for compliance with CEQA and nullified by the Monterey Superior Court in December 1998.

Ordinance No. 109 was adopted on May 27, 2004, revised Rule 23.5 and adopted additional provisions to facilitate the financing and expansion of the CAWD/PBCSD Recycled Water Project.

Ordinance No. 132 was adopted on January 24, 2008, established a Water Entitlement for Sand City and amended the rules to reflect the process for issuing Water Use Permits.

Ordinance No. 165 was adopted on August 17, 2015, established a Water Entitlement for Malpas Water Company and amended the rules to reflect the process for issuing Water Use Permits.

Ordinance No. 166 was adopted on December 15, 2015, established a Water Entitlement for D.B.O. Development No. 30.

Ordinance No. 168 was adopted on January 27, 2016, established a Water Entitlement for the City of Pacific Grove.

ITEM: INFORMATIONAL ITEM/STAFF REPORTS**16. WATER CONSERVATION PROGRAM REPORT**

Meeting Date:	November 14, 2016	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
Prepared By:	Kyle Smith	Cost Estimate:	N/A

Committee Recommendation: N/A**CEQA Compliance: N/A**

I. MANDATORY WATER CONSERVATION RETROFIT PROGRAM

District Regulation XIV requires the retrofit of water fixtures upon Change of Ownership or Use with High Efficiency Toilets (HET) (1.28 gallons-per-flush), 2.0 gallons-per-minute (gpm) Showerheads, 2.2 gpm faucet aerators, and Rain Sensors on all automatic Irrigation Systems. Property owners must certify the Site meets the District's water efficiency standards by submitting a Water Conservation Certification Form (WCC), and a Site inspection is often conducted to verify compliance.

A. Changes of Ownership

Information is obtained monthly from *Realquest.com* on properties transferring ownership within the District. The information is entered into the database and compared against the properties that have submitted WCCs. Details on **134** property transfers that occurred in October 2016 were entered into the database.

B. Certification

The District received **37** WCCs between October 1, 2016, and October 31, 2016. Data on ownership, transfer date, and status of water efficiency standard compliance were entered into the database.

C. Verification

In October, **77** properties were verified to be in compliance with Rule 144 (Retrofit Upon Change of Ownership or Use). Of the **89** verifications, **57** properties verified compliance by submitting certification forms and/or receipts. District staff completed **32** Site inspections. Of the **32** properties inspected **20 (63%)** were in compliance. **None** of the properties that passed inspection involved more than one visit to verify compliance with all water efficiency standards.

District inspectors are tracking toilet replacement with High Efficiency Toilets (HET) in place of ULF toilets. These retrofits are occurring in remodels and new construction, and are the toilet of choice for Rule 144 compliance. State law mandated the sale and installation of HET by January 1, 2014, with a phase-in period that began in 2010. The majority of toilets sold in California are HET.

Savings Estimate

Water savings from HET retrofits triggered by Rule 144 verified in October 2016 are estimated at **0.150** acre-feet annually (AFA). Water savings from retrofits that exceeded requirements (i.e., HETs to Ultra High Efficiency Toilets) is estimated at **0.270** AFA (27 toilets). Year-to-date estimated savings occurring as a result of toilet retrofits is **9.810** AFA.

D. CII Compliance with Water Efficiency Standards

Effective January 1, 2014, all Non-Residential properties were required to meet Rule 143, Water Efficiency Standards for Existing Non-Residential Uses. To verify compliance with these requirements, property owners and businesses are being sent notification of the requirements and a date that inspectors will be on site to check the property. This month, District inspectors performed **37** inspections. Of the **37** inspections certified, **17 (46%)** were in compliance. **None** of the properties that passed inspection involved more than one visit to verify compliance with all water efficiency standards; the remainder complied without a reinspection.

MPWMD is forwarding its CII inspection findings to California American Water (Cal-Am) for their verification with the Rate Best Management Practices (Rate BMPs) that are used to determine the appropriate non-residential rate division. Compliance with MPWMD's Rule 143 achieves Rate BMPs for indoor water uses, however, properties with landscaping must also comply with Cal-Am's outdoor Rate BMPs to avoid Division 4 (Non-Rate BMP Compliant) rates. In addition to sharing information about indoor Rate BMP compliance, MPWMD notifies Cal-Am of properties with landscaping. Cal-Am then conducts an outdoor audit to verify compliance with the Rate BMPs. During October 2016, MPWMD referred **15** properties to Cal-Am for verification of outdoor Rate BMPs.

E. Water Waste Enforcement

In response to the State's drought emergency conservation regulation effective June 1, 2016, the District has increased its Water Waste enforcement. The District has a Water Waste Hotline 831-658-5653 or an online form to report Water Waster occurrences at www.mpwmd.net or www.montereywaterinfo.org. There were **two** Water Waste responses during the past month. There were **no** repeated incidents that resulted in a fine.

II. WATER DEMAND MANAGEMENT

A. Permit Processing

District Rule 23 requires a Water Permit application for all properties that propose to expand or modify water use on a Site, including New Construction and Remodels. District staff processed and issued **71** Water Permits in October 2016. **Three** Water Permits were issued using Water Entitlements (Macomber, Pebble Beach Company, Griffin Estates, etc). No Water Permit involved a debit to a Public Water Credit Account.

All Water Permits have a disclaimer informing applicants of the Cease and Desist Order against California American Water and that MPWMD reports Water Permit details to California American Water. All Water Permit recipients with property supplied by a California American Water Distribution System will continue to be provided with the disclaimer.

District Rule 24-3-A allows the addition of a second Bathroom in an existing Single-Family Dwelling on a Single-Family Residential Site. Of the **71** Water Permits issued in October, **seven** were issued under this provision.

B. Permit Compliance

District staff completed **56** Water Permit final inspections during October 2016. **Fourteen** of the final inspections failed due to unpermitted fixtures. Of the **34** properties that were in compliance, **23** passed on the first visit. In addition, **four** pre-inspection were conducted in response to Water Permit applications received by the District.

C. Deed Restrictions

District staff prepares deed restrictions that are recorded on the property title to provide notice of District Rules and Regulations, enforce Water Permit conditions, and provide notice of public access to water records. In April 2001, the District Board of Directors adopted a policy regarding the processing of deed restrictions. In the month of October, the District prepared **49** deed restrictions. Of the **71** Water Permits issued in October, **49 (69%)** required deed restrictions. District staff provided Notary services for **88** Water Permits with deed restrictions.

III. JOINT MPWMD/CAW REBATE PROGRAM

Participation in the rebate program is detailed in the following chart. The table below indicates the program summary for Rebates for California American Water Company customers.

REBATE PROGRAM SUMMARY		October-2016				2016 YTD	1997 - Present	
I. <u>Application Summary</u>								
A.	Applications Received	171				1732	22,567	
B.	Applications Approved	123				1347	17,702	
C.	Single Family Applications	163				1608	20,345	
D.	Multi-Family Applications	6				80	1,127	
E.	Non-Residential Applications	2				44	296	
II. <u>Type of Devices Rebated</u>		Number of devices	Rebate Paid	Estimated AF	Gallons Saved	YTD Quantity	YTD Paid	YTD Est AF
A.	High Efficiency Toilet (HET)	11	1098.00	0.459228	149,640	177	17,543.00	7.389396
B.	Ultra Low Flush to HET	29	2899.13	0.290000	94,497	357	35,193.70	3.57
C.	Ultra HET	9	1191.00	0.090000	29,327	191	27,968.80	1.91
D.	Toilet Flapper	1	7.29	0.000000	0	3	24.54	0
E.	High Efficiency Dishwasher	19	2375.00	0.057000	18,574	160	20,000.00	0.48
F.	High Efficiency Clothes Washer	59	29344.23	0.949900	309,526	499	250,516.04	8.435972
G.	Instant-Access Hot Water System	1	200.00	0.000000	0	25	4,690.00	0
H.	On Demand Systems	0	0.00	0.000000	0	5	500.00	0
I.	Zero Use Urinals	0	0.00	0.000000	0	0	0.00	0
J.	High Efficiency Urinals	0	0.00	0.000000	0	0	0.00	0
K.	Pint Urinals	0	0.00	0.000000	0	0	0.00	0
L.	Cisterns	2	106.25	0.000000	0	52	57,831.00	0
M.	Smart Controllers	0	0.00	0.000000	0	10	1,383.12	0
N.	Rotating Sprinkler Nozzles	0	0.00	0.000000	0	20	80.00	0
O.	Moisture Sensors	0	0.00	0.000000	0	0	0.00	0
P.	Lawn Removal & Replacement	3	5184.00	0.661576	215,575	23	29,731.00	2.85975
Q.	Graywater	0	0.00	0.000000	0	0	0.00	0
R.	Ice Machines	0	0.00	0.000000	0	0	0.00	0
III. <u>Totals: Month; AF; Gallons; YTD</u>		134	42404.90	2.507704	817,138	1522	445,461.20	24.645118
						2016 YTD	1997 - Present	
IV. <u>Total Rebated: YTD; Program</u>						445,461.20	5,339,754.26	
V. <u>Estimated Water Savings in Acre-Feet Annually*</u>						24.645118	509.382083	

* Retrofit savings are estimated at 0.041748 AF/HET; 0.01 AF/UHET; 0.01 AF/ULF to HET; 0.003 AF/dishwasher; 0.0161 AF/residential washer; 0.0082 AF/100 square feet of lawn removal.

ITEM: INFORMATIONAL ITEMS/STAFF REPORTS**17. CARMEL RIVER FISHERY REPORT FOR OCTOBER 2016****Meeting Date:** November 14, 2016 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** Beverly Chaney **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** N/A

AQUATIC HABITAT AND FLOW CONDITIONS: October flow conditions in the lower Carmel River were poor for migration but fair to good for rearing for all steelhead life stages. Rearing conditions in the upper watershed were good. The “wetted front” has advanced significantly downstream to the Meadows Road reach (River Mile ~5.7).

Mean daily streamflow at the Sleepy Hollow Weir ranged from 6.8 to 15 cubic feet-per-second (cfs) (monthly mean 9.1 cfs) resulting in 561 acre-feet (AF) of runoff, while Highway 1 remained dry.

Two storms in October brought 2.00 inches of rainfall as recorded at Cal-Am’s San Clemente gauge. The rainfall total for WY 2017 (which started on October 1, 2016) is 2.00 inches, or 263% of the long-term year-to-date average of 0.76 inches.

CARMEL RIVER LAGOON: October water surface elevations (WSE) rose from approximately 6.0 to 8.3 feet above mean-sea-level due primarily to wave overtopping (see graph below).

Water-quality profiles were conducted on November 1 at five lagoon sites. Water conditions in the main body, north, and lower south arms were generally “fair” for steelhead rearing in the upper 1-meter of the water column, but “poor” in the deeper areas due to high salinity and low dissolved oxygen (DO) levels. Lagoon water temperatures ranged from 62-66 degrees Fahrenheit, DO from 1-7 mg/L, while salinity levels were between 6-25 parts per thousand (ppt).

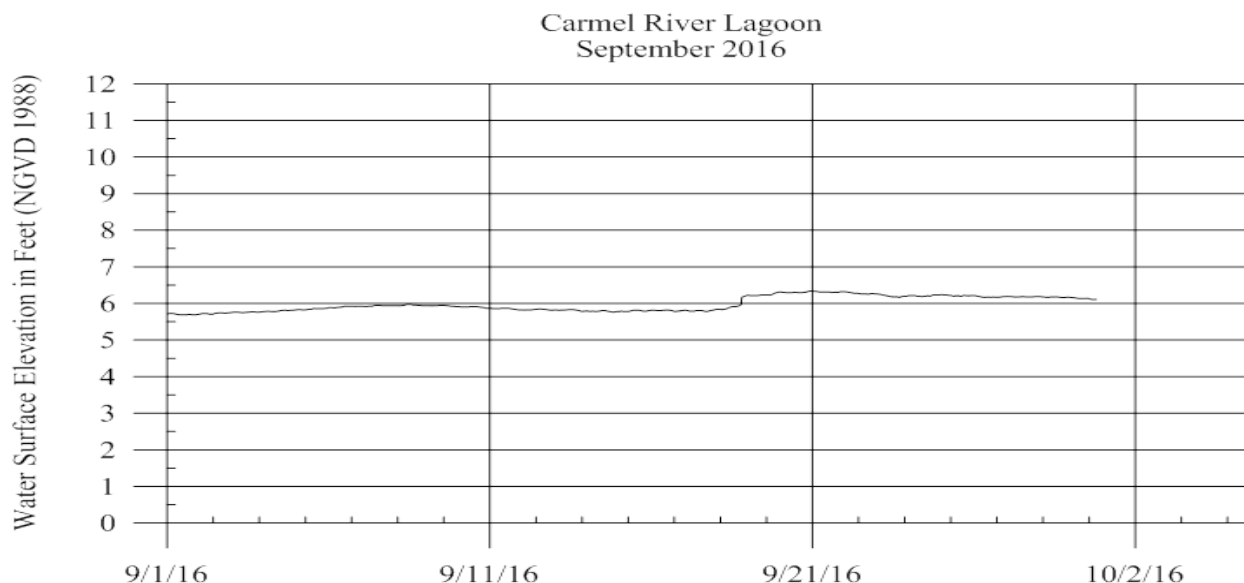
JUVENILE STEELHEAD POPULATION SURVEYS: Staff completed its annual population surveys at nine sites between Scarlett Well and Los Padres Dam. Results will be available in the District’s 2016 Annual Mitigation Report next spring.

SLEEPY HOLLOW STEELHEAD REARING FACILITY: The first rescued fish were brought to the Facility on June 13, 2016. On August 24th, District and NMFS staff PIT tagged (Passive Integrated Transponder Tags) and transferred 361 fish from holding tanks to the rearing channel. PIT tagged fish are individually numbered and can be tracked as they migrate past fixed

electrical arrays placed in the river. An additional 15 fish were tagged on September 19 and placed in the rearing channel September 22.

On October 22, as part of the new Sleepy Hollow Bridge project, Granite Construction removed the diversion dam and pipeline located ~200 meters upstream of the Facility's intake screen and pumps. This caused a huge jump in turbidity levels in the river. Staff turned off the intake pumps for as long as possible but had to turn them back on later in the afternoon, causing a turbidity level spike in the rearing channel. The river channel cleared up by ~5 pm and the rearing channel was fairly clear by the following morning but four fish at the head of the channel jumped out overnight and died.

At the end of October there were 346 steelhead in the Facility including: 239 small/medium YOY/1+, 90 large 1+ fish, and 17 extra-large 2+ fish. There have been 61 mortalities (18%) (six in quarantine, 26 post-tagging mortality, 25 missing/presumed cannibalism, and four large fish that jumped out of the channel during the October high turbidity event).



ITEM: INFORMATIONAL ITEMS/STAFF REPORTS**18. RECEIVE AND FILE FIRST QUARTER FINANCIAL ACTIVITY REPORT FOR FISCAL YEAR 2016-2017****Meeting Date:** November 14, 2016 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/
Line Item No.:** N/A**Prepared By:** Suresh Prasad **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** The Administrative Committee reviewed this item on November 7, 2016 and on a vote of 3 – 0 recommended approval.**CEQA Compliance:** N/A

SUMMARY: The first quarter of Fiscal Year (FY) 2016-2017 came to a conclusion on September 30, 2016. Table comparing budgeted and actual year-to-date revenues and expenditures for the period are included as **Exhibit 18-A**. **Exhibits 18-B and 18-C** presents the same information in bar graph format. The following comments summarize District staff's observations:

REVENUES

The revenue table compares amounts received through the first quarter and conclusion of FY 2015-2016 to the amounts budgeted for that same time period. Total revenues collected were \$240,793, or 7.7% of the budgeted amount of \$3,140,163. Variances within the individual revenue categories are described below:

- Water Supply Charge revenues were (\$2,376), or -0.3% of the budget for the period. The first installment of this revenue is expected to be received in December 2016. Negative balance reflects refunds issued during the current quarter.
- Mitigation revenue was \$0, or 0% of the budget. Mitigation revenue is billed and collected in arrears. Cal-Am has not paid for the first quarter.
- Property tax revenues were \$0, or 0% of the budget for the period. The first installment of this revenue is expected to be received in December 2016.
- User fee revenues were \$8,815, or about 37.1% of the amount budgeted. This is below the budgeted amount as Reclamation Project's share is billed and collected at the end of the fiscal year.
- Connection Charge revenues were \$74,523, or 140.3% of the budget for the period. Actual collection was higher than anticipated budgeted figure as the forecasted figures are based on estimated number of customers pulling permits. There was more connection charge received than budgeted for the first quarter.
- Permit Fees revenues were \$64,279, or 111.3% of the budget for the period. Actual collection was higher than anticipated budgeted figure as the forecasted figures are based on estimated number of customers pulling permits. There was more permit fees received than budgeted for the first quarter.

- Interest revenues were (\$5,756), or -115.1% of the budget for the period. This is due to first quarter interest revenue for LAIF is not received until October 2016. The negative figure includes accruals reversed from last fiscal year.
- Reimbursements of \$95,344, or 15.9% of the budget. This is based on actual spending and collection of reimbursement project funds. This is considerably less than the budgeted amount as many projects were deferred and continued to next quarter.
- Grant revenue of \$0, or 0.0% of the budget. This is due to grant funded projects being deferred and continued to next quarter.
- The Other revenue category totaled \$5,964 or about 62.8% of the budgeted amount. This is higher than budget as this category includes reimbursement revenues from legal and other miscellaneous services.
- The Reserves category totaled \$0 or about 0.00% of the budgeted amount. This category includes potential use of reserves, water supply carry forward balance and the line of credit during the fiscal year for which adjustments are made at the conclusion of the fiscal year.

EXPENDITURES

Expenditure activity as depicted on the expenditure table is similar to patterns seen in past fiscal years. Total expenditures of \$1,641,439 were about 52.3% of the budgeted amount of \$3,140,163 for the period. Variances within the individual expenditure categories are described below:

- Personnel costs of \$969,306 were about 113.0% of the budget. This was slightly higher than the anticipated budget due to CalPERS employer portion of the unfunded liability paid upfront for the fiscal year.
- Expenditures for supplies and services were \$228,655, or about 82.5% of the budgeted amount. This was slightly below the anticipated budget.
- Fixed assets purchases of \$13,542 represented around 46.9% of the budgeted amount as most of the purchases were deferred to next quarter.
- Funds spent for project expenditures were \$429,936, or approximately 25.5% of the amount budgeted for the period. This is due to most projects spending being deferred to next quarter.
- Debt Service included costs of \$0, or 0% of the budget for the period. Debt service is paid semi-annually, in December and June.
- Contingencies/Other expenditures \$0, or 0% of the budgeted amount. This was due to the contingency budget not spent during this fiscal year.
- Reserve expenditures of \$0, or 0% of the budgeted amount. This was due to the adjustments made at the conclusion of the fiscal year.

EXHIBITS

18-A Revenue and Expenditure Table

18-B Revenue Graph

18-C Expenditure Graph

	Year-to-Date <u>Revenues</u>	Year-to-Date <u>Budget</u>	<u>Variance</u>	Percent of <u>Budget</u>
Water Supply Charge	(\$2,376)	\$850,000	\$852,376	-0.3%
Mitigation Revenue	\$0	\$629,625	\$629,625	0.0%
Property Taxes	\$0	\$400,000	\$400,000	0.0%
User Fees	\$8,815	\$23,750	\$14,935	37.1%
Connection Charges	\$74,523	\$53,125	(\$21,398)	140.3%
Permit Fees	\$64,279	\$57,750	(\$6,529)	111.3%
Interest	(\$5,756)	\$5,000	\$10,756	-115.1%
Reimbursements	\$95,344	\$597,800	\$502,456	15.9%
Grants	\$0	\$82,600	\$82,600	0.0%
Other	\$5,964	\$9,500	\$3,536	62.8%
Reserves [1]	\$0	\$431,013	\$431,013	0.0%
Total Revenues	\$240,793	\$3,140,163	\$2,899,370	7.7%

	Year-to-Date <u>Expenditures</u>	Year-to-Date <u>Budget</u>	<u>Variance</u>	Percent of <u>Budget</u>
Personnel	\$969,306	\$857,950	(\$111,356)	113.0%
Supplies & Services	\$228,655	\$277,150	\$48,495	82.5%
Fixed Assets	\$13,542	\$28,875	\$15,333	46.9%
Project Expenditures	\$429,936	\$1,687,525	\$1,257,589	25.5%
Debt Service	\$0	\$57,500	\$57,500	0.0%
Contingencies/Other	\$0	\$18,750	\$18,750	0.0%
Reserves	\$0	\$212,413	\$212,413	0.0%
Total Expenditures	\$1,641,439	\$3,140,163	\$1,498,724	52.3%

[1] Budget column includes fund balance, water supply carry forward, and reserve fund

EXHIBIT 18-B

REVENUES

Fiscal Year Ended September 30, 2016

Year-to-Date Actual Revenues \$240,793

Year-to-Date Budgeted Revenues \$3,140,163

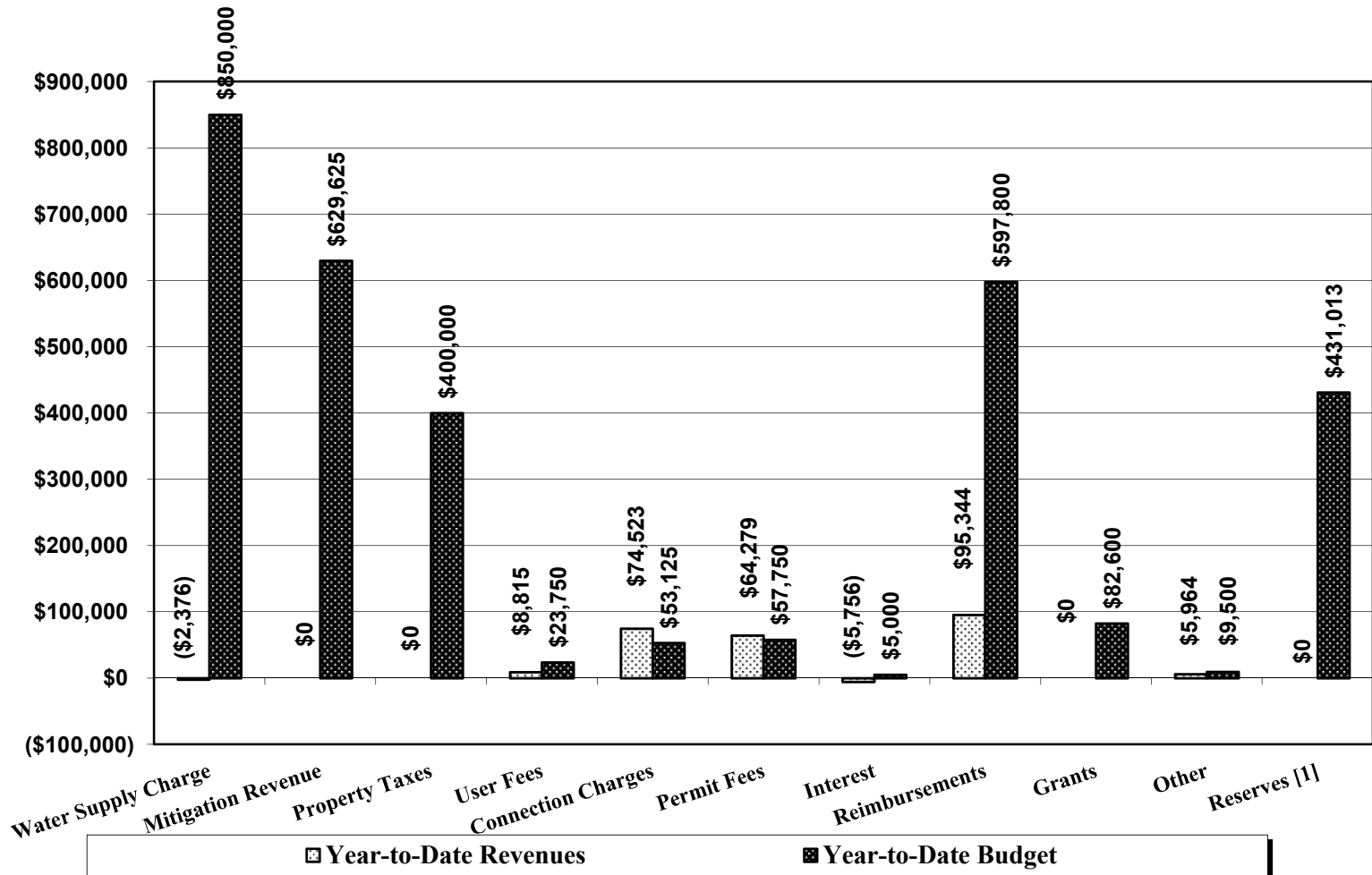
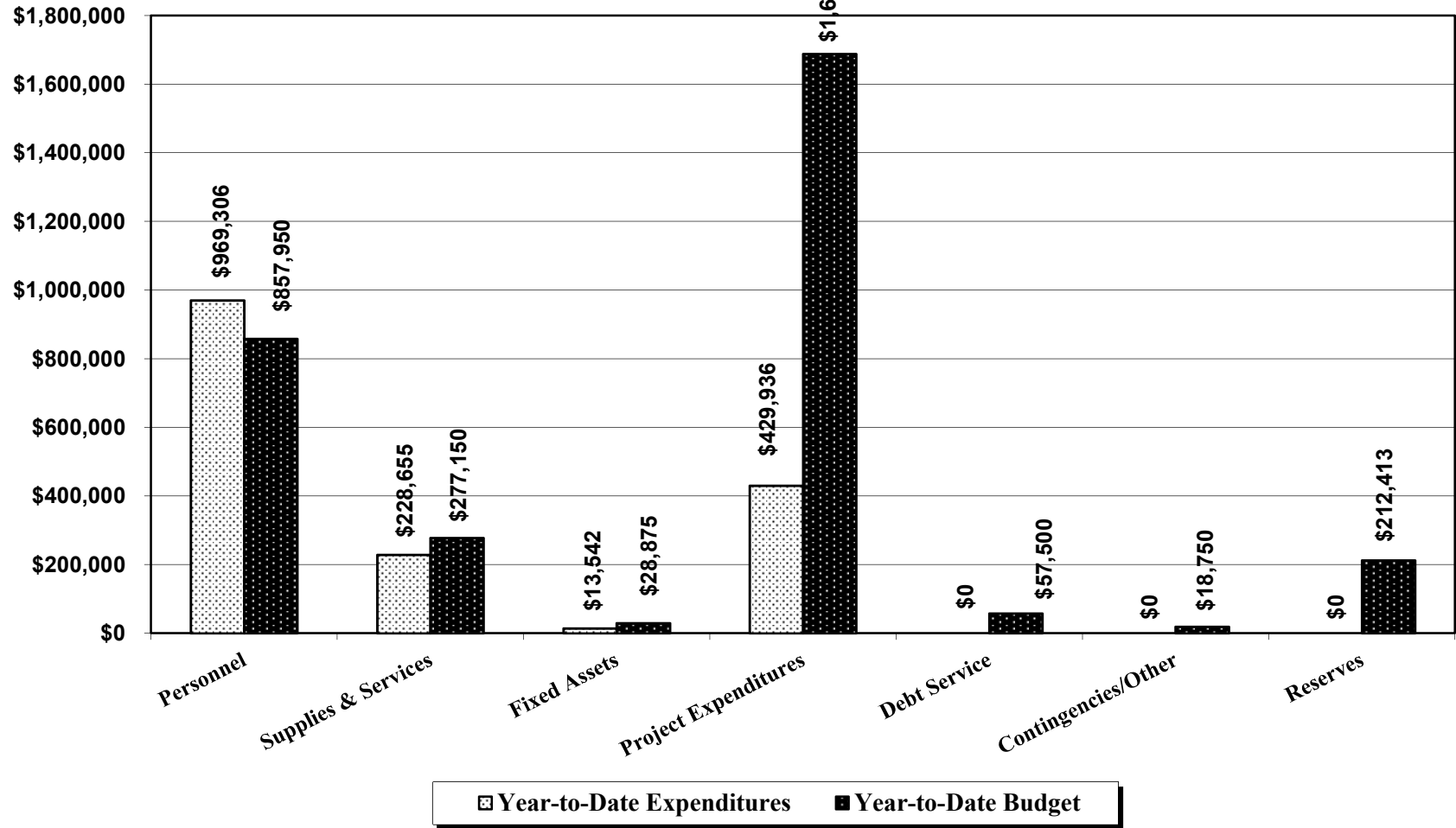


EXHIBIT 18-C

EXPENDITURES
Fiscal Year Ended September 30, 2016
 Year-to-Date Actual Expenditures \$1,641,439
 Year-to-Date Budgeted Expenditures \$3,140,163





Supplement to 11/14/16 MPWMD Board Packet

Attached are copies of letters received between October 7, 2016 and November 4, 2016. These letters are listed in the November 14, 2016 Board packet under Letters Received.

Author	Addressee	Date	Topic
Chris Morello	David Stoldt	11/3/16	Environmental Assessment for Proposed Airfield Safety Enhancement Project for Taxiway "A" Relocation & Associated Building Relocations at Monterey Regional Airport, Monterey County, CA
David A. Heuck	John O' Hagen cc: David Stoldt	10/18/16	Certification Under Order WR 2009-0060, as Amended by Order WR 2010-0001
Charlton H. Bonham	Kevan Urquhart cc: David Stoldt	10/10/16	Appointment to Fisheries Restoration Grant Program's Peer Review Committee
Gary Cursio; Janine Chicourrat; Bonnie Adams	David Stoldt	09/30/16	Letter of Thanks for Sponsorship of MCHA Fundraiser

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BOARD OF DIRECTORS

Mary Ann Leffel | Chairman
Carl Miller
Matthew Nelson
William Sabo
Richard Searle

November 3, 2016

RECEIVED

NOV 04 2016

David Stoldt
General Manager
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93942-0085

MPWMD

RE: *Environmental Assessment for Proposed Airfield Safety Enhancement Project for Taxiway "A" Relocation & Associated Building Relocations at Monterey Regional Airport, Monterey County, CA*

Dear Mr. Stoldt:

The Monterey Peninsula Airport District (District), as owner and operator of the Monterey Regional Airport (Airport) (Figure 1), is proposing to undertake an Airport Safety Enhancement Project for Taxiway "A" Relocation and Associated Building Relocations (safety enhancement project). The purpose of this project is to provide a consistent 327.5-foot, centerline to centerline, separation between the primary runway at the Airport (Runway 10R-28L) and the parallel taxiway on its south side (Taxiway A). Currently, there is an approximate 1,850-linear foot portion of Taxiway A that is only 275 feet from Runway 10R-28L, centerline to centerline (Figure 2). The recent Draft Airport Master Plan recommends relocating this portion of Taxiway A to provide a uniform runway-taxiway separation of 325.7 feet for the entire length of the taxiway (Figure 2). A risk assessment completed for FAA, during the Master Plan evaluation process, indicates that airport safety would be enhanced significantly by providing a uniform 327.5 feet separation along the entire length of Taxiway A.

Once this safety improvement is made, however, there will be insufficient separation between Taxiway A and the existing commercial terminal for aircraft parking and airport vehicle movement areas. Therefore, the proposed project includes the demolition of the existing commercial terminal, which is over 60 years old, and the relocation and construction of a new commercial terminal complex in a location that would enhance the safety of aircraft and vehicles as they move along Taxiway A. Various alternatives for the terminal relocation, which would include internal airport access and road improvements as well as relocated automobile parking, will be addressed to accommodate the change in runway/taxiway separation. The new relocated terminal complex proposes the construction of a Highway 68 frontage road which would require either potential property acquisition or easement.

To make room on the south side of the airfield for a new relocated commercial terminal complex, the existing General Aviation hangars located southeast of the existing aircraft rescue and firefighting (ARFF) building would be relocated to the north side of the airfield adjacent to Runway 10L-28R. The existing ARFF building would also need to be relocated to another area on the south ramp to make room for the commercial terminal apron. All of these project components would be phased over approximately ten years in the following order:

- Phase 1: General Aviation hangar relocation from the southeast part of the Airport to north of the airfield and potential property acquisition or easement to allow for a Highway 68 frontage road;
- Phase 2: Construction of the new Commercial passenger terminal complex (including apron, and taxilanes, terminal access road, and automobile parking) and south side frontage road; ARFF building demolition and construction of a temporary ARFF facility;
- Phase 3: Demolition of the existing terminal building and construction of a new relocated ARFF building;
- Phase 4: Shift Taxiway "A" to 327.5 feet from Runway 10R-28L (including connector taxiways "G" and "J").

Figure 3 shows the buildings and pavement on the south side of the airport, existing and proposed; Figure 4 depicts the phasing of the entire safety enhancement project.

Because the proposed project has the potential to affect the environment, the District is currently preparing an Environmental Assessment (EA) on the proposed safety enhancement project pursuant to the requirements of Section 102(2) of the *National Environmental Policy Act (NEPA) of 1969*. The EA will conform to the requirements and standards set forth by the Federal Aviation Administration (FAA) as contained in FAA Order 1050.1F: *Policies and Procedures for Considering Environmental Impacts* and FAA Order 5050.4B: *National Environmental Policy Act Implementing Instructions for Airport Actions*. The FAA is the Lead Agency for the project under NEPA.

Therefore, the purpose of this letter is to solicit your comments or concerns regarding potential environmental impacts of the proposed project. **Please provide written comments regarding this project to the physical address, email address, or website* listed below by 5:00 PM, December 20, 2016.**

**Mailing/Physical Address: Monterey Peninsula Airport District
Planning & Development Department
200 Fred Kane Drive, Suite 200
Monterey, CA 93940
Attn: Chris Morello**

Email Address: planning@montereyairport.com

Mr. David Stoldt
November 3, 2016
Page 3 of 3

*** Comments on the EA can be submitted by 5:00 PM, December 20, 2016, using the Comments tab of the project website, which can be accessed from the Airport website at: www.montereyairport.com using the "Click Here for Airport Projects In-Progress" box and then choose the "Environmental Assessment (EA) for the Proposed Airport Safety Enhancement Project for Taxiway "A" Relocation and Associated Building Relocations" link.**

A Public Information Workshop will be held at the Airport's Board Room on the second floor of the Airport Passenger Terminal Building at 200 Fred Kane Drive, Monterey, CA 93940 on **December 6, 2016, from 4 - 6 PM**. Agencies and other interested parties are invited to attend and submit comments regarding the preparation of the EA at that time. The workshop will be held in an "open house" format; no formal presentation will be provided.

If you have any questions or need additional information, please contact the Planning and Development Department at (831) 648-7000, Ext. 208.

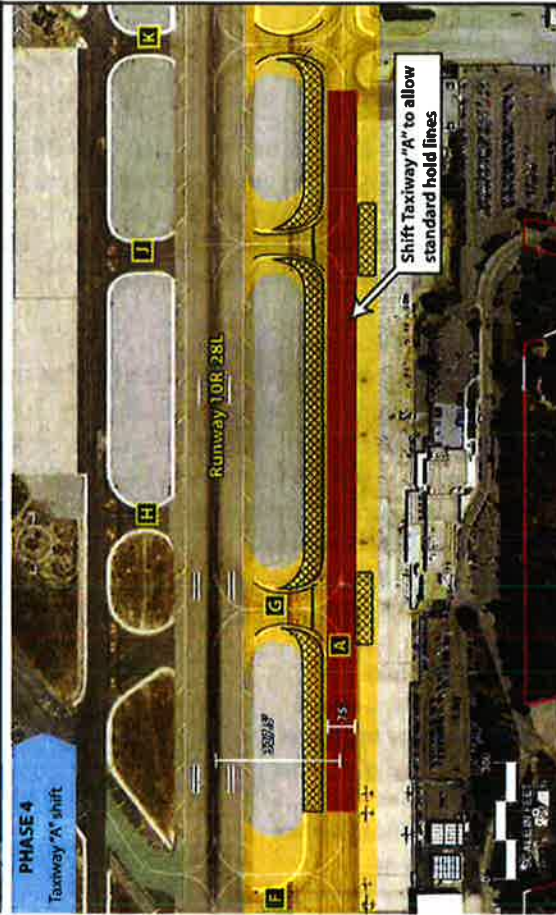
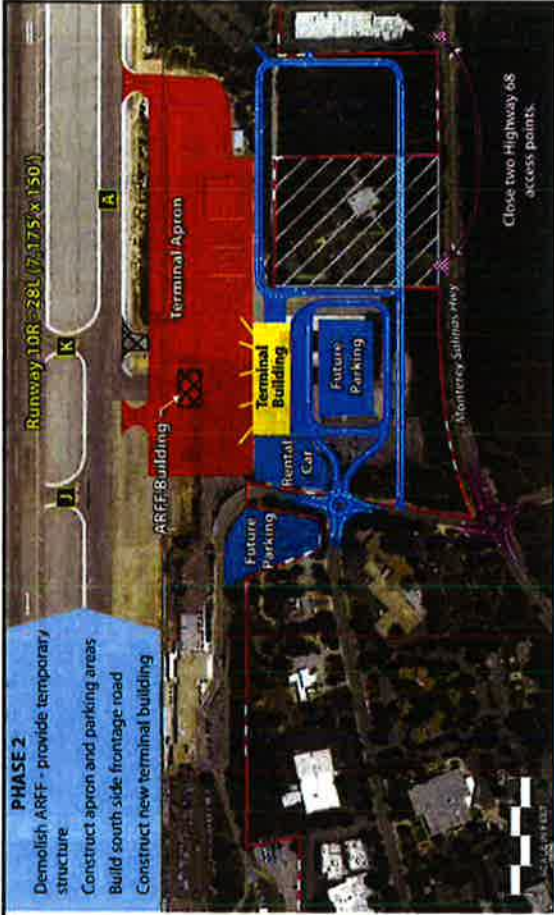
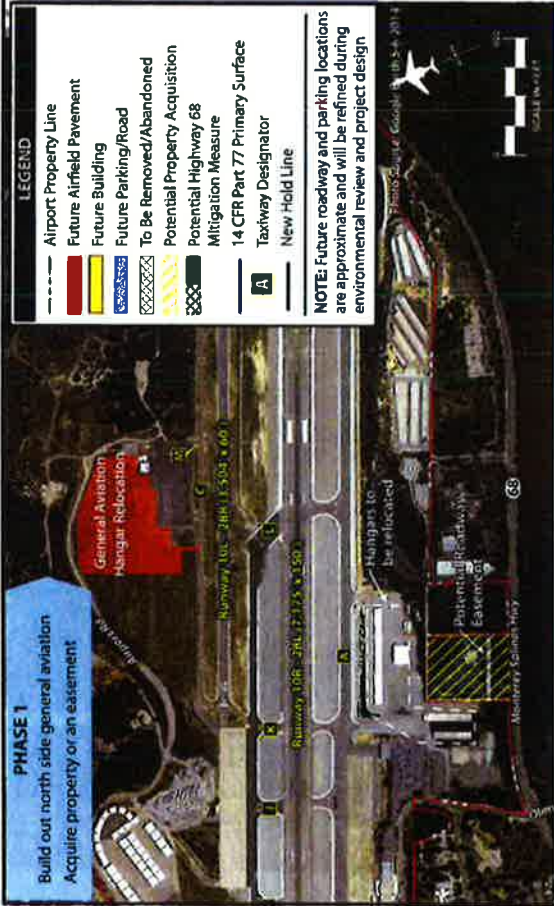
Sincerely,

A handwritten signature in blue ink that reads "Chris Morello". The signature is fluid and cursive, with a long horizontal stroke at the end.

Chris Morello
Senior Manager – Planning and Environment

Enclosures

CC: Doug Pomeroy, Environmental Protection Specialist, FAA Western-Pacific Region, San Francisco Airports District Office
Judi Krauss, Environmental Planner, Coffman Associates



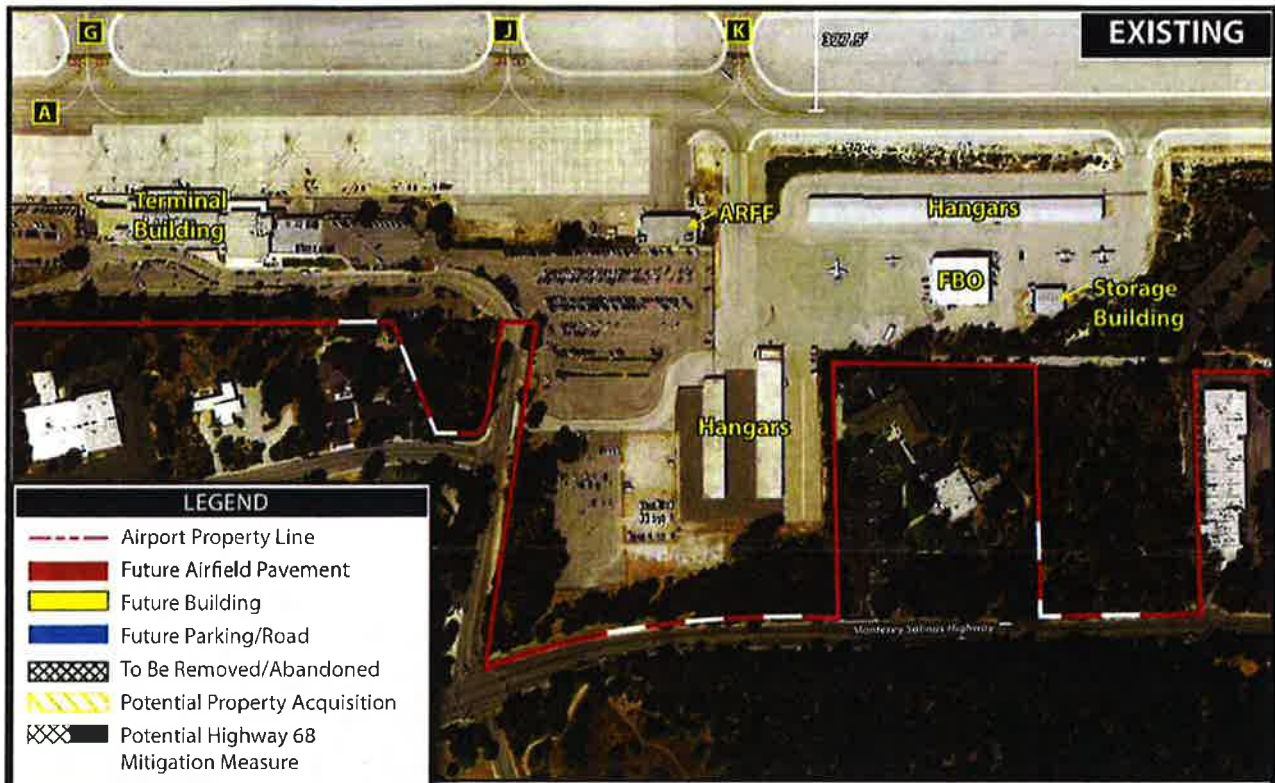
LEGEND

- Airport Property Line
- Future Airfield Pavement
- Future Building
- Future Parking/Road
- To Be Removed/Abandoned
- Potential Property Acquisition
- Potential Highway 68 Mitigation Measure
- 14 CFR Part 77 Primary Surface
- Taxiway Designator
- New Hold Line

NOTE: Future roadway and parking locations are approximate and will be refined during environmental review and project design.



Figure 4
PROPOSED PROJECT PHASING



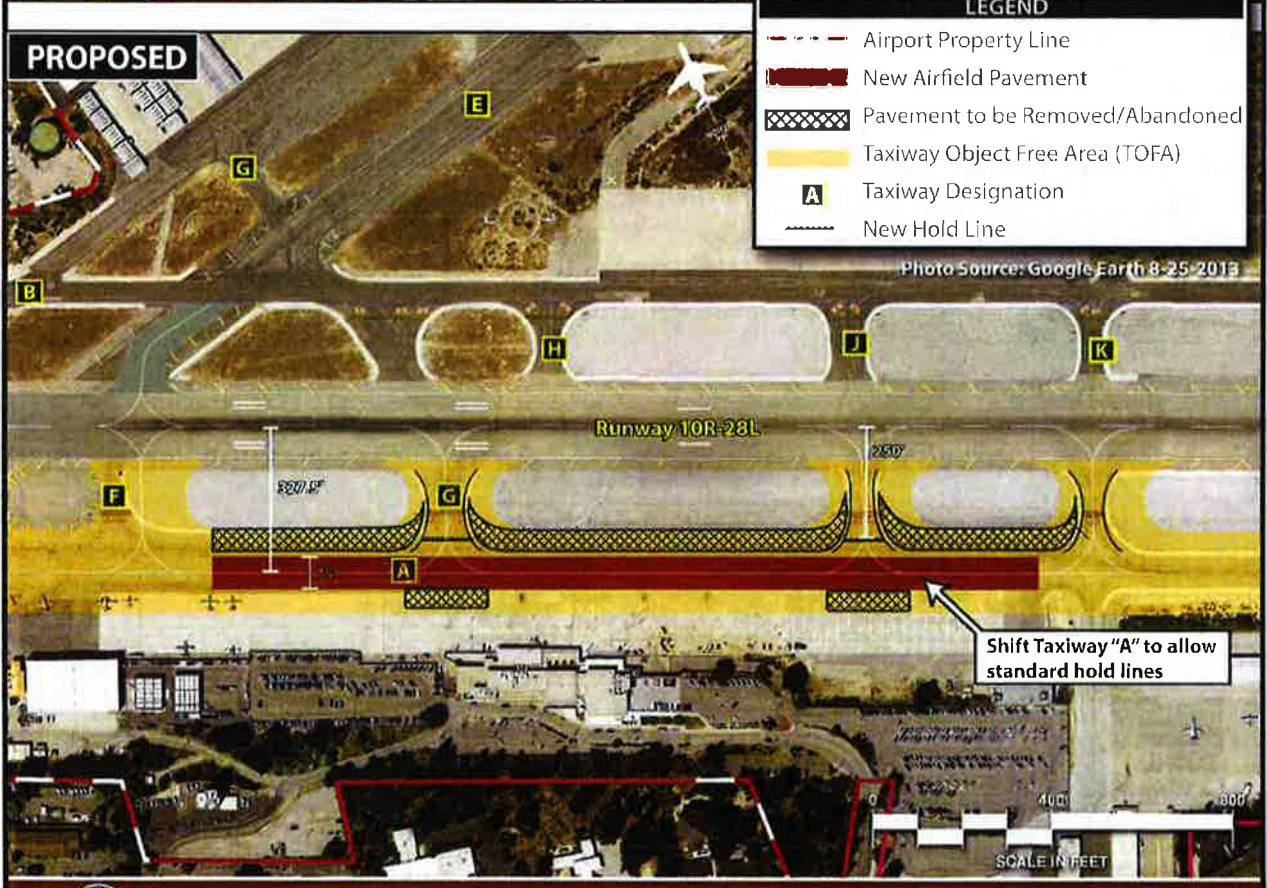
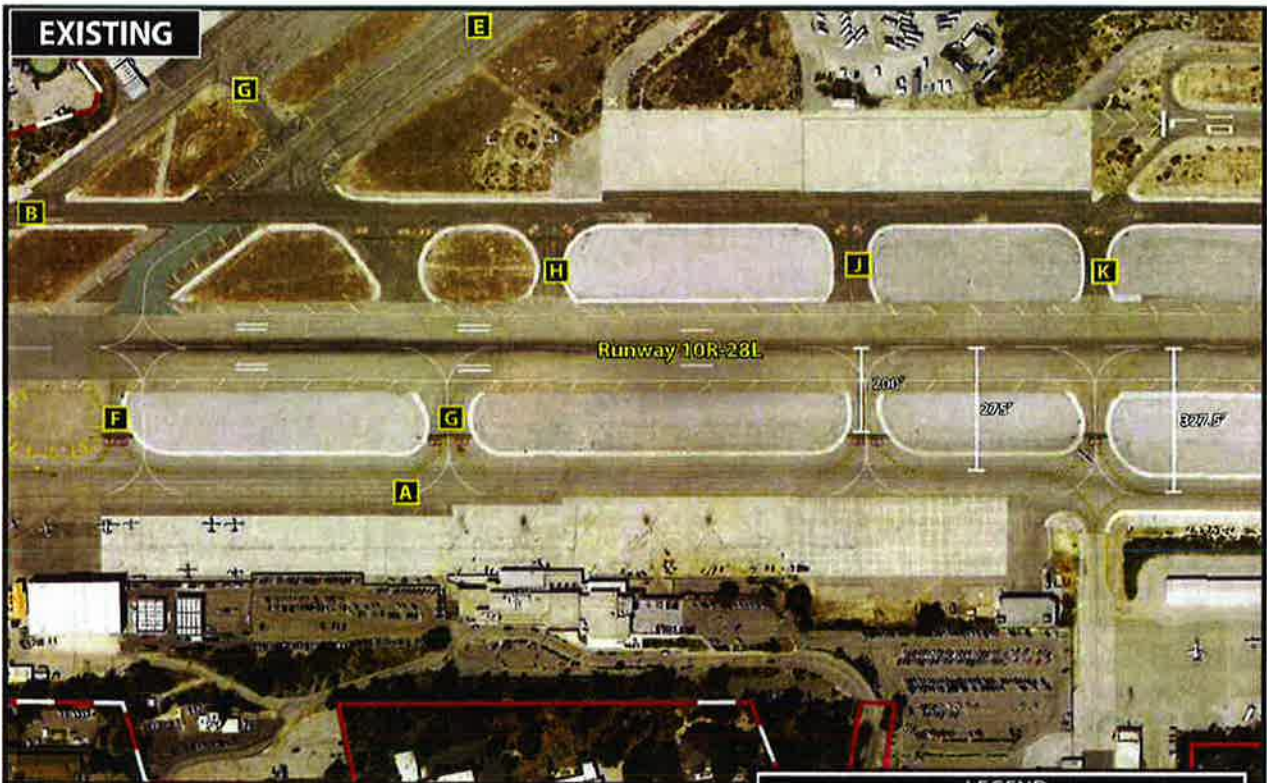
LEGEND

- Airport Property Line
- Future Airfield Pavement
- Future Building
- Future Parking/Road
- To Be Removed/Abandoned
- Potential Property Acquisition
- Potential Highway 68 Mitigation Measure
- 14 CFR Part 77 Primary Surface
- A Taxiway Designator

NOTE: Future roadway and parking locations are approximate and will be refined during environmental review and project design



Figure 3
EXISTING/PROPOSED SOUTH SIDE DEVELOPMENT



LEGEND

- Airport Property Line
- New Airfield Pavement
- Pavement to be Removed/Abandoned
- Taxiway Object Free Area (TOFA)
- Taxiway Designation
- New Hold Line

Photo Source: Google Earth 8-25-2013



Figure 2
EXISTING/PROPOSED TAXIWAY "A" SHIFT

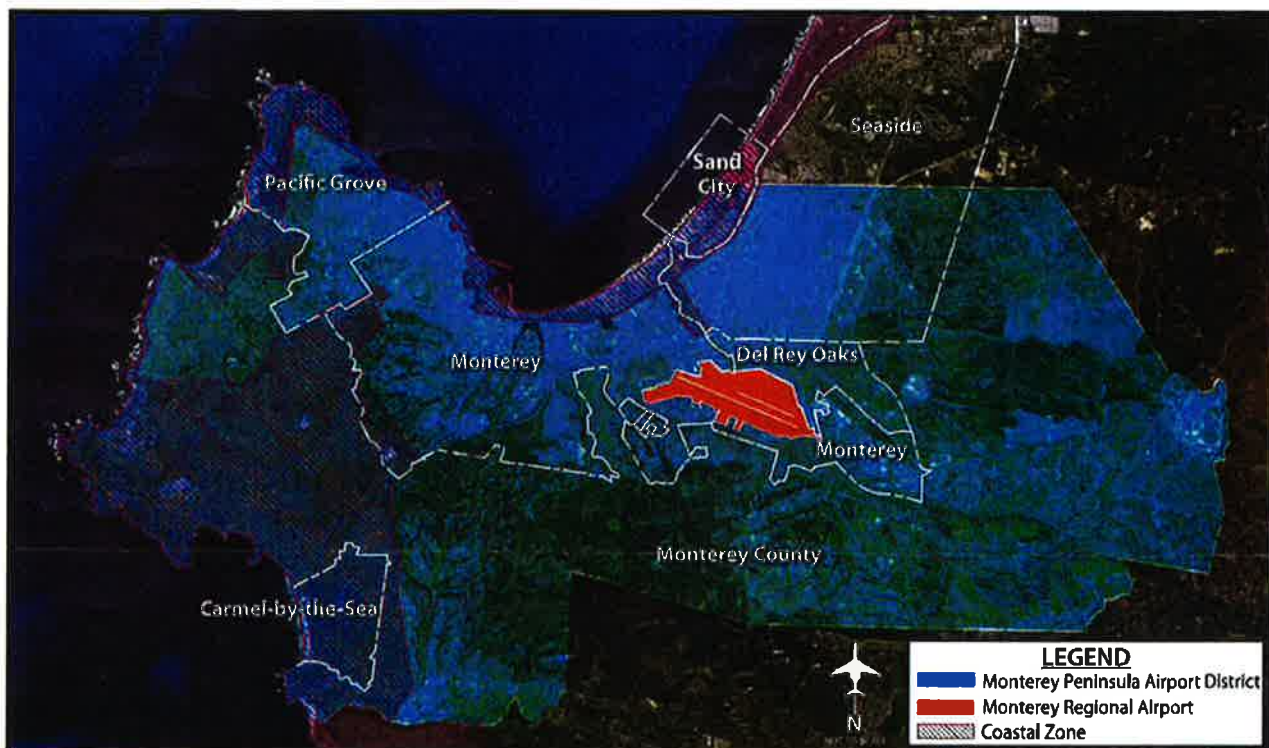


Figure 1
VICINITY/LOCATION MAP



PEBBLE BEACH
COMPANY

RECEIVED
OCT 26 2016
MPWMD

Via Federal Express

October 18, 2016

Mr. John O'Hagan
Manager, Enforcement Division
State Water Resources Control Board
Division of Water Rights
1001 I Street, 14th Floor
Sacramento, CA 95814

Re: Certification Under Order WR 2009-0060, as Amended by
Order WR 2010-0001 (collectively, the "Order")

Dear Mr. O'Hagan:

Pursuant to your letter of March 25, 2011, please accept this as an update to reflect water usage for the water year October 1, 2015, through September 30, 2016. Monthly Entitlement Reports for the 12-month period are prepared by Monterey Peninsula Water Management District ("MPWMD") and are attached. Pursuant to Condition 3.a(6) of the Order, I, David Heuck, on behalf of Pebble Beach Company ("PBC"), hereby certify that the following information is true and accurate as of today's date:

- 1) The total amount of PBC's 365 acre feet (AF) Water Entitlement that has been used, or approved for use, by MPWMD from inception of the Water Reclamation Project through September 30, 2016, through issuance of MPWMD water connection permits, is 70.532 AF. According to the Monterey Peninsula Water Management District, the source of water serving all of these connections includes the Carmel River.
- 2) The 70.532 AF of usage consists of 25.994 AF of approved usage by PBC and 44.538 AF of approved usage by residential property owners who purchased a portion of PBC's Water Entitlement pursuant to MPWMD's Ordinance 109 and related rules and regulations. Use, or approved usage, in each case is measured by and in accordance with the applicable rules and regulations of MPWMD.
- 3) The additional usage during the period from October 1, 2015, through September 30, 2016, is 14.258 AF of usage by PBC and 4.941 AF of usage by residential property owners, for a total incremental usage of 19.199 AF over the past water year.

Mr. John O'Hagan
SWRCB
Re: Order WR 2009-0060
October 18, 2016
Page 2 of 2

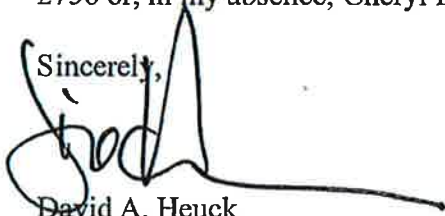
- 4) For the source of Water Entitlement usage information, please see the attached reports from MPWMD for the months of October 2015 through September 2016.

Pursuant to the Order, I understand that this incremental Water Entitlement usage will be added to CalAm's adjusted base amount, and will not be subject to Section 2 of the Order.

Under penalty of perjury, the forgoing information is true and accurate to the best of my knowledge and belief.

If you have any questions, please feel free to contact me at my direct number: 831/649-2756 or, in my absence, Cheryl Burrell at 831/625-8497.

Sincerely,



David A. Heuck
Executive Vice President

attachments:

- MPWMD's Monthly Entitlement Reports (October 2015 through September 2016, 12 pages)
- SWRCB letter dated 3/25/2011 (1 page)

cc: Matthew Quint/SWRCB
David Laredo/MPWMD
Stephanie Locke/MPWMD
David Stoldt/MPWMD
Rob MacLean/Cal-Am
Tim Miller/Cal-Am
Eric Sabolsice/Cal-Am
Kevin O'Brien/Downey Brand
Cheryl Burrell/Pebble Beach Company
David Stivers/Pebble Beach Company



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Director's Office
1416 Ninth Street, 12th Floor
Sacramento, CA 95814
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



RECEIVED
OCT 10 2016

October 10, 2016

Mr. Kevan Urquhart
Monterey Peninsula Water
Management District
5 Harris Court, Building G
Monterey, CA 93940

Dear Mr. Urquhart:

**APPOINTMENT TO FISHERIES RESTORATION GRANT PROGRAM'S PEER
REVIEW COMMITTEE**

As previously communicated to you, your nomination by the Monterey Peninsula Water Management District for the Fisheries Restoration Grant Program's (FRGP) Peer Review Committee (PRC) was approved. This letter serves as formal notification of your appointment to the PRC for a four year term which began July 2016 and expires December 2019. Congratulations on your appointment.

Gayland Taylor is the Chairman of the committee and Patty Forbes is the Department Coordinator for the FRGP. If you have any questions please contact Patty Forbes at (916) 327-8842 or Patty.Forbes@wildlife.ca.gov.

Sincerely,

Charlton H. Bonham
Director

ec: Stafford Lehr, Deputy Director
Wildlife and Fisheries Division
California Department of Fish and Wildlife
Stafford.lehr@wildlife.ca.gov

Helen Birss, Chief
Watershed Restoration Grants Branch
Wildlife and Fisheries Division
California Department of Fish and Wildlife
Helen.Birss@wildlife.ca.gov

Mr. Kevan Urquhart
Monterey Peninsula Water
Management District
October 10, 2016
Page 2

Mr. Kevin Shaffer, Acting Chief
Fisheries Branch
Wildlife and Fisheries Division
California Department of Fish and Wildlife
Kevin.shaffer@wildlife.ca.gov

Patty Forbes, FRGP Coordinator
Watershed Restoration Grants Branch
Wildlife and Fisheries Division
California Department of Fish and Wildlife
Patty.forbes@wildlife.ca.gov

cc: Mr. Gayland Taylor
PRC Chairman
33 Chicory Road
Chico, CA 95928

Mr. David Stoldt
Monterey Peninsula
Water Management District
5 Harris Court, Building G
Monterey, CA 93940



RECEIVED

OCT 20 2016

RECEIVED

September 30, 2016

Mr. Dave Stoldt
Monterey Peninsula Water Mgmt. District
5 Harris Court
Monterey, CA 93940

Dear Mr. Stoldt: *Dave*

On behalf of the Monterey County Hospitality Association Board of Directors and Golf Committee, we want to thank you for your **participation** as a Sponsor for the 26th Annual Nick Lombardo Memorial Golf Tournament at Carmel Valley Ranch Resort on August 29th.

The purpose of MCHA is to act as the advocate for its members and the Monterey County hospitality industry in general. We foster, protect and educate our members on matters affecting the viability of the industry. MCHA represents the hospitality industry throughout Monterey County which is the second largest industry generating more than \$2,000,000,000 in direct visitor spending while employing more than 23,000 people.

Because of your generous support, we are able to fund programs such as the valuable work of our government affairs committee that has been working diligently on your behalf on water issues, Hwy 156, storm water issues and reconfiguration of the Monterey Conference Center, among many other concerns. We also offer quality educational seminars as well as recognition programs that are key to employee development.

The Nick Lombardo Memorial Golf Tournament is one of two fundraisers for MCHA. Support from industry leaders is a key element in the success of this event and the ongoing activities of our association. Thank you for helping us to surpass our goals.

We appreciate your support and look forward to a great year!

Best Regards,

Gary
Gary Cursio
Co-Golf Chair

Best Regards,

Janine
Janine Chicourrat
Co-Golf Chair

Best Regards,

B
Bonnie Adams
Executive Director

Thank you!

