

Submitted by
District staff
Item 8

Exhibit 8-S-1

**SUPPLEMENTAL INFORMATION FOR ITEM 8
CONSIDER APPLICATION TO CREATE SEPTEMBER RANCH WDS**

**Revised Findings and Conditions Requested by Applicant and Concurred by Staff
November 19, 2012 Agenda Package**

FINDINGS:

Draft Findings of Approval, Finding #1 [pg. 31 of packet]: Applicant requested that the last sentence should indicate that the revised water demand calculations were formally reviewed and adopted.

Draft Findings of Approval, Finding #3 [pg. 32 of packet]: Applicant requested that 3rd paragraph of finding, second sentence, that the word "pumping" be changed to "production."

Deleted text shown as ~~strikeout~~ and new text shown as *bold italic*.

1. FINDING: **September Ranch Partners, LLC, a California Limited Liability Company**, is identified as the owner of property located at 676 Carmel Valley Road, Carmel Valley, which is the proposed location of an approved residential subdivision ("September Ranch") consisting of 73 new market-rate residential lots, 22 new affordable housing lots, and one existing farm house/caretaker unit; sales office/guard house; a 20.2-acre existing Equestrian Facility with accessory structures; 536.4 acres of Common Open Space; 273.6 acres of Private Open Space and 6.9 acres of Open Space Reserved for future public facilities. The subject parcels (APNs 015-171-010 and -012; 015-361-013 and -014) comprise approximately 891 acres. Following several years of environmental review, the Monterey County Board of Supervisors approved the project on November 9, 2010, based in part on a Monterey County Superior Court determination of adequacy of the 2006 Final EIR, with the exception of water demand estimates, which were further reviewed in 2009 and 2010, *and formally adopted by the County with concurrence by MPWMD staff.*

3. FINDING: A Water Well Construction Permit for Well SR-1 was issued by the Monterey County Health Department (MCHD) on September 5, 1990, and constructed immediately thereafter. It was tested during "dry season" conditions starting on September 6, 1990 to October 8, 1990. The September Ranch Water Distribution System (SRWDS) will be installed pursuant to the necessary water distribution system permits issued by the Monterey County Health Department (MCHD). SRWDS will provide water for the project; however, each lot of record must

obtain an individual Water Permit from the Monterey Peninsula Water Management District (MPWMD) allowing connection to the system. Each individual Connection will be metered.

The SRWDS will be comprised of a primary Well (SR-1), back-up Well(s), water treatment facilities, water storage facilities, and water distribution and pumping facilities.

Water will be drawn from the September Ranch Aquifer, as described in the technical documents referenced in Finding #1. Total maximum ~~pumping~~ ***production*** will not exceed 57.21 acre-feet per year (AFY). Each lot of record will maintain separate water meters to ensure compliance with Monterey County and MPWMD Permit parameters. Water will be treated prior to distribution utilizing a method that consumes the lowest amount of water feasible within the range of 0 to 10% loss rate. Water treatment alternatives will be reviewed and approved by the MCHD.

CONDITIONS:

Draft Conditions of Approval, Conditions 17 and 18 [pg. 44 of packet]: Applicant requested 90 days rather than 60 days to pay fees and prepare water agreement.

Draft Conditions of Approval, Condition 21 [pg 45 of packet]: Applicant requested five years rather than two years to complete the water system and phasing consistent with County approvals. Alternatively, because the primary Well SR-1 is already operational, a second option focuses solely on phasing operations consistent with County approvals. Two versions are provided below.

Draft Conditions of Approval, Condition 30 [pg 46 of packet]: Applicant requested confirmation that Condition 30 means that the disconnections from Cal-Am would take place within 90 days of the final approval for operation of the installed water system by the Monterey County Health Department.

Deleted text shown as ~~strikeout~~ and new text shown as ***bold italic***.

17. Permittee is required to provide a copy of an agreement to serve water to recipient Parcels because the Permitted System is a Multiple-Parcel Connection System. A draft agreement or template is acceptable for this purpose, and must be provided within ~~60~~ ***90*** days of the preparation date shown (see top of page 1) for this Permit to remain valid. [Rule 22-D-1-j]
18. Upon District approval of this Permit, Permittee shall pay to the District the invoiced cost for MPWMD staff, attorney and consultant time spent to process the Permit subsequent

to the application date, and extraordinary costs associated with the pre-application phase stemming from the Pre-Application submitted on June 7, 2007. Payment for the invoiced amount must be received by MPWMD within ~~60~~ **90** days of the preparation date shown (see top of page 1) for this Permit to remain valid. [Rule 22-D-1-1]

- 21A. STANDARD VERSION. Construction tasks for water production facilities authorized by this Permit (e.g., Well, pipelines, storage tanks, water treatment) shall be initiated within ~~three hundred sixty five days~~ **five years** from the date this Permit is issued. This Permit shall expire if no action is taken within that time. Construction of permitted water facilities shall be completed ***within the time specified by the County of Monterey in its Subdivision Improvement Agreement which is required as part of the filing of the subdivision final maps.*** and ~~water distribution system operation shall commence within seven hundred thirty days from the date this Permit is issued.~~ Permittee may apply in writing to the MPWMD General Manager for a 180-day extension to the project initiation deadline and/or the system operation deadline, to be approved at the discretion of the General Manager. More than one extension may be requested. [Rule 22-D-4]
- 21B. ALTERNATIVE VERSION. ***Because certain components of the Permitted System currently are operational (such as primary Well SR-1),*** Construction tasks for water production facilities authorized by this Permit (e.g., Well, pipelines, storage tanks, water treatment) shall be initiated within ~~three hundred sixty five days~~ from the date this Permit is issued. This Permit shall expire if no action is taken within that time. Construction of permitted water facilities shall be completed ***within the time specified by the County of Monterey in its Subdivision Improvement Agreement which is required as part of the filing of the subdivision final maps*** and ~~water distribution system operation shall commence within seven hundred thirty days from the date this Permit is issued.~~ Permittee may apply in writing to the MPWMD General Manager for a 180-day extension to the project initiation deadline and/or the system operation deadline, to be approved at the discretion of the General Manager. More than one extension may be requested. [Rule 22-D-4]
30. Permittee shall permanently disconnect the “farm house” caretaker unit and horse-watering trough currently served by Cal-Am Meters #6258 and #6276, respectively, and replace Cal-Am service by water from the Permitted System, consistent with Monterey County Condition #40. Permittee shall provide a copy of the Monterey County Health Department determination that the Permitted System is operational. Within 90 days ***of the final approval for operation of the installed water system by the Monterey County Health Department,*** Permittee shall provide to MPWMD written proof of the Cal-Am meter disconnections.