

FINAL MINUTES
**Technical Advisory Committee of the
Monterey Peninsula Water Management District**
May 4, 2010

Call to Order

The meeting was called to order at 9:35 a.m. in the District Conference room.

Committee Members Present

City of Carmel-by-the-Sea	Sean Conroy
City of Del Rey Oaks	Daniel Dawson
City of Pacific Grove	Sarah Hardgrave, Chair
City of Sand City	Steve Matarazzo
City of Seaside	Tim O'Halloran
County of Monterey	Jennifer Bodensteiner

Committee Members Absent:

City of Monterey	Todd Bennett, Vice Chair
Monterey Peninsula Airport District	Thomas Greer

District Staff Members Present:

Darby Fuerst, General Manager
Stephanie Pintar, Water Demand Manager
Henrietta Stern, Project Manager
Arlene Tavani, Executive Assistant

District Counsel Present:

David Laredo

Comments from the Public:

No comments were directed to the Board during the public comment period.

Action Items

- 1. Receive Minutes of February 2, 2010 Committee Meeting**
On a motion by Dawson and second from O'Halloran, the minutes were received unanimously on a vote of 6 – 0.

Discussion Items

- 2. Discuss the Water Supply Status and Water Permit Processing Policies in Effect as a Result of April 22, 2010 Action Taken by Santa Clara County Superior Court to Lift the Stay of SWRCB Order 2009-0060**

District Counsel Laredo reported that on April 22, 2010, the court issued three decisions: (1) granted a motion to lift the stay of SWRCB Order 2009-0060 (CDO); (2) denied a request by California American Water that the stay remain in force until a decision is made on its lawsuit challenging the CDO; and (3) approved a motion to consolidate actions filed by the MPWMD, Cal-Am and Quail Meadows related to the merits of the CDO. The judge reasoned that no irreparable harm would result from lifting the stay because a decision on the lawsuit challenging the CDO would be issued before the end of 2010.

Mr. Laredo and Mr. Fuerst advised the committee about how the CDO would be implemented. Cal-Am is prohibited from allowing new water connections or expansions of use; therefore a moratorium on issuance of water meters is in effect, but Cal-Am has not acted on it. Cal-Am must first obtain permission from the Public Utilities Commission (PUC) to stop serving new connections. It has requested approval from the PUC to establish a moratorium in the main and Laguna Seca systems. Cal-Am could modify the request to exclude Sand City and Pebble Beach. Water for new connections in Sand City is provided by a desalination project, and new connections in Pebble Beach receive water that is freed-up by the Pebble Beach wastewater reclamation project. Since new connections in those areas would not be served by water from the Carmel River or the Seaside Groundwater Basin, they are exempt from the moratorium. Cal-Am has not determined how it will monitor remodels or change of use. It does not set meters for those projects, and therefore has no record of when or where those expansions occur. The MPWMD will continue to issue water permits until Cal-Am requests that it cease, and the District's Board of Directors adopt an ordinance allowing cessation of water permit issuance.

As for water rationing, Mr. Fuerst explained that staff will recommend to the Board that rationing not be implemented in Water Year 2009-2010. It is estimated that sufficient water is in storage to supply the community and environmental requirements through the end of the water year, if the community continues to conserve water. In 2012, additional cutbacks in water production will be required from the Seaside Ground Water Basin (due to the adjudication decision), and also the Carmel River Basin (due to the CDO). In response to those reductions in water production, it may be necessary at that time to implement water rationing.

Chair Hardgrave requested that a joint meeting of the Technical and Policy Advisory committees should be conducted when Cal-Am has a determination from the PUC regarding a moratorium, or receives clarification from the SWRCB related to questions about language in the CDO.

Adjournment

The meeting was adjourned at approximately 10:40 AM.