

FINAL MINUTES
**Technical Advisory Committee of the
Monterey Peninsula Water Management District**
April 5, 2011

Call to Order

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

Committee Members Present

City of Del Rey Oaks	Daniel Dawson
City of Monterey	Todd Bennett, Vice Chair
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 Carmel	Sean Conroy
Monterey Peninsula Airport District	Thomas Greer

District Staff Members Present:

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

District Counsel Present:

David Laredo

Comments from the Public:

No comments.

Action Items

- 1. Receive Minutes of March 1, 2011 Technical Advisory Committee Meeting**
No action taken.
- 2. Consider Recommendation to the Board Regarding Second Reading and Adoption of Ordinance No. 148, an Ordinance of the Board of Directors Amending the Rebate Program**
On a motion by Hardgrave and second of Bodensteiner, the committee voted unanimously to recommend adoption of Ordinance No. 148, with an amendment requiring that the applicant provide a drawing showing the area to be covered with

artificial turf and proof of review and approval of the installation by the jurisdiction. The motion was adopted on a vote of 6 – 0.

Discussion Items

3. Status Report on Cal-Am Application to the CPUC No. 10-01-012 Mitigation Cost Reimbursement

Counsel Laredo reported that the final decision of the CPUC rejected a proposed settlement between the District, California American Water (Cal-Am) and the Division of Rate Payer Advocates whereby the District's user fee would be continued. The decision gives Cal-Am the opportunity to file an amended application that would provide for continuation of the mitigation program, or to amend the application to develop a joint application to complete mitigations at a reduced level. The mitigations would be limited to those outlined in the mitigation program adopted with the Allocation Program EIR in 1990. The mitigation program was developed prior to adoption of State Water Resources Control Board (SWRCB) Order 95-10 and construction of the Paralta well. In issuing this order, the Judge ignored the fact that the mitigation program has evolved over the years to meet increasing needs, such as construction and operation of a cooling tower at the Sleepy Hollow Steelhead Rearing Facility. The District will meet with Cal-Am on April 12, 2011 to develop a work plan for completion of scaled-back mitigations that would comply with an amended application that will be developed by Cal-Am.

4. Cal-Am Application 10-05-020 – Order Authorizing Moratorium in Monterey District—Decision 11-03-048

a. Status Report from District Counsel

Laredo reported that the decision of Administrative Law Judge Weatherford was adopted by the CPUC. Cal-Am was directed to meet and confer with the District and the SWRCB regarding water for health and safety needs. The effective date of the moratorium was confirmed to be October 2009.

b. Presentation from Craig Anthony, California American Water, on Plans for Implementation of Moratorium on Water Connections for New and Expanded Use

Anthony reported that Cal-Am will set a water meter under specific conditions. (a) A water permit is dated prior to October 2009. (b) If fire service is needed at a new structure, or at a site where a structure was removed and then re-built. (3) Meter splits. He explained that if a house is removed and then re-built, Cal-Am would only be aware of the situation due to the need for review of the meter size related to installation of a fire-sprinkler-system. The District will provide a report to Cal-Am on the number of permits issued related to installation of a second bathroom according to MPWMD Ordinance No. 98. Cal-Am must obtain clarification from the SWRCB, as to whether or not this is considered an expansion of use. Cal-Am also needs the SWRCB to clarify whether or not meters can be set under the following circumstances. (a) A lot is split into two parcels and the original house is demolished and replaced with two, one structure on each lot with no increase in water fixtures. (b) Meters set in 2010 for projects that were permitted after October 2009. Anthony noted that some projects are

exempt from the moratorium. (a) Projects in the City of Sand City because water is available from the Sand City Desalination Project. (b) Projects in the Pebble Beach area eligible to receive water from the Carmel Area Wastewater District/Pebble Beach Community Services District Wastewater Reclamation Project. Anthony stated that he believes projects on local military installations and the Monterey Peninsula Airport District will be permitted according to the public health and safety exemption.

c. Receive Suggestions for Development of a Process to Serve Demonstrated and Compelling Public Health and Safety Needs, as Described in CPUC Decision 11-03-048

Pintar requested that the committee members email their suggestions to her.

Adjournment

The meeting was adjourned at approximately 10:45 AM.