

FINAL MINUTES
Water Demand Committee of the
Monterey Peninsula Water Management District
December 7, 2009

Call to Order

The meeting was called to order at 10:00 AM in the conference room of the Monterey Peninsula Water Management District office.

Committee members present: Kristi Markey, Chair
Bob Brower
Regina Doyle

Committee members absent: None

Staff members present: Darby Fuerst, General Manager
Stephanie Pintar, Water Demand Division Manager
Arlene Tavani, Executive Assistant

District Counsel present: David Laredo

Comments from Public

No comments.

Action Items

1. **Receive Minutes of November 2, 2009 Committee Meetings**
On a motion by Director Doyle and second by Director Brower, the minutes were received unanimously on a vote of 3 - 0.
2. **Develop Recommendation to the Board Addressing SWRCB Cease and Desist Order Issues**
 - A. Ordinance No. 142 – An Ordinance of the Board of Directors of the Monterey Peninsula Water Management District Amending Regulation XV, the Expanded Water Conservation and Standby Rationing Plan to Allow an Exception to the Mandatory Requirement for Implementation of Stage 5, 6 or 7 when a Final Cease and Desist Order is Issued
There was unanimous consensus among the three committee members to recommend that the Board adopt the ordinance as presented with a first and second reading, and that it should not be adopted as an urgency item.
 - B. Resolution Amending Tables XV-1 and XV-2 to Reduce Production Targets to CDO Compliance Level
Director Markey offered a motion that was seconded by Director Brower to recommend the Board revise tables XV-1 and XV-2 to reflect water production targets set by the Seaside Watermaster. The tables should not reflect production

targets prescribed in the SWRCB Cease and Desist Order. The motion was adopted unanimously on a vote of 3 – 0.

- C. Resolution Implementing Stage 3 Water Conservation to Reduce Outdoor Water Use

The committee members agreed unanimously to defer this item for consideration at the January 28, 2010 Board meeting.

Discussion Items

3. **Discuss Follow Up to Issuance of Cease and Desist Order WR 2009—0060**
District Counsel Laredo presented an update on the status of the decision. No action was taken by the committee.

4. **Discuss Development of an Ordinance – Installation of Dual Plumbing Systems**
The committee members agreed to take no action on this issue in the immediate future, as it is not a priority issue at this time.

5. **Discuss Amending Rules Related to Installation of Wells in Fractured Rock Formations**

Director Markey made a motion that was seconded by Director Doyle to request that District staff develop a memorandum that addresses issues such as: what options are available to property owners if a well becomes unproductive or contaminated; has a well in fractured rock formations become unproductive and how was the situation handled; are there environmental effects on the Carmel River caused by wells in fractured rock formations; what are Monterey County's rules regarding construction of these wells; can a property owner access a California American Water (Cal-Am) fire suppression connection to serve its water needs; what are the economic implications of establishing a moratorium; and any other issues staff is aware of. The memo should be submitted to the Board on January 28, 2010, so the Board can consider establishing a temporary moratorium on drilling of wells in fractured rock formations. A draft ordinance should be presented for Board review on January 28, 2010. The proposed moratorium should encompass all wells in fractured rock formations, not just those that have access to a Cal-Am connection for fire suppression. The motion was approved on a vote of 2 – 1. Directors Markey and Doyle voted in support. Director Brower was opposed.

Three persons addressed the Board during the public comment period on this item. (1) **Mitzi Dallas** requested that a moratorium on the drilling of wells in fractured rock formations be implemented, and that a study be conducted on the environmental effects of those wells. She stated that: (a) wells in the Carmel Woods area could adversely affect flow in the Carmel River; (b) if one of the wells ceases to produce water, the property owner could connect to Cal-Am due to health and safety issues; (c) the lots in Carmel Woods area are 30 ft. but the area of influence of the wells is 50 ft which is a property rights issue; and (d) there is the possibility that leakage from sewage pipes on these small lots could contaminate underlying water wells. (2) **Pete Fallon** requested that a 24 month moratorium on drilling of wells in fractured rock formations be implemented. He stated that: (a) when one of the fractured rock wells ceases to produce water the property owner should not go to the head of the water waiting list; (b) there could be adverse environmental effects on the Carmel River due to the proliferation of fractured

rock wells; (c) new limits should be placed on construction of private wells, and on the amount of water that can be produced by each well. (3) **Steve Dallas** requested that an environmental impact report (EIR) be produced that studies the effects of drilling wells in fractured rock formations. A moratorium on drilling those wells should be in effect while the EIR is under development. The EIR should be jointly produced by the MPWMD and Monterey County.

Adjournment

The meeting was adjourned at approximately 11:45 AM.