

ITEM:

IV-A SECOND READING AND ADOPTION - ORDINANCE NO. 3
WELL MONITORING

MEETING DATE:

June 9, 1980

BACKGROUND INFORMATION:

In May the Board approved the first reading of Ordinance No. 3 as amended (Attachment No. 1). Subsequent to the May meeting, one additional letter has been received (Attachment No. 2). The action before the Board at this meeting is the final adoption (Second Reading) of the ordinance. If adopted, the ordinance would become effective July 9, 1980. Thus, all new wells would be required to register after July 9, 1980, and all existing wells would be required to register by January 9, 1981. New wells could be registered through the Monterey County Environmental Health Department if the County agrees to become a Delegated Registrar.

RECOMMENDATION:

Well registration and reporting is of critical importance to the District. This information is necessary to determine the amount of extractions and to understand the aquifers within the District. Without some reporting system, the District will not be able to effectively manage ground water resources. Therefore, the Board should adopt Ordinance No. 3.

ACTION REQUIRED:

By motion, (1) adopt Ordinance No. 3 as amended, and (2) Approve Monterey County as a Delegated Registrar, and (3) direct the Manager to implement the new Rules and Regulations.

ORDINANCE NO. 3

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING THE RULES AND REGULATIONS OF THE
DISTRICT

WHEREAS, it is found and determined by the Board of Directors of the Monterey Peninsula Water Management District (MPWMD) that accurate data concerning the quantity and quality of ground water being extracted from each water-producing facility (well) located within the District is needed by the Board of Directors in order to carry out its responsibilities under the Monterey Peninsula Water Management District for the integrated management of surface and ground water supplies within the District; and

WHEREAS, it is found and determined that a well monitoring program is necessary to prevent contamination of the subsurface waters of the District; and

WHEREAS, it is found and determined by the Board of Directors of the MPWMD that no effective legal mechanism is now in operation for the collection of the needed accurate data concerning the quantity and quality of ground water being extracted from wells located within the District; and

WHEREAS, the Rules and Regulations of the District are presently unclear as to the processing requirements for new water gathering facilities within the District;

NOW THEREFORE, BE IT ORDAINED that the Board of Directors of the Monterey Peninsula Water Management District passes to print, amendments to the Rules and Regulations of the MPWMD attached hereto and incorporated herein by reference as Exhibit A.

On motion of Director _____ and seconded by
Director _____, the foregoing ordinance is passed to print
this _____ day of _____, 1980, by the following votes:

AYES:

NAYES:

ABSENT:

I, Gladys McKillop, Secretary of the Board of Directors of the
Monterey Peninsula Water Management District, hereby certify that the fore-
going is a full, true and correct copy of an ordinance adopted on the _____
day of _____, 1980, and now is of record in my office.

Witness my hand and the seal of the Board of Directors this
_____ day of _____, 1980.

Secretary, Monterey Peninsula
Water Management District

AMENDMENTS TO THE RULES AND REGULATIONS OF THE MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT

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RULES AND REGULATIONS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

REGULATION I. GENERAL PROVISIONS

RULE 100. Title - These rules and regulations shall be known as the Rules and Regulations of the Monterey Peninsula Water Management District.

RULE 101. Definitions - Except as otherwise specified in the Monterey Peninsula Water Management District Law, and except where the context otherwise indicates, the following words shall be defined as indicated:

AQUIFER - "Aquifer" means a geologic formation that stores, transmits, and yields significant quantities of water to wells and springs.

BOARD - "Board" and "Board of Directors" means the governing Board of Directors of the Monterey Peninsula Water Management District.

COMPLETION OF A WELL ~~OR WELL-COMPLETION~~ - "Completion of a Well" ~~or Well Completion~~ means the completion of all these physical tasks ~~with respect to a well which are necessary to bring the well to~~ so that the well is ~~the status or condition in which it is~~ producing or is capable of producing ground water, including an operable pumping facility.

CONNECTION - "Connection" means the point of intersection where a user gains access to the water distribution system. Where a water measuring device is installed, the water distribution system shall include the water measuring device and the connection shall be the nearest point of user access beyond the water measuring device. Where a water measuring device has been removed for more than five years, the connection shall cease to exist. For the these rules and regulations purpose of ~~this ordinance~~, service for fire protection shall not be deemed a connection.

CONTINUE - "Continue" means to postpone action on an item to a specific date.

CREATE - "Create" means the construction and operation of a water distri-

bution system *including the addition of new water gathering facilities to existing water distribution systems.*

DELEGATED AGENT - "Delegated Agent" means a municipal unit building inspector acting pursuant to Rule 211.

DELEGATED REGISTRAR - "Delegated Registrar" means an official acting pursuant to Regulation V.

DISTRICT - "District" means the Monterey Peninsula Water Management District.

ENVIRONMENTAL REVIEW - "Environmental Review" means the consideration of environmental impacts of a project pursuant to the California Environmental Quality Act and the Monterey Peninsula Water Management District Environmental Guidelines (Resolution 79-7).

ESTABLISH - "Establish" means the construction and operation of a water distribution system *including the addition of new water gathering facilities to existing water distribution systems.*

EXPAND or EXTEND - "Expand or Extend" means the addition and/or enlargements of connections or water works to a water distribution system, including but not limited to the addition of all meters, conduits, mains, pipes, pipelines, reservoirs, wells and other facilities used in the ~~collection~~, storage, transmission, or distribution of water from the source of supply to the connection excluding the replacement of existing water works for purposes of maintenance.

EXPANSION CAPACITY LIMIT - "Expansion Capacity Limit" means the maximum number of connections beyond which a water distribution system is not authorized to expand.

GROUND WATER - "Ground Water" means and saline nonsaline/water beneath the natural surface of the ground, whether or not flowing through known and definite channels.

MAY - "May" is permissive.

MUNICIPAL UNIT ALLOTMENT - "Municipal Unit Allotment" means the maximum quantity of water that can be delivered by a particular water distribution system within a municipal unit in one water year beyond which permits for creation or establishment and permits for expansion or extension of a water distribution system are not authorized for approval in that municipal unit.

MUNICIPAL UNIT - "Municipal Unit" means the Cities of Carmel, Del Rey Oaks, Monterey, Pacific Grove, Sand City, Seaside and the portion of the County of Monterey and the City of Marina inside the District.

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT LAW - "Monterey Peninsula Water Management District Law" means Statutes of 1977, Chapter 527, found at West's California Water Code Appendix, Section 118-1 et. seq.

NONSALINE WATER - "Nonsaline Water" means water having chemical properties meeting the drinking water standards of Chapter 15, ^{Division 4} Title 22 of the California Administrative Code, including the maximum contaminant levels specified in ~~short-term levels~~ of Table 7 of said Chapter.

OVERDRAFT - "Overdraft" means the condition of a ground water basin where the amount of water withdrawn by pumping exceeds the amount of water replenishing the basin over a period of time, or where the amount of water withdrawn by pumping results in an unacceptable degradation of water quality of the ground water within the basin.

OWNER or OPERATOR - "Owner or Operator" means the person to whom a water-gathering facility is assessed by the County Assessor, or, if not separately assessed, the person who owns the land upon which a water-gathering facility is located.

PERSON - "Person" means public entities, *public utilities*, private corporations, firms, partnerships, individuals or groups of individuals,

whether organized or not.

PUMP TEST - "Pump Test" means an experimental pumping of a well to determine yield of that well.

RESPONSIBLE PARTY - "Responsible Party" means the person or persons who assume through the permit process legal responsibility at all times for the proper performance of the things required of a permit holder by this ordinance.

REVOKE - "Revoke" means to permanently withdraw authority to act as previously provided by a valid permit.

SALT WATER INTRUSION - "Salt Water Intrusion" means the movement of saline water into nonsaline water aquifers.

SHALL - "Shall" is mandatory.

SOURCE OF SUPPLY - "Source of Supply" means the ground water, surface water, or reclaimed water sources where a person, owner or operator gains access by a *water gathering* facility.

SUSPEND - "Suspend" means to temporarily withdraw authority to act as previously provided by a valid permit.

SUSTAINED YIELD OF WELL - "Sustained Yield of Well" means the continuous production capacity of a well as determined from a pump test.

SYSTEM CAPACITY - "System Capacity" is the amount of water in gallons, cubic feet or acre feet that can be produced for annual delivery to a water distribution system based on the cumulative sustained yield of wells adjusted for periodic lowering of the water table and the projected yield of other sources of supply.

USER - "User" means a customer or consumer of water delivered by a water distribution system. User does not include any owner or operator of a water distribution system.

WATER DISTRIBUTION SYSTEM - "Water Distribution System" means all works

within the District used for the collection, storage, transmission, or distribution of water from the source of supply to the connection of a system providing water service to two or more connections including all water-gathering facilities and water-measuring devices, but excluding the user's piping.

WATER-GATHERING FACILITY - "Water Gathering Facility" means any device or method, mechanical or otherwise, for the production of water from dams, ground water, surface water, water courses, or reclaimed water sources within the Monterey Peninsula Water Management District or a zone thereof. Water-gathering facilities shall include any water-production facility as defined in the Monterey Peninsula Water Management District Law.

WATER-MEASURING DEVICE - "Water-Measuring Device" means any water meter or other measuring device intended to measure water usage by a user of the water distribution system.

WATER TABLE - "Water Table" means the surface where ground water would be encountered in a well in an unconfined aquifer.

WATER YEAR - "Water Year" means the period from July 1 of one year to June 30 of the succeeding year.

WELL - "Well" means any device or method, mechanical or otherwise, for the production of water from ground water supplies within the District excluding seepage pits and natural springs. "Existing Well" means a completed well which is producing or capable of producing ground water on _____, or a well which is completed subsequent to such date pursuant to an unexpired well construction permit which had been issued prior to such date. The term "existing well" shall not apply to any well which ceases to produce water for 364 days or to any facility for which a

Notice of Abandonment has been filed. "New Well" means a well for which a construction permit is issued (or is required to be issued) by the Monterey County Department of Health after _____, and shall also mean the re-activation of any existing well which ceased water production for 364 days or more, or which was abandoned.

WORK or WORKS - "Work or Works" includes, but is not limited to, dams and dam sites, reservoirs and reservoir sites, and all conduits and other facilities useful in the control, collection, conservation, storage, reclamation, treatment, or disposal of sewage, waste, or storm waters, and all land, property, franchises, easements, rights-of-way, and privileges necessary or useful to operate, maintain, repair, or replace any of the foregoing.

RULE 102. Effective Date - These Rules and Regulations ~~shall take effect thirty~~ *are operational as of March 12, 1980.*
~~(30) days after adoption by the Monterey Peninsula Water Management District Board.~~

Future amendments to these Rules and Regulations shall take effect on the date as specified in the order by which they are adopted.

RULE 103. Responsibility of Applicant - *these Rules and Regulations* Nothing in ~~this ordinance~~ shall be deemed to preclude the responsibility of the applicant to secure other such permits as required by law.

RULE 104. Severability - *these Rules and Regulations* If any provision of ~~this ordinance~~ or the application of ~~this ordinance~~ to any person or circumstance is held invalid, such invalidity shall *these rules and regulations* not affect other provisions or applications of ~~the ordinance~~, and to this end, the *these Rules and Regulations* provisions of ~~this ordinance~~ are severable.

RULE 105. Captions - Section titles and captions are provided for convenience and shall not be construed to limit the applicability of the text to other contents.

REGULATION II. PERMITS

RULE 200. Permits Required

A. Permit to Create/Establish a Water Distribution System.

Before any person creates or establishes a water distribution system, such person shall obtain a written permit from the District. Persons who hold a valid permit for construction and operation of such a water distribution system from the Monterey County Health Department, March 12, 1980 or a water distribution system in existence prior to ~~prior to the effective date of this ordinance, or public utilities, that date operated by a public utility~~ *these Rules* shall be deemed to have been issued a permit in compliance with ~~this ordinance.~~ *and Regulations* The expansion capacity limit and system capacity of previously existing systems shall be determined pursuant to Rule 400 (A).

B. Permits to Expand/Extend a Water Distribution System.

Before any person expands/extends a water distribution system, such-a- person shall obtain a written permit from the District or the District's delegated agent.

RULE 203. Applications.

A. Application for Permit to Establish/Create a Water Distribution System.

The applicant shall submit the following:

- (1) A completed written application in the manner and form prescribed by the General Manager; and
- (2) Environmental information as required by the District Environmental Guidelines; and
- (3) Proof of land use approval by municipal unit in which proposed system would be located; and
- (4) A copy of application submitted to Monterey County Environmental Health Department for Creation of a Water Distribution System; and
- (5) The name and address of each responsible party; and

- (6) The results of a pumping test, the cost of which shall be borne by the applicant, and which shall be observed by a District representative or agent; and
- (7) The fee prescribed in Rule 500.⁶⁰⁰

B. Application for Permit to Extend/Expand a Water Distribution System.

The applicant shall submit the following:

- (1) A completed written application in the manner and form prescribed by the General Manager.
- (2) Proof of Building Permit by municipal unit in which extension or expansion is proposed, or statement of need for proposed expansion/extension.
- (3) The fee prescribed in Rule 500.⁶⁰⁰

C. Application for Amendment to Permit.

The applicant shall submit the following:

- (1) A completed written application in the manner and form prescribed by the General Manager.
- (2) The fee prescribed in Rule 500.⁶⁰⁰

D. Application for Appeal.

- (1) A complete written application in the manner and form prescribed by the General Manager.
- (2) The fee prescribed in Rule 500.⁶⁰³

E. Application for Variance.

- (1) A complete written application in the manner and form prescribed by the General Manager.
- (2) The fee prescribed in Rule 500.⁶⁰³

RULE 210. Action on Application for Permit to Create/Establish a Water Distribution System.

A. Process.

The General Manager shall review the application, and if he determines the application to be complete, he shall act within thirty (30) days subsequent to satisfaction of Environmental Review, to set a public hearing by the Board on the application for such permit, and shall notify the applicant in writing and give public notice of the hearing date. 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. At the hearing, the applicant shall be entitled to present evidence in support of his application. Interested persons may present evidence in opposition or support of the application. The Board, in conducting the public hearing, may request hydrologic, geologic or other studies necessary to obtain information required for its decision. The cost of such studies shall be borne by the applicant. The Board may deny, approve, or continue any permit based on the minimum standards as set forth in Rule 210-B and its findings pursuant to Rule 210-C. The Board may impose such conditions on the permit that it deems necessary and proper. The General Manager shall notify the applicant within thirty (30) days in writing by mail or in person of the Board action taken; namely continuance, approval, conditional approval, or denial. 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 his representative.

B. Minimum Standards for Granting Permit.

- (1) An application shall be denied unless it complies with each of the following minimum standards:
 - (a) 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 ordinance; and
 - (b) The ability of the source of supply to provide water complies with the standards set forth in Title 22 of the California Administrative Code; and
- (2) Every applicant as a condition to holding a permit pursuant to this rule shall report annually by August 1st in the form and manner prescribed by the District, the quantity of water delivered from each source of supply, total water produced, the average daily number of connections in the system, and the number of new connections and disconnections, and a listing of permits filed in the previous water year (July 1 to June 30) in each municipal unit, and the identity and address of each responsible party as of June 30th of the previous water year.

C. Findings.

The Board 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.

- (3) Whether the permit would result in significant environmental affects that cannot be mitigated by conditions attached to the permit.

Notwithstanding the above determinations, no permit shall be granted if the Board finds and determines that the permit:

- (1) Will create an overdraft or increase an existing overdraft;
or
(2) Will adversely affect the ability of existing systems to provide water to users.

If the Board approves the permit, it shall establish an expansion capacity limit, the system capacity and municipal unit allocation for that water distribution system. The Board may impose other conditions in granting the permit.

D. Amendments to Permit.

No owner or operator of a water distribution system shall modify, add to or change his source of supply, or expand the system beyond the expansion capacity limit, unless that person first files an application to do so with the District and receives an amended permit. Such applications shall be made *pursuant to Rule 270*, and shall be investigated, considered, determined and acted upon on the same terms and conditions as provided for the approval, conditional approval, or denial of a permit, as provided in this *rule*.

RULE 211. Action on Application for Permit to Expand or Extend a Water Distribution System.

A. Authority to Process Applications.

Application to expand or extend a water distribution system may be submitted either to the General Manager or to an agent holding delegated authority as set forth in Rule 211 (C). The General Manager

shall process all applications which he receives. A delegated agent may process any application for permit to expand or extend a water distribution system which he receives and which extension lies within his jurisdiction. The delegated agent shall not issue permits to applicants without a valid building permit on the parcel on which the expansion or extension is proposed.

The delegated agent shall refer any application for permit to expand or extend a water distribution system which exceeds his jurisdiction to the General Manager, and may refer any proposed expansion of a system within his jurisdiction to the General Manager. Any application which has not been acted upon within thirty (30) days of submission, shall be deemed referred to the General Manager.

The District shall maintain a current list available for public inspection of delegated agents, together with the jurisdiction in which they are authorized to issue permits.

B. Process.

The General Manager or the delegated agent of the District shall review the application, and if he determines the application to be incomplete, he shall request the applicant to submit additional information. When the application is complete, and where the General Manager or delegated agent is authorized to act on the application, he shall issue the permit within thirty (30) days except when the District Board has determined that the water distribution system has reached its expansion capacity limit as provided for in Rule 400, or that the municipal unit in which the expansion or extension is located has exceeded its municipal unit allocation for that water distribution system pursuant to Rule 300, or where no building permit has been submitted, if the General Manager determines that the

expansion is not reasonably required to satisfy the near term needs of the applicant. Where such an application as described above is pending, the General Manager or delegated agent shall deny the application. The General Manager or delegated agent may not process any application for permit to expand or extend a water distribution system in the unincorporated area of Monterey County without prior approval from the Monterey County Director of Environmental Health.

Determinations of the General Manager or delegated agent, either granting or denying a permit, may be appealed to the Board pursuant to Rule 700. A permit issued pursuant to this rule shall be effective seven (7) days subsequent to the date of which issued.

C. Delegation of Permit Approval.

The District Board may delegate in writing the authority of granting permits for expansion or extension of a water distribution system to the Building Inspector of the Cities of Carmel, Del Rey Oaks, Monterey, Pacific Grove, Seaside, Sand City, Marina and the County of Monterey. Such delegated agent shall be required to:

- (1) Process applications for permit to expand/extend a water distribution system pursuant to Rule 211 (A) and Rule 211(B).
- (2) Transmit daily to the District copies of all permits issued and monthly a summary of permits issued compiled in the form and manner prescribed by the District.

Such delegation of authority to approve permits may be revoked by the District after a public hearing by action of the Board of Directors for violation of the requirements of being a delegated agent or if the Board determines that the delegated agent's municipal unit has exceeded its municipal unit allotment pursuant to Rule 300.

Where the delegated agent processes the application for permit, the fee as prescribed in Rule 500 shall be paid to his jurisdiction.

RULE 220. Cancellation of Applications. All permits issued pursuant to these

regulations which are not completed within one year of date of issuance shall expire one year following the date of issuance. Persons whose permits have expired may re-apply for a new permit pursuant to Rule 202. The General Manager may extend the time period in increments of one year where failure to complete was occasioned by good cause. Completion, as used within this rule, shall mean the creation, establishment, extension, or expansion of a water distribution system so that the system or expansion is capable of delivering water for consumption.

RULE 221. Rehearing - Permission of the District Board shall be secured prior to re-submission of any application denied within the preceeding twelve (12) months.

RULE 222. Revocation of Permit - The District Board may suspend or revoke any permit issued pursuant to ~~this ordinance~~ ^{*these Rules and Regulations*} whenever it finds any of the following:

- (1) That any requirement or condition of the permit is not being met.
- (2) That the permittee has violated any provision of ~~this ordinance~~ ^{*these Rules and Regulations*}.
- (3) That the permittee has misrepresented intentionally or negligently any material fact in his application, or in any supporting documents, for his permit.

RULE 223. Transfer - Any permit issued pursuant to these regulations may be transferred from one person to another but not from one location to another upon notification to the District. Such transferred permits shall be subject to all conditions attached to the original permit.

RULE 224. Suspension of Permit - The General Manager shall suspend any permit issued pursuant to this ordinance whenever he finds any of the following:

- (1) Failure to report pursuant to Rule 210-B (2).

REGULATION III. MUNICIPAL UNIT ALLOTMENT

RULE 300. Determination of Municipal Unit Allotment - Annually by June 30, the Board shall adopt a resolution establishing municipal unit allotments for each water distribution system for the next water year. These allotments shall be

determined based on information regarding supply, demand, changes in jurisdiction, physical boundaries and other factors.

REGULATION IV. MONITORING

RULE 400. Determination of Expansion Capacity Limit.

A. Determination of Expansion Capacity Limit.

Systems with a valid permit for construction and operation of a water distribution system prior to ~~the effective date of this ordinance~~ ^{March 12, 1980} shall have an expansion capacity limit equal to the maximum number of connections specified in that permit. For those systems existing prior to ~~the effective date of this ordinance~~ ^{March 12, 1980} where no maximum number of connections has been specified, and for water utilities, the initial expansion capacity limit of that system shall be based upon the following formula:

$$\text{Initial Expansion Capacity Limit} = \frac{\text{System Capacity}}{\text{Actual 1979 Production}} \times \frac{\text{Average Daily}}{\text{\#1979 Connections}}$$

The General Manager, by applying the above formula, shall determine the expansion capacity limit for previously existing systems and notify each system of that number within thirty (30) days of the effective date of this ordinance. Persons may appeal the General Manager's determination of expansion capacity limit pursuant to Rule ~~600~~ ⁷⁰⁰.

The expansion capacity limit of new systems shall be determined by the Board pursuant to Rule 210-C.

Expansion capacity limit of any system may be amended by the Board upon request by the permit holder pursuant to Rule 210-D. Amendment of the expansion capacity limit shall be based upon changes in the system capacity of the water distribution system.

B. Annual Water Delivery System Report.

The General Manager shall annually by October 1, compile a report stating

the quantity of water delivered from each source of supply, the total water produced, the average daily number of connections in the system, and the number of new connections in the system, and the number of new connections and disconnections in the previous water year for each water distribution system in the District. The General Manager shall compile this report from the reports submitted by the owner/operator of water distribution systems pursuant to Rule 210-B (3) and other sources as appropriate. Such report shall be submitted to the Board.

C. Findings.

The Board of Directors shall hold a public hearing to review the annual water delivery system report and other evidence as necessary, and determine if any water distribution system has reached or exceeded its expansion capacity limit. Where a water distribution system has reached or exceeded its expansion capacity limit, the Board shall direct the General Manager or the delegated agent to deny any application for permit to expand or extend that system until the permit is amended.

D. Notification.

The General Manager shall, within thirty (30) days, notify all delegated agents and the owner/operator of the findings of the Board regarding any water distribution system that has reached or exceeded its expansion capacity limit. 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 responsible party, or when personally delivered to the applicant or his representative.

RULE 401. Review of Municipal Unit Compliance with Allotment.

A. Annual Water Demand Report.

The General Manager shall annually by October 1 compile a report stating the amount of water delivered to users, the number of new connections,

and an estimate of the water demand from new connections in the preceding water year for each water distribution system in the Cities of Carmel, Del Rey Oaks, Pacific Grove, Monterey, Sand City and Seaside and the portion of Marina and the County of Monterey inside the District. The report will further state the municipal unit allotment for each water distribution system determined by the Board for that year.

B. Findings.

The Board of Directors shall hold a public hearing to review the Annual Water Demand Report and other evidence as necessary, and determine if the previous water year's water delivery to any municipal unit exceeds that municipal unit's allotment for any water distribution system. Where the water deliveries in the previous water year have been exceeded or where the Board finds that a municipal unit's usage exceeds any municipal unit's allotment for any water distribution system, the Board of Directors shall suspend the authority of that municipal unit to issue permits to expand or extend that water distribution system and direct the General Manager to deny any application for permit to expand or extend that water distribution system.

C. Notification.

The General Manager shall, within thirty (30) days, notify all municipal units of the findings of the Board regarding municipal unit compliance with that municipal unit's allotment. Notice of the action shall be deemed to have been given when the written notification has been deposited in the mail postpaid, addressed to the municipal unit or when personally delivered to the municipal unit.

REGULATION V. WELL MONITORING

RULE 500. General Provisions of the Well Monitoring Program - This regulation shall govern the well monitoring program of the Monterey Peninsula Water Management District and shall apply to those water wells located in any ground water charge zone established by the District pursuant to its authority under the Monterey Peninsula Water Management District Law.

RULE 501. Registration Process.

A. Authority to Process Registrations.

Well registrations may be submitted either to the General Manager or to a delegated registrar holding authority as set forth in this regulation. The General Manager shall process all registrations he receives. The delegated registrar may process any registration he receives except late registrations, or refer any registration to the General Manager. Any ^{complete} registration not acted upon within thirty (30) ^{completion} days of ~~submission~~ shall be deemed referred to the General Manager. The District shall maintain a current list available for public inspection of delegated registrars, together with the jurisdiction in which they are authorized to issue registrations.

B. Process.

The General Manager or the delegated registrar of the District shall review the registration, and if he determines the application to be incomplete, he shall request the well owner/operator to submit additional information. When the registration is complete, and where the General Manager or delegated registrar is authorized to act on the registration, he shall issue the registration within thirty (30) days.

C. Delegation of Registration Approval - The District Board may delegate in writing the authority to process well registration. Such delegated registrar shall be required to:

- (1) Process registration of wells pursuant to Regulation V.
- (2) Transmit daily to the District copies of any registrations filed.
- (3) Forward any late registration received.

Where the delegated registrar processes the registration, the fee prescribed in Rule 602 shall be retained by the delegated registrar except where the registration is late.

RULE 502. Registration Required - All existing or new wells located within a ground water charge zone shall be registered by the owner and/or operator with the District or the District's delegated registrar. All existing wells shall be registered pursuant to Rule 502 (A). All new wells shall be registered pursuant to Rule 502 (B).

A. Existing Well Registration - On or before _____, the owner and/or operator of any existing well shall register such well by filing with the District or the District's delegated registrar, for each such well:

- (1) A completed registration statement, of the form prescribed by the General Manager;
- (2) An executed Declaration of Reporting Status, as more fully described in Rule 504 (C); and
- (3) The fee prescribed in Rule 602.

Registration of existing wells after the above date must be submitted to the District along with the fee prescribed in Rule 602 (5).

B. New Well Registration - No later than thirty (30) days following the completion of the well, the owner and/or operator of any new well shall register such well by filing with the District or the District's delegated registrar, for each such well:

- (1) The completed application form(s) required by the Monterey County Department of Health prior to the issuance of a well construction permit pursuant to County Ordinance No. 1967;
- (2) An executed Declaration of Reporting Status, as more fully described in Rule 504 (C); and
- (3) The fee prescribed in Rule 602.

Registration of new wells later than thirty (30) days following completion of the well must be submitted to the District along with the fee prescribed in Rule 602 (5).

RULE 503. Abandonment of Well - The owner/operator of a well that has been destroyed, condemned or is permanently incapable of water production shall file a notice of abandonment, ~~along with the fee prescribed in Rule 602,~~ with the District or the District's delegated registrar, within thirty (30) days of such abandonment.

RULE 504. Reporting

A. Reporting Required - Each owner and/or operator of a well shall file with the District a semi-annual water production statement of the form prescribed by the General Manager on or before the 31st day of January and on or before the 31st day of July. The statement shall set forth the water production for the preceding six month period excluding the month in which the statement is due.

B. Reporting Status - The reporting status of a well refers to the computation method selected for calculating production on the semi-annual

water production statement. There shall be three categories of reporting status:

- (1) Land Use Method - Every owner and/or operator of a well which is located on a parcel smaller than 2 1/2 acres ^{and} ~~or~~ which has a discharge opening smaller than two inches shall report by the Land Use Method as described in Rule 505 unless the owner and/or operator elects the water meter method.
- (2) Water Meter Method - Every owner and/or operator of a well which is located on a parcel larger than 2 1/2 acres or which has a discharge opening larger than two inches shall report by the water meter method as described in Rule 506 unless that owner and/or operator elects the power consumption correlation method.
- (3) Power Consumption Correlation Method - Any owner and/or operator of a well which is located on a parcel larger than 2 1/2 acres or which has a discharge opening larger than two inches may elect to report by the power consumption correlation method as described in Rule 507.

C. Declaration of Reporting Status - In accordance with Rule 502, the owner and/or operator of a well at the time of registration shall execute and file with the District or the District's delegated registrar, a Declaration of Reporting Status, of the form prescribed by the General Manager, which shall include among other things, a designation by the owner and/or operator of the reporting status of the well. The owner and/or operator of a well may amend the Declaration of Reporting Status from time to time by filing an amendment, along with the fee prescribed in Rule 602, with the District or the District's delegated

registrar. The owner and/or operator of any well with a two inch (2") or less discharge opening who enlarges that opening to more than two inches (2"), shall file an amended Declaration of Reporting Status.

RULE 505. Land Use Method - Approximate water production of a well which is located on a parcel smaller than 2 1/2 acres or which has a discharge opening smaller than two inches (2"), will be computed based on land use information provided by the owner and/or operator in the Semi-Annual Water Production Statement unless that owner and/or operator elects the water meter method. Among other things, the owner and/or operator of the well will report in the Semi-Annual Production Statement the use of the land and the area and type of irrigation during the reporting period.

RULE 506. Water Meter Method

- A. Water Meter Required - Each owner and/or operator of a well who has chosen the water meter method in the Declaration of Reporting Status, shall install an approved water meter on the well according to the time table set forth in this rule.
- B. Description of Method - Approximate water production of a well on which an approved water meter is installed will be computed by the District from the beginning and ending totalizer reading on the water meter during the period as reported on the Semi-Annual Water Production Statement filed by the owner/operator of the well.
- C. Water Meter Type - Water meters satisfactory to the District shall be capable of recording to within an accuracy of 98%. The General Manager shall maintain a list of meters satisfactory to the District. The water meter shall also be equipped with a totalizer, susceptible to correction only by changing mechanical gear equipment.
- D. Configuration of Water Meter Installation - The water meter shall be installed so as to permit access for such inspection and testing as the District

may, from time to time, deem necessary. The installation configuration shall be in accordance with good design practices and, shall include the following elements to insure meter accuracy:

- (1) Eight diameters of straight pipe (no bends or valves) both upstream and downstream of the water meter, in order to limit turbulence at the meter point; and
- (2) A minimum of one foot increase in elevation of the pipe from meter point to the discharge opening, in order to have a full pipe at the meter point.

E. Timing of Water Meter Installation - In the case of an existing well for which the owner/operator has elected the water meter method, the water meter shall be installed on or before _____.

In the case of a new well, for which the owner and/or operator has elected the water meter method, the water meter shall be installed within one month of the completion of the well. In either case, the installation of the water meter shall be scheduled in such a timely fashion as to permit inspection and approval of the meter and the meter installation by the District or the District's delegated registrar within the prescribed time period.

F. Maintenance of Accuracy - The owner/operator of a well electing the water meter method shall maintain meter accuracy within approximately two percent accuracy. It shall be the owner/operator's responsibility to repair or replace the meter. Such actions shall be taken as necessary or where it is shown by the District that the meter fails to comply with this specification.

RULE 507. Power Consumption Correlation Method

A. Description of Method - Approximate water production of a well for which the owner/operator has elected the Power Consumption Correlation Method, will be computed by the District, provided the District is given access

by the owner and/or operator to a current ~~District~~ or power company or private contractor complying with the minimum standards prescribed by the General pump efficiency test/determining the kilowatt hours of electrical power Manager

necessary to produce an acre feet of water from the well (KWH/AF), together with the power company records of the consumption of kilowatt hours within the reporting period. In electing the Power Consumption Correlation Method on the Declaration of Reporting Status, the owner/operator of a well grants the District access to the power company records covering the well for the previous five years and as far into the future as the owner and/or operator shall elect this reporting method. By adjusting the KWH/AF factor for the well in accordance with the pumping water level from observation wells in the immediate area during the reporting period, the District can compute water production by the following formula:

$$\frac{\text{KWH consumed within reporting period}}{\text{KWH per AF (adjusted)}} = \text{Acre foot of water produced}$$

- B. Pump Efficiency Test - The owner/operator of a well using the power consumption correlation method must maintain on file with the District, a power company or private contractor ~~District~~ pump efficiency test for the well which has been conducted no more than two years previous to the start of the reporting period to which the power consumption correlation method is to be applied, and which complies with the minimum standards prescribed by the General Manager.
- C. Electrical Units on Power Meter - The power consumption correlation method can be used only if the well pump has a separate meter. If a double-throw switch, drier or any other electrical unit is using the same power meter as the well pump, these units must be metered separately from the well. However, if the only other use of the power meter is a booster pump motor, it can be included in the pump efficiency test.

RULE 508. Access to Wells - The owner and/or operator of a well shall allow access to the well by the District or its delegated registrar for the purpose of carrying

out the inspections and tests related to registration, reporting, and water meters, and for the purpose of carrying out other tests, studies, and investigations necessary and proper to the objects and purposes of the District, including investigations of water quality and depth to ground water.

RULE 501. Well Construction Standards - In addition to the water well standards of the State of California and the County of Monterey, all new wells within the District shall be equipped with a two-inch or larger sounding tube. Where the well uses an electrical motor pump, that pump shall be metered separately from any other power use except booster pumps.

VI
REGULATION V. FEES

600
RULE 500. Permit Fees. Every applicant, excepting governmental agencies, shall pay a non-refundable fee at time of application, as follows:

(1) Fee for Permit to Create/Establish a Water Distribution System - \$150.00.

(2) Fee for Permit to Expand/Extend a Water Distribution System - \$5.00.

~~(3) ---Fee for Appeal of Determination---\$25.00---~~

3
(4) Fee for Amendment of Permit - \$25.00.

~~(5) ---Fee for Variance---\$25.00---~~

601
RULE 501. Publication Fees - When other than a public agency, the fees and charges for publications shall be set forth below:

(1) Copies of Rules and Regulations - \$5.00.

(2) Copies of Environmental Guidelines - \$5.00.

(3) Copies of permits and other materials - 10¢ per page.

RULE 602. Well Monitoring Fees - Every applicant, excepting governmental agencies, shall pay a non-refundable fee as follows:

(1) Fee for existing well registration - \$25.00.

(2) Fee for new well registration - \$25.00.

~~(3) ---Fee for abandonment of well---\$5.00---~~

3
~~(4)~~ Fee for amendment of Declaration of Reporting Status - \$25.00.

4
~~(5)~~ Fee for late registration - \$100.00 in addition to the above.

RULE 603. Miscellaneous Fees - Every applicant excepting governmental agencies, shall pay at time of application, as follows:

- (1) Fee for appeal of determination - \$25.00.
- (2) Fee for variance - \$25.00.

VII
REGULATION VI- APPEALS

700

RULE 600. Appeals - Determinations of the General Manager or delegated agent may be appealed to the District Board, in writing, within seven (7) days after any such determination. Such appeal shall specify in writing the grounds upon which it is taken and shall be accompanied by the fee prescribed in Rule ⁶⁰³ 400. Within thirty (30) days of receipt of such appeal, the General Manager shall set a hearing on the appeal before the District Board and notify the appellant and/or applicant in writing of the time and place of the hearing at least five (5) days prior to the hearing and give public notice of the hearing date. An appeal may be filed by the applicant, the General Manager, or any other person. At said hearing the appellant and/or applicant and other persons may present evidence concerning the appeal. The Board may deny, approve or continue any appeal. The General Manager shall notify the appellant and/or applicant within ten (10) days in writing by mail or in person of the Board action taken; namely continuance, approval, conditional approval, or denial. 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 appellant and/or applicant or his representative. Unless the Board otherwise determines, any permit held by an applicant for which an appeal has been filed pursuant to these rules and regulations shall be deemed suspended until the appeal has been resolved.

REGULATION VIII. PENALTIES

Rule 502

RULE 800. Registration - Violation of ~~Regulation-V~~ may subject the owner and/or operator of a well to criminal prosecution for a misdemeanor and punishment by a fine not exceeding \$500.00 per separate violation, pursuant to Section 348 and Section 360 of the Monterey Peninsula Water Management District Law.

Rule 506

RULE 801. Metering - Violation of ~~Regulation-V~~ may subject the owner and/or operator of a well to criminal prosecution for a misdemeanor and punishment by a fine not exceeding \$500.00 per separate violation, or by imprisonment in the County jail for a period not exceeding six months, or by both such fine and imprisonment, pursuant to Sections 360 and 361 of the Monterey Peninsula Water Management District Law.

Rule 504

RULE 802. Reporting - Violation of ~~Regulation-V~~ may subject the owner and/or operator of a well to criminal prosecution for a misdemeanor and punishment by a fine not exceeding \$500.00 per separate violation or by imprisonment in the County jail for a period not exceeding six months, or by both such fine and imprisonment pursuant to Section 361 of the Monterey Peninsula District Law.

REGULATION IX. VARIANCE

RULE 900. Variance - The Board may, after holding a public hearing, in specific cases, grant a variance from any provision of the standards incorporated into ~~this~~ *these Rules and Regulations* ordinance whenever it finds that special circumstances exist in a particular case and that practical difficulties or unnecessary hardship would result from the strict interpretation and enforcement of any such standard, and that the granting of *these Rules and Regulations* such a variance would not tend to defeat the purposes of ~~this-ordinance~~.

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116

CARMEL VALLEY MUTUAL WATER COMPANY

P.O. BOX 669

CARMEL VALLEY, CALIFORNIA 93924

June 2, 1980

Mr. Al Gawthrop, Chairman
Monterey Peninsula Water Management District
P.O. Box 91
Pebble Beach, CA 93953

Dear Mr. Gawthrop:

The Carmel Valley Mutual Water Company strongly opposes adoption of Draft Regulation V (Well Monitoring) for Ordinance No. 3 of the Monterey Peninsula Water Management District. This is based upon the premise that voting approval of this regulation by the District Board before it establishes clear goals and priorities for achievement of a long term increase in the Peninsula's water supply may only lead to a waste of the District's limited resources and energy while developing a costly and possibly needless new bureaucratic layer. It is highly recommended that, regarding Regulation V, a public hearing of the Mutual (and other interested parties if they so desire) be allowed at the June 9, 1980 Board of Director's regular meeting, that the Board completely analyze the full impact upon the District of this Well Monitoring draft regulation and consider the following questions and statements before a final vote is taken in this matter.

1. Does the District staff have the expertise to properly evaluate the need for well monitoring? Shouldn't the developers carry the burden of proving to the District that their plan for expansion will not conflict with present users regarding overdrafts and/or contamination?

2. If the Board determines a well monitoring program is needed, does the District staff have the experience and knowledge necessary to determine:

- a. The appropriate requirements for well data collection?
- b. That currently available well data information is not sufficient enough for purpose of monitoring changes in groundwater levels and water quality?

3. As the District staff is organized today, does it have the personnel strength and capability to properly process the quantity of data that would generate should Regulation V be adopted as well as to administer and control a program of such far reaching magnitude?

4. Has an estimate for total cost of hardware and administration to the various types of well operators and the District been developed? If so, has there been a profitable cost-benefit ratio determined for the results desired?

Mr. Al Gawthrop
June 2, 1980
Page Two

5. To date, what efforts have been taken by the District to fully analyze existing well data that covers the spectrum from water quality to static and pumping level type inputs to the County from well operators/developers?

6. In relation to the above question, before establishing a possible needless mandate and additional cost to well operators, why not first establish a suitable trial period for the District's staff to utilize existing well data information to determine:

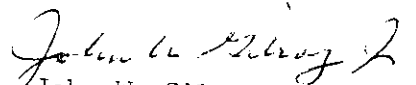
- a. If well information currently available is adequate, to the degree needed, for monitoring changes in groundwater basin levels and water quality within the District.
- b. If necessary, methods to modify or expand well information from current sources for purposes desired.
- c. What personnel levels and expertise of the District staff are actually needed to properly evaluate and administer available well data or possible additional data required.

7. For your information, the Mutual has determined its cost to comply merely with the hardware requirements for the water meter method of reporting to be in excess of \$5,000. Being a small Mutual Water Company, (178 allocations), means adoption of Regulation V would create an additional financial hardship to its members who are already burdened with high costs for their water.

8. In conclusion, the Mutual takes the stand that it is not the District's responsibility to determine if expansion will create interference with existing water users; the burden of proof should rest with the developers. Additionally, it is the Mutual's judgment, that at this point, the District should focus its resources and personnel energy directly toward the development of a very clear priority of systems to increase the Peninsula's water supply. Considering the vast amount of water the District annually loses to the Monterey Bay, it appears establishing viable major alternatives for capture of this water loss should take precedence over working intensely on a costly well monitoring program that is miniscule for results in comparison to other possible techniques to insure greater water supply for the Peninsula.

Sincerely,

CARMEL VALLEY MUTUAL WATER COMPANY


John W. Gilroy, Jr.
Administrative Officer

ja

cc: Monterey Peninsula Water Management District Board of Directors

MINUTES

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

June 9, 1980

I. CALL TO ORDER/ROLL CALL

The regular monthly meeting of the MPWMD was called to order by Chairman Alfred Gawthrop on Monday, June 9, 1980, in the Monterey City Hall Council Chambers at 7:30 p.m. Roll was called, and Directors Gawthrop, Fry, Williams and Woodworth were present. Directors Farr, Gianelli and McClintock were recorded absent.

II. CONSENT CALENDAR

Director Fry moved that the consent calendar be approved. Director Williams seconded the motion, which carried unanimously.

III. INFORMATIONAL ITEMS BEFORE THE BOARD

A. MANAGER'S REPORT. Manager Buel reported that the Regional Coastal Commission hearing has been set for June 30th to consider repeal of their Water Intensification Policy.

B. WRITTEN COMMUNICATIONS. Manager Buel reviewed the letters received during the preceding month. Concerning the letter from Director Gianelli, Chairman Gawthrop expressed the Board's regret at having received the resignation, and expressed the District's appreciation for Mr. Gianelli's efforts on behalf of the District. Chairman Gawthrop responded to Director Gianelli's letter of resignation with the following prepared statement: "I feel it is in order to make a statement in regards to the construction of a dam on the Carmel River brought up in Bill Gianelli's letter of resignation, but I see no reason for further discussion of this by members of the Board or of the public after I finish.

"The construction of a dam on the Carmel River has been under consideration for some time, and has been under study by this District since its beginning in 1977. There have also been alternatives under study. In the May 12 meeting of the District Board, Mr. Gianelli proposed a motion that a feasibility study on a Carmel River dam should be started immediately. This motion was not seconded. The feeling of the other members of the Board was that other alternatives should be studied further before a decision was reached on which course to follow. The indication was that this would take a matter of three months and this would not delay excessively the answer to the best way to handle the situation."

Manager Buel then reviewed the letter from Carmel Sanitary District in which they indicated their intent to sell reclaimed water. The Manager recommended that the District respond, indicating that the proposed creation of such a reclamation project would constitute a water distribution system which would require a permit from the District pursuant to Section 363 of the District Law. Director Fry indicated this project also falls within the District's stated policy of reuse of treated water, and it is noteworthy that the Carmel Sanitary District is working in that direction. Director Fry moved that the Manager's recommendation be approved and that the motion reinforce the District's goal of reuse of effluent. Director Williams seconded the motion. Motion carried unanimously.

C. PRESENTATIONS. 1. Monterey County Environmental Health Department, re Carmel Valley Water Quality Samples: Walter Wong, Director, presented his report on the water quality samples of the Carmel Valley. His report indicated abnormal concentrations of ammonia nitrogen and orthophosphate. He noted this situation does not constitute a present health hazard, but would require close monitoring to prevent future problems. Mr. Wong indicated that the soil used to filter septic tank effluent is becoming saturated which is the reason for the contamination, rather than faulty operation of septic tanks.

Mr. Wong noted that wells have not been monitored for bacterial content, and recommended that this also be done, together with a monitoring program to determine the extent of the problem. He also recommended an evaluation of the present septic tank system disposal practices in the Carmel Valley by the Health Department and the Regional Quality Control Board to determine what practices will be necessary to prevent further groundwater degradation in the Carmel Valley aquifer. He further recommended that feasibility studies begin in those areas with present or projected numerous septic tank systems to determine the need for future sewer services.

Director McClintock arrived at the meeting at 7:45 p.m.

Manager Buel reported that the District has indicated its intent to design a water quality monitoring network in Carmel Valley with the USGS. He recommended that this matter be moved for immediate action rather than wait until September as previously planned. After additional discussion, Director Williams moved that the Manager be authorized to enter into an agreement with USGS to develop a groundwater quality monitoring network in Carmel Valley and that the sum of \$9,700 be appropriated from contingency funds at this time to initiate the project. The motion was seconded by Director McClintock, and passed unanimously. Manager Buel was directed by the Board to contact Environmental Health and Regional Water Quality Control Board and other agencies involved to initiate long term solutions to the water quality problems as presented by Walter Wong.

IV. ACTION ITEMS BEFORE THE BOARD

A. SECOND READING AND ADOPTION - ORDINANCE NO. 3 (WELL MONITORING). Manager Buel reviewed the background of Ordinance No. 3, and recommended that the ordinance be adopted with the amendments previously noted. Director McClintock moved for the adoption of Ordinance No. 3. Director Williams seconded the motion. The motion passed unanimously on a roll call vote. Chairman Gawthrop reviewed the variance process for those individuals who indicated that the ordinance would prove a personal hardship. Director Williams noted that no precedent is set in granting any variance.

B. FORMATION OF GROUND WATER ZONE. Manager Buel presented Resolution 80-5, which establishes a ground water charge zone, and triggers the operation of the well monitoring ordinance. Manager Buel noted that the City of Marina and Sand City have chosen at this time not to be included in the zone, but that they could enter into the agreement at a later date. Director Williams moved that Resolution 80-5 be adopted, and that the Manager be directed to notify all cities and the County of the Ground Water Charge Zone. Director Fry seconded the motion. Motion carried unanimously.

C. REVIEW OF DRAFT 1980-1981 BUDGET. Manager Buel reviewed the Budget Committee draft budget and noted the estimated revenues and estimated expenditures. He recommended that the Draft Budget be released for circulation and public review, and that July 14, 1980 be set as a public hearing on the Budget. He also recommended that a study session be set by the Board to review the Budget prior to the next meeting. Director Williams moved that the Manager's recommendation be accepted, and that July 14, 1980 at 6:00 p.m. be set as a study session for the Board to review the Budget. Director Fry seconded the motion. Director Woodworth offered a substitute motion that a separate workshop study session be held. There was no second to the substitute motion. The original motion carried unanimously.

D. CONSIDERATION OF REPLACEMENT PROCEDURES FOR VACANT BOARD SEAT. Manager Buel reviewed the options for replacing a resigned Board member, and recommended that an appointment committee be formed to report a proposed procedure for replacement at the July Board meeting. Director Fry moved that the vacancy be filled by appointment. Director McClintock seconded the motion. Motion carried unanimously. Chairman Gawthrop appointed Director Fry, Director Williams and himself as the Appointment Committee, with Director Fry designated as Chairman. He also requested that the Committee report to the Board at the July meeting, the procedure to be followed in selecting a replacement to fill the vacant seat on the Board in August. Director Fry accepted the appointment as Chairman, and requested an opinion from District Counsel as to the election by the Board members being open to the public at the meeting in August. District Counsel responded that the vote would be public, and cannot take place before fifteen days of notice has been given. Since the resignation becomes effective July 1, no appointment can be made before July 15, 1980. Chairman Gawthrop noted that any person wishing to apply for the position should contact Director Fry.

E. APPLICATIONS FOR VARIANCE FROM DISTRICT RULES AND REGULATIONS. Manager Buel noted that two applications for variance from the District's Rules and Regulations have been received for property upon which no building permit has been secured. The Ditz-Crane variance application stated that a temporary water connection is required to stabilize landscaping at the entrance of their development site. The Victor DeLuca variance application stated a water connection was required for soil compaction and dust settling prior to construction. In both cases, Manager Buel recommended that the water connection be terminated within one year, and that the variances should be granted with acknowledgement received in writing from each of the applicants that the meter will be removed if a building permit is not secured in one year. Director Fry moved that the Manager's recommendations be approved for both applicants. Director Williams seconded the motion. Motion carried unanimously.

V. OTHER MATTERS

A. PROGRESS REPORT - DEMAND PROJECTIONS. Manager Buel noted that the consultant has completed the rough draft of "Economic and Demographic Projections", noting the rough draft projections show economic and population growth at 1% rather than the 3% projected in the Final Report to the Coastal Commission. This growth would demand less water than that forecast in the Final Report.

B. PROGRESS REPORT - DISTRICT ENGINEER. Manager Buel reviewed the procedures followed in advertising for the position of Civil Engineer for the District. Interviews are scheduled for the week of June 23, with a person to be selected by July 1, 1980. Chairman Gawthrop noted that the Manager has such approval to select the individual for the position.

C. PROGRESS REPORT - CAL AM WELLS EIR AND USE PERMIT. Manager Buel reported that the first of the community workshops will be held June 28, 1980. He also noted that Cal Am has requested a 90 day postponement on processing their Use Permit to October 25, 1980. He reported that Cal Am has also requested that the hearings on the Environmental Impact Report and Use Permit be postponed to allow time for the workshops to gather additional public opinion on Cal Am's four wells. Chairman Gawthrop expressed concern over this request for postponement, and that the Use Permit hearing should be accelerated so that approval can be obtained before October 25th. He also noted that the workshops should be set on a closer schedule every two weeks. Audience and Board discussion followed, with expressions that the workshop meetings should be conducted to find solutions prior to the permit review to provide additional information to the Board of Supervisors and the Planning Commission.

D. PROGRESS REPORT - FLOOD AND EROSION CONTROL. Manager Buel noted that study of the Carmel River erosion problems will begin with a meeting between Dr. Thomas Maddock and the Carmel Valley Ranch and other agencies involved in flood and erosion problems on the Carmel River. A meeting on June 27, 1980 will focus on the proposed pilot project to control erosion along the Carmel Valley Ranch boundaries on the Carmel River.

E. PROGRESS REPORT - FISH COUNTER AND FISHERIES RELEASE STUDY. Manager Buel reported that the Fish and Game Fines Commission postponed their decision on funding one-third to one-half of the price of the fish counter pending discussions with Cal Am. He also reported that research of stream flows on the Carmel River conducted by Fish and Game and Fish and Wildlife Service are being observed by District consultant Bob Lewis. The state and federal report should be available in August, which will recommend release requirements. This report will be reviewed by Bob Lewis, and his recommendations will then be submitted to the Board.

F. REPORT ON ACWA CONFERENCE. Manager Buel noted that the conference dealt with California water issues, and that reports from Director Woodworth and the manager are available in the District office for Board review.

VI. BOARD MEMBER COMMENTS AND ORAL COMMUNICATIONS

There was no response to this Agenda Item.

VII. ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Shirley McMillan
Secretary