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AGENDA
Water Supply Planning Committee
Of the Monterey Peninsula Water Management District

Monday, August 3, 2020, 4 pm, Virtual Meeting

Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, and to do all we can to help slow the spread of COVID-19 (coronavirus), meetings of the Monterey Peninsula Water Management District Board of Directors and committees will be conducted with virtual (electronic) participation only using WebEx.

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Meeting number: 126 952 1170

Meeting password: WaterSupply

Participate by phone: 877-668-4493

For detailed instructions on connecting to the WebEx meeting see page 3 of this agenda.

**Water Supply
Planning Committee
Members:**
George Riley, Chair
Mary Adams
Molly Evans

Alternate:
Alvin Edwards

Staff Contact
David J. Stoldt,
General Manager

*After staff reports have
been distributed, if
additional documents are
produced by the District
and provided to the
Committee regarding any
item on the agenda they
will be made available on
the District's website
prior to the meeting.
Documents distributed at
the meeting will be made*

Call to Order

Comments from Public - *The public may comment on any item within the District's jurisdiction. Please limit your comments to three minutes in length.*

Action Items - *Public comment will be received. Please limit your comments to three (3) minutes per item.*

1. Consider Adoption of July 6, 2020 Committee Meeting Minutes

Discussion Items - *Public comment will be received. Please limit your comments to three (3) minutes per item.*

2. Discuss Water Rights Permits 20808A, B, and C Strategy and Status
3. Update on Pure Water Monterey Project
4. Update on Carmel River SGMA Discussion with State
5. Update on ASR Project

Information Item - *Public comment will be received. Please limit your comments to three (3) minutes per item.*

6. Notification of Award – Proposition No. 1 IRWM Implementation Grant

Suggest Items to be Placed on Future Agendas

Adjournment

*available upon request
and posted to the
District's website within
five days following the
meeting.*

Upon request, MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Submit requests by noon on Friday, July 31, 2020, to the Board Secretary, arlene@mpwmd.net or call 831-658-5652.

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See next page of agenda for instructions on connecting to WebEx meeting

Instructions for Connecting to the WebEx Meeting

Note: If you have not used WebEx previously, when you begin connecting to the meeting you may be asked to download the app. If you do not have a computer, you can participate by phone.

Begin: Within 10 minutes of the meeting start time from your computer click on this link <https://mpwmd.webex.com/mpwmd/onstage/g.php?MTID=e571d66426bdc48dce5be942c5589bffc> or paste the link into your browser, or go to: mpwmd.webex.com.

Under “Join a Meeting” enter the meeting number 126 952 1170, hit the enter key and when prompted enter the meeting password WaterSupply, click “Next” and see the dropdown menu at the bottom of the screen “Use computer for audio” and select the method you will use to hear the meeting – see below.

1) Audio and video connection from computer with WebEx app – view participants/materials on your screen

Click on the “Use computer for audio” drop down list

Click “Join Meeting”

Once in the meeting, mute your microphone.

Turn your microphone on when it is your turn to speak.

2) View material on your computer screen and listen to audio on your phone

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Click on “Join Meeting” / You will see a toll-free telephone number, access code, and attendee ID # -- enter these numbers on your phone.

Mute the microphone on your computer.

Disable computer speakers using the Settings menu.

Join by phone only (no computer) dial 1-877-668-4493 and use the meeting number above.

Protocol for Meetings Conducted by Teleconference

- 1) The Chair will call the meeting to order.
- 2) Receipt of Public Comment – the Chair will ask for comments from the public on all items. Limit your comment to 3 minutes.
 - (a) Computer Audio Connection: Select the “raised hand” icon. When you are called on to speak, please identify yourself.
 - (b) Phone audio connection: Press *9. Wait for the clerk to unmute your phone and then identify yourself and provide your comment. Press *9 to end the call.
- 3) For Action and Discussion Items the Chair will receive a presentation from staff and the Directors may ask questions. Following the question and answer period, the Chair will ask for comments from the public.

Submit Oral or Written Comments

If you are unable to participate via telephone or computer to present oral comments, you may also submit your comments by e-mailing them to comments@mpwmd.net with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT – ORAL COMMUNICATIONS". Comments must be received by 12:00 p.m. on Monday, August 3, 2020. Comments submitted by noon will be provided to the Board of Directors and compiled as part of the record of the meeting.

WATER SUPPLY PLANNING COMMITTEE

ITEM: ACTION ITEM

1. CONSIDER ADOPTION OF JULY 6, 2020 COMMITTEE MEETING MINUTES

Meeting Date: August 3, 2020

From: David J. Stoldt,
General Manager

Prepared By: Arlene Tavani

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Attached as **Exhibit 1-A** are draft minutes of the July 6, 2020 committee meeting.

RECOMMENDATION: The Committee should adopt the minutes by motion.

EXHIBIT

1-A Draft Minutes of the July 6, 2020 Committee Meeting



EXHIBIT 1-A

DRAFT MINUTES Water Supply Planning Committee of the Monterey Peninsula Water Management District July 6, 2020

Call to Order: The WebEx virtual meeting was called to order at 4:10 pm.

Committee members present: George Riley, Chair
Molly Evans
Alvin Edwards

Committee members absent: None

Staff members present: David J. Stoldt, General Manager
Jonathan Lear, Water Resources Division Manager
Thomas Christensen, Environmental Resources Div. Mgr.
Arlene Tavani, Executive Assistant

Comments from the Public:

Action Items

1. **Consider Adoption of May 4 and June 1, 2020 Committee Meeting Minutes**
Adams offered a motion that was seconded by Evans to adopt the minutes of May 4, 2020 and to adopt the minutes of June 1, 2020 with a correction to the last sentence of the motion listed under agenda item 1: "The motion was approved on a ~~unanimous~~ vote of 2 – 1 by....." The motion to adopt the minutes of May 4 and June 1, 2020 was approved on a unanimous vote of 3 – 0 by Adams, Evans and Riley.
2. **Consider Recommendation to the Board to Adopt an Addendum to the District's Prior ASR Environmental Impact Report for Construction of a Bypass Pipeline to Allow Simultaneous Pure Water Monterey Recovery and ASR Injection**
On a motion by Evans and second of Adams, the committee recommended that the item be presented to the Board of Directors for consideration. The motion was approved on a unanimous vote of 3 – 0 by Evans, Adams and Riley. No public comment was directed to the committee.

Discussion Items

3. **Discussion of MPWSP Cost of Water Calculation**
General Manager Stoldt responded to questions from the committee. Chair Riley suggested that the Board could consider making a formal request to California American Water that the denominator used in development of the cost of water calculation be corrected or clarified.

Presentation

4. Review of Cease and Desist Order Milestones

Stoldt responded to questions from the committee. He stated that a request to the State Water Resources Control Board to delay implementation of enforcement action for missing Milestone 5 could come from other parties, not just Cal-Am. He also noted that the stay on physical construction of the desalination plant implemented by Monterey County Superior Court had been extended past the deadline of April 21, 2020 cited in the staff report.

Public Comment: Ian Crooks, California-American Water, stated that it may be difficult to work with the SWRCB on the milestones, and that the community should focus on the “cliff” at the end of 2021 that mandates reduction of withdrawals from the Carmel River to 3,376 acre-feet per year. He reported that the District and Cal-Am had scheduled monthly meetings beginning in July to coordinate on how to meet water supply needs until a project is developed.

5. Update on ASR Project

A summary of Ms. Hamilton’s presentation is on file at the District office and can be viewed on the agency website. She reported on the progress of construction of the water treatment facility at the Santa Margarita site.

6. Update on Pure Water Monterey Project

Stoldt presented a map that showed the location of ASR wells, Pure Water Monterey Wells and production wells in the Seaside Basin. The map is available for review on the District’s website.

Stoldt reported that the Pure Water Monterey Project was in operation. The first 1,000 acre-feet of water was being injected to create the operating reserve and it should be achieved by August 2020. He narrated a presentation that described improvements that were needed, including installation of an additional deep injection well that would increase production from 1,400 to 2,800 gallons per minute. The increased production level would meet the requirements for creation of a drought reserve and annual delivery requirements. The presentation also addressed how meeting production goals would affect the cost of water. The presentation can be viewed on the District’s website.

Suggest Items to be Placed on Future Agendas

There was no discussion of this item.

Adjournment: The meeting was adjourned at 5:40 pm.

WATER SUPPLY PLANNING COMMITTEE

ITEM: DISCUSSION ITEM

2. DISCUSS WATER RIGHTS PERMITS 20808A, B, AND C STRATEGY AND STATUS

Meeting Date: August 3, 2020 **Budgeted:** N/A

From: David J. Stoldt **Program/**
General Manager **Line Item No.:** N/A

Prepared By: David J. Stoldt **Cost Estimate:** N/A

General Counsel Approval: N/A

Committee Recommendation: N/A

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: On March 4 2020, the District received a letter from the State Water Resources Control Board (SWRCB) asking the District a number of questions regarding Water Rights 20808 held by the District. The letter provided a history of the 20808 Water Right(s) and described the process in which the water right was split into 3 separate water rights. The letter asked two specific questions regarding Water Right 20808B and outlines a few important dates related to Water Rights 20808 A and C.

At its April 20, 2020 meeting the District Board reviewed the letter, heard staff propose a framework for a response, and authorized a response to be sent. That response letter is attached as **Exhibit 2-A**.

Staff has further evaluated a strategy for the water rights and prepared a Technical Memorandum attached as **Exhibit 2-B**, for discussion by the Committee at its August 3, 2020 meeting.

EXHIBITS

2-A April 24, 2020 District Letter to State Water Board

2-B MPWMD Technical Memorandum 2020-1



April 24, 2020

Thaddeus Hunt
PO Box 2000
Sacramento, CA 95812-2000

Subject: Response to State Water Resource Control Board Letter Regarding the Petition for Time Extension for Water Right 20808B (Application A027614B) to Appropriate Water from the Carmel River and Subterranean Flow of the Carmel River in Monterey County

Dear: Mr. Hunt

Thank you for your letter regarding the suite of 20808 Water Rights held by the District. Your letter provides a history of the 20808 Water Right(s) and describes the process in which the Water Right was split into 3 separate Water Rights. Your summary is consistent with District's understanding of the Water Rights history. Your letter asks two specific questions regarding Water Right 20808 B and outlines a few important dates related to Water Rights 20808 A and C.

Your questions regarding the 20808 B Right focus on the District's plan to continue to move forward with its current Petition for Extension of Time to construct the New Los Padres Dam and to show diversions for beneficial use. The window of time to complete construction and show beneficial use ends December 1, 2020. This deadline will not be met. State Water Resources Control Board (SWRCB) staff asks the District two questions: 1) whether the District would like to keep the petition for extension of time to construct the Dam, and 2) if the District is considering filing a petition for extension of time to demonstrate diversions to beneficial use under this permit.

Related to the 20808 A and C Water Rights, SWRCB staff reminds the District that on December 1, 2020 the period to demonstrate beneficial use of water diverted under these permits expires. At that point, even if the face value of the Water Rights is larger than the maximum volume diverted in a calendar year, the Water Rights are capped at the maximum demonstrated volume. In addition, these Water Rights have a maximum rate of diversion which would also be capped at the demonstrated rate. The District has demonstrated maximum instantaneous diversion rates for each of these Water Rights, but has not yet demonstrated the maximum annual face value of the Rights. Face values for 20808 A and 20808 C are 2,476 and 2,900 acre-feet per calendar year, respectively.

In response to your letter, on 3/24/20 District staff and SWRCB staff had a conference call to chart a path forward for the Water Rights. SWRCB staff explained when the period to demonstrate beneficial use for a water right comes to a close, the water right holder has three choices; 1) keep diverting water under the right capped at the maximum calendar year diversion of record, 2) file a petition for an extension of time to demonstrate maximum beneficial use, or 3) file to license the water right. When a water right is licensed, a finding is made as to the maximum diversion rate and the maximum annual diversion volume. The findings often do not set the rate and volume of the right above what has been demonstrated, however the District can work with SWRCB Staff to provide information and analysis that may allow the State Board to make a finding that would set the Water Right at an annual volume larger than the largest volume diverted in the last 10 years.

EXHIBIT 2-A

Mr. Thaddeus Hunt

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April 24, 2020

Regarding the 20808 B Water Right, it is understood that the New Los Padres Dam is no longer a feasible water supply option and will not be constructed. Therefore the District is currently undertaking an alternatives analysis to identify projects that would be able to make use of this Water Right if a Petition for Change of Use were to be filed. District and SWRCB Staff discussed that a change of use would be more likely to be approved by the State Board if it included a reduction in the Right and did not have a negative effect on downstream water rights holders. MPWMD staff recapped that all the alternatives being considered would not be able to use all of the face value of the Water Right. Further, 20808 B is a junior Water Right so use of the Right is not allowed to negatively affect more senior Water Rights holders.

Regarding licensing the 20808 A and C Water Rights, it was discussed that they are subject to in-stream flow requirements that must be met prior to diverting water and therefore the annual volume is controlled by storm patterns and the response of the Carmel River. The District has daily streamflow records dating back to the 1950's that can be used to demonstrate the maximum number of days in a calendar year that would allow diversion under these water rights. This analysis coupled with plans to improve and expand the Carmel Valley well field as outlined in testimony in the California American Water 2021, 2022, and 2023 General Rate Case which is currently before the Public Utility Commission (CPUC) could be the base to make a finding for larger than demonstrated annual volume. However, this analysis and finding would need to be evaluated by SWRCB Staff at the time of licensing the Water Rights.

Following our conference call, District Staff met internally with District Counsel in order to understand the relationship between the Water Rights and Water Code Sections 844 and 1700 before developing a recommendation for moving forward with a Petition for Extension of Time and Licensing. On April 6th, the MPWMD Water Supply Committee considered this item and recommended the item be considered by the full Board. MPWMD Board considered this item on April 20th and provided the following direction:

- For 20808 B, MPWMD Board directed District Staff to file a Petition for Extension of Time to show beneficial use and withdraw the Petition for Extension of Time to construct New Los Padres Dam. Once the District has completed a feasibility analysis and identified viable project(s), file a Petition for Change to modify the water right to apply to the new application(s).
- For 20808 A and C, MPWMD Board directed District Staff to initiate the licensing process and provide an analysis that could allow SWRCB Staff to make a finding for more water than the highest annual volume based on a streamflow analysis and CPUC testimony. At the time that the draft license volumes are available, bring them to the Board for further direction.

Thank you again for bringing these items to the District's attention. Now that I have received direction from my Board, I will have my staff work with SWRCB staff to begin these processes. Thank you for your attention and advice regarding these matters, these Water Rights are an important component of this region's future water supply portfolio. If you have questions, please contact Jonathan Lear at 831-658-5647 or jlear@mpwmd.net.

Sincerely,



David Stoldt
General Manager

Monterey Peninsula Water Management District

EXHIBIT 2-B



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MPWMD TECHNICAL MEMORANDUM 2020-01

Date: July 1, 2020
To: Dave Stoldt, General Manager
From: Jonathan Lear, PG, CHg, Water Resources Division Manager
Thomas Christensen, PG, Environmental Resources Division Manager
Subject: Steps toward licensing of Carmel River water rights Permits 20808A and 20808C and making a petition for extension of time to show beneficial use for 20808B to the State Water Resources Control Board

BACKGROUND

MPWMD holds a suite of water rights that originated with the proposed New Los Padres Dam on the Carmel River. Water rights (WR) 20808 A and C are used for ASR diversions to injection and are due to be licensed. "Licensing" means a permanent and formal water right issued by the State Water Resources Control Board (SWRCB). WR-20808 B is a right to impound water behind New Los Padres Dam, which has never been exercised. A condition for maintaining a water right permit from the SWRCB is that the permittee (the District) must demonstrate that a project is diligently pursued. For a permit time extension, the SWRCB requires that a permittee describe the reason(s) for a delay in the development of a project. For a time extension, the Board must make these findings:

- Due diligence has been exercised by the petitioner,
- Failure to comply with previous time requirements has been occasioned by obstacles which could not reasonably be avoided,
- Satisfactory progress will be made if the time extension is granted; and that
- Approval of the petition is in the public interest.

Concerning WR permit 20808B, it is difficult to show diligence in pursuing a new large dam on the Carmel River after 2003; however, the District could cite evidence that a new large dam would not be permitted (NMFS letters circa 2008, MPWMD resolution) and show some progress toward planning for smaller projects. There is also the potential to address the condition for maintaining a water rights permit from the SWRCB

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because the permittee has demonstrated that a project is diligently pursued. For a permit time extension, the SWRCB requires that a permittee to describe the reason(s) for a delay in the development of a project.

For any time extension, the District should consider what a reasonable length of time for which to petition would be. Given the difficulty of developing projects, a 40-year time extension should not be out of the question.

For a time extension, the Board should make findings that the MPWMD Board considered these items on April 20th and provided the following direction:

- For WR-20808 B, MPWMD Board directed District Staff to file a Petition for Extension of Time to show beneficial use and withdraw the Petition for Extension of Time to construct New Los Padres Dam. Once the District has completed a feasibility analysis and identified viable project(s), file a Petition for Change to modify the water right to apply to the new application(s).
- For WR-20808 A and C, MPWMD Board directed District Staff to initiate the licensing process and provide an analysis that could allow SWRCB Staff to make a finding for more water than the highest annual volume based on a streamflow analysis and CPUC testimony. At the time that the draft license volumes are available, bring them to the Board for further direction.

Plan of Action

- 1) Develop a schedule incorporating the tasks necessary to submit petitions to the SWRCB for 20808b and enter the Licensing process for 20808 A and C;
- 2) Summarize efforts to date toward perfecting ASR rights and continue to show progress toward using rights under permit 20808B;
- 3) Develop descriptions of additional projects that would use rights under 20808B;
- 4) Submit Petition for extension of time with plan for pursuing project portfolio; and
- 5) Contract with an Engineering firm to evaluate feasibility and obtain project cost estimates and generate dollar per acre foot for projects.

Projects Overview

Thomas Christensen and Jon Lear both went through paper files maintained by Andy Bell, Larry Hampson, Joe Oliver, and Darby Fuerst to identify projects that had been investigated in the past involving off-channel surface and sub-surface storage. A suite of projects were identified that are potentially feasible that could use water rights from WR-20808 B through a change of use petition. Tables and Plates for these projects are attached to this memo. The workflow proposed to investigate these projects would allow for selection of one project or could be used to construct a suite of projects to put together a water portfolio. A table showing projects and yields is included with this memo.

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1. **Turlacitos Off-Channel Storage** – This project would divert water from the Carmel River at the confluence of Turlacitos Creek at a property owned by California American Water Company (Cal-Am.) The diversion would be from a Ranney Collector or intake screens like the ones used at the Sleepy Hollow Fish Rearing Facility. Water would be diverted and impounded behind a dam in the Chupines Creek Watershed through a 24” raw water pipeline using booster stations. At 1,400 feet elevation at top of dam, there is 15,500 AF of storage available. When the water is needed, it can be gravity fed back to a surface water treatment plant and then delivered to the Cal-Am 36” main in Carmel Valley Road. Project yield is limited by surface water diversion of 8,000 gallons per minute (gpm) or 17.9 cfs. Average yield for this project would be 2,350 AF/year diverted from the Carmel River and 730 AF from the Chupines Drainage. Extremely wet yield would be 4,930 AF diverted from the Carmel River and 1,450 from Chupines for a total of 6,380. The available storage of 15,500 AF would allow for year over year storage operational flexibility.
2. **Seaside Well Field Expansion and Surface Diversion** – This project would utilize the same surface water diversion as the Turlacitos project, except instead of impounding the diverted water in a surface reservoir it would be treated, introduced to the Cal-Am system, and brought to Seaside for injection in an expanded ASR well field. If a diversion rate of 8,000 gpm is sustainable, the project would yield 2,350 AF per year. The Seaside ASR well field would need to be expanded by up to 6 wells. In 2007 a study identified the “Sweet Zone” for ASR operations in the Seaside Basin and located a number of sites for ASR well couplets. We have included those plates in the appendix to this Memorandum. Three of these locations would need to be developed to support this project.
3. **Carmel Valley and Seaside Well Field Expansion** – There are seven additional well sites that can accommodate replacement wells to utilize permits WR-20808 A and C. This project would construct these wells and expand the Carmel Valley production capacity by 7,000 gpm based on estimates of how current wells perform by location in the CVAA. The Begonia Iron Removal Plant (BIRP) would need to be upgraded to handle the higher through-put. Five new ASR wells would need to be constructed in the Seaside Basin to handle the increased injection. This project would yield an average of 2,060 AF per year.
4. **Turlacitos ASR** – If a surface water impoundment is not feasible in the Chupines Basin, there is a sandstone unit bound by faults that could possibly support an ASR program. The District is currently investigating the high-level feasibility of this program with Right on Q, INC with the use of the Carmel River Watershed Hydrologic Model as the hydrogeologic framework model. The District is evaluating if water is injected into this sandstone, will it be recoverable? Based on available well capacity data for this geologic unit, an initial estimate for injection and production capacities are 500 and 1,000 gpm respectively. The lower capacities of these wells than ASR wells in the Seaside Basin will require more wells to achieve the same injection volume. At a 500 gpm injection rate, a 12 well injection field

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could support 6,000 gpm diversion rate. This would place the average annual yield for this project at 1,770 AF per year. It should be noted that while Seaside injection wells have higher capacity and require fewer wells for the same volume and a well field with a larger number of wells, they have a more robust firm capacity and lose significantly less injection capacity when a single well is non-operational. Wells installed into the sandstone would not need to be as deep or require as large casings as wells installed into the Seaside Basin. A cost comparison will be performed into the economics of the different ASR well fields.

It is envisioned that MPWMD technical staff will engage in feasibility and cost studies of these projects using consulting engineering services with the goal of obtaining cost per acre foot numbers. This plan of action, project analysis, and testimony from the General Rate Case will be used when filing the petition for extension of time to show beneficial use.

Permit Time Extension – Instructions from SWRCB (from website)

This section describes the Water Rights time extension petition process. Post-1914 appropriative right permits contain deadlines for beginning construction work, completion of construction work, and application of water to beneficial use. Unlike riparian rights, permits to appropriate water are limited to the maximum amount that is needed by the proposed project (or "beneficial use[s]"), for as long a time as the project is deemed reasonable and diligently pursued. If the right holder is not able to complete the project by the timeline specified in the permit, the party may need to file a time extension petition to ask for additional time.

To change their water right, the petitioner must follow these steps:

Submit a Petition. The process is initiated when a time extension petition is filed by right holder. This petition describes how long of a time extension the party is seeking and the reason for the delay in the development of the project.

Review of the Petition Form. The Board notifies the petitioner shortly after receipt (typically within 30 days) if the petition is incomplete.

Environmental Review. Consideration of environmental effects is required by the California Environmental Quality Act before a change petition can be issued. The Board examines the proposed project's potential environmental impacts and determines whether mitigation measures will be needed. In addition to any obligation the State Water Board may have under the California Environmental Quality Act, the State Water Board has an independent obligation to consider the effect of the proposed project on public trust resources and to protect those resources where feasible.

Public Notice and Protest Resolution. If necessary, the State Water Board will require the petitioner to publish notice of the right holder's request for an extension of time and invite comment. The State Water Board will consider any protests that have been filed. If both parties can agree to mutually acceptable conditions, the protest is resolved at this point in the process. In

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the event it is not resolved for small projects, the issue may be addressed by the Division of Water Rights through a field investigation. For appeals from the report and for large projects, a formal hearing is held before one or more members of the State Water Board. The State Water Board's decision is based upon the record produced during the hearing.

Hydrologic Analysis. Before granting a change petition, the State Board evaluates if the change could result in a decrease in stream flow. If analysis is needed, it is typically performed by an engineering consultant retained by the applicant. Occasionally, the applicant or Board staff may perform the analysis.

Compliance with Applicable Policies. Projects located in certain geographic areas are required to comply with applicable State Board Policies relevant to processing of a water right change petition. The [Policy for Maintaining Instream Flows in Northern California Coastal Streams](#) applies to projects located in Marin, Sonoma, and portions of Napa, Mendocino, and Humboldt Counties. Petitions for projects in this area may be subject to special requirements including hydrologic analysis and when adding an onstream dam.

Revised Permit Issuance. Three initial Board findings are required before a petition for extension of time can be approved:

- Due diligence has been exercised by the petitioner,
- Failure to comply with previous time requirements has been occasioned by obstacles which could not reasonably be avoided,
- Satisfactory progress will be made if the time extension is granted; and that
- Approval of the petition is in the public interest. If the Board determines otherwise, conditions may be imposed to ensure the criteria are satisfied or the petition may be denied.

Currently, the Water Rights Petition Program is estimated to require five to seven years for regular priority projects from the time a petition is received to the time that a decision is rendered. Petitions may be considered for higher priority depending on their consistency with these [criteria](#).

Regulatory Process Flow charts from the SWRCB are attached to this memo so that the team can stay on the same page as MPWMD moves forward with licensing and filing petitions with the Board.

EXHIBIT 2-B

Tables and Plates

EXHIBIT 2-B

	Operational Days		Diversion Rate (gpm)																
	20808 A	20808 C	500	1000	1500	2000	2500	3000	3500	4000	4500	5000	5500	6000	6500	7000	7500	8000	
Critically Dry	4	3	7	13	20	26	33	40	46	53	59	66	73	79	86	92	99	106	
Dry	18	14	31	62	92	123	154	185	216	246	277	308	339	370	400	431	462	493	
Below Normal	41	33	73	145	218	290	363	436	508	581	653	726	799	871	944	1016	1089	1162	
Normal	69	62	136	273	409	546	682	818	955	1091	1228	1364	1500	1637	1773	1910	2046	2182	
Above Normal	94	102	224	449	673	898	1122	1346	1571	1795	2020	2244	2468	2693	2917	3142	3366	3590	
Wet	115	114	251	502	752	1003	1254	1505	1756	2006	2257	2508	2759	3010	3260	3511	3762	4013	
Extremely Wet	139	140	308	616	924	1232	1540	1848	2156	2464	2772	3080	3388	3696	4004	4312	4620	4928	

Average 147 294 441 588 735 883 1030 1177 1324 1471 1618 1765 1912 2059 2206 2353

Rounded Values

	Operational Days		Diversion Rate (gpm)																
	20808 A	20808 C	500	1000	1500	2000	2500	3000	3500	4000	4500	5000	5500	6000	6500	7000	7500	8000	
Critically Dry	4	3	10	10	20	30	30	40	50	50	60	70	70	80	90	90	100	110	
Dry	18	14	30	60	90	120	150	180	220	250	280	310	340	370	400	430	460	490	
Below Normal	41	33	70	150	220	290	360	440	510	580	650	730	800	870	940	1020	1090	1160	
Normal	69	62	140	270	410	550	680	820	950	1090	1230	1360	1500	1640	1770	1910	2050	2180	
Above Normal	94	102	220	450	670	900	1120	1350	1570	1800	2020	2240	2470	2690	2920	3140	3370	3590	
Wet	115	114	250	500	750	1000	1250	1500	1760	2010	2260	2510	2760	3010	3260	3510	3760	4010	
Extremely Wet	139	140	310	620	920	1230	1540	1850	2160	2460	2770	3080	3390	3700	4000	4310	4620	4930	

Yield numbers in Acre Feet per year

Average		150	290	440	590	740	880	1030	1180	1320	1470	1620	1770	1910	2060	2210	2350
Operating AF/day		2	4	6	8	10	12	14	16	18	20	22	24	26	28	30	32
Diversion Rate (cfs)		1.1	2.2	3.3	4.5	5.6	6.7	7.8	8.9	10.0	11.2	12.3	13.4	14.5	15.6	16.7	17.9

EXHIBIT 2-B

	Project Name	Description	Estimated Project Yied (AFY)	Maybe Not Go Togethe
1)	Turlacitos Off Channel Storage	Divert Carmel River winter flows via a surface diversion and store in a off channel reservoir	3080	X
2)	Seaside Well Field Expansion and Surface Diversion	Divert Carmel River winter flows via a surface diversion and inject in an expanded Seaside well field	2350	*
3)	Carmel Valley and Seaside Well Field Expansion	Increase capacity to divert and inject winter flows in Carmel Valley through well field capacity	2060	*
4)	Turlacitos ASR	Divert Carmel River winter flows via a surface diversion and inject and recover with a Turlacitos well field	1180	X
5)	Raise Los Padres Dam	Install rubber dam on Los Padres Dam	1116	
6)	CAWD Production Well	Partner with CAWD and install a well at their facility that can build a drought reserve for Pebble Beach in the Seaside Basin	500	
	Well Name	Estimated Production (gpm)		
	Well A	1000		
	Rancho Canada West	1200	Highest Yield Project Combination	
	Well C	1200	Turlacitos Off Channel Storage	3080
	Well D	1000	Carmel Valley and Seaside Well Field Expansion	2350
	Well E	100	CAWD Production Well	500
	Well F	600		5930
	Well G	600		
	CAWD	1300		
		7000		

EXHIBIT 2-B

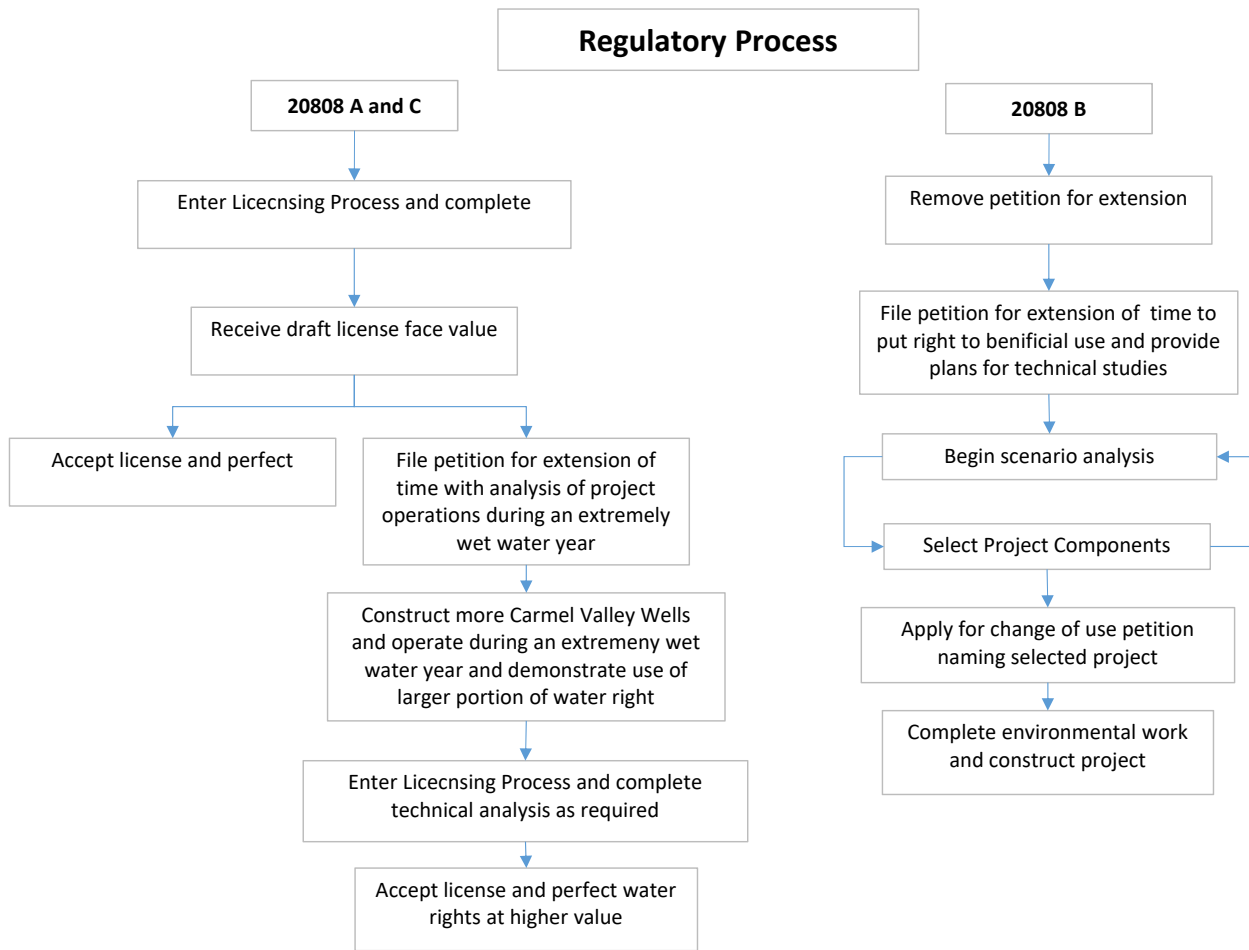
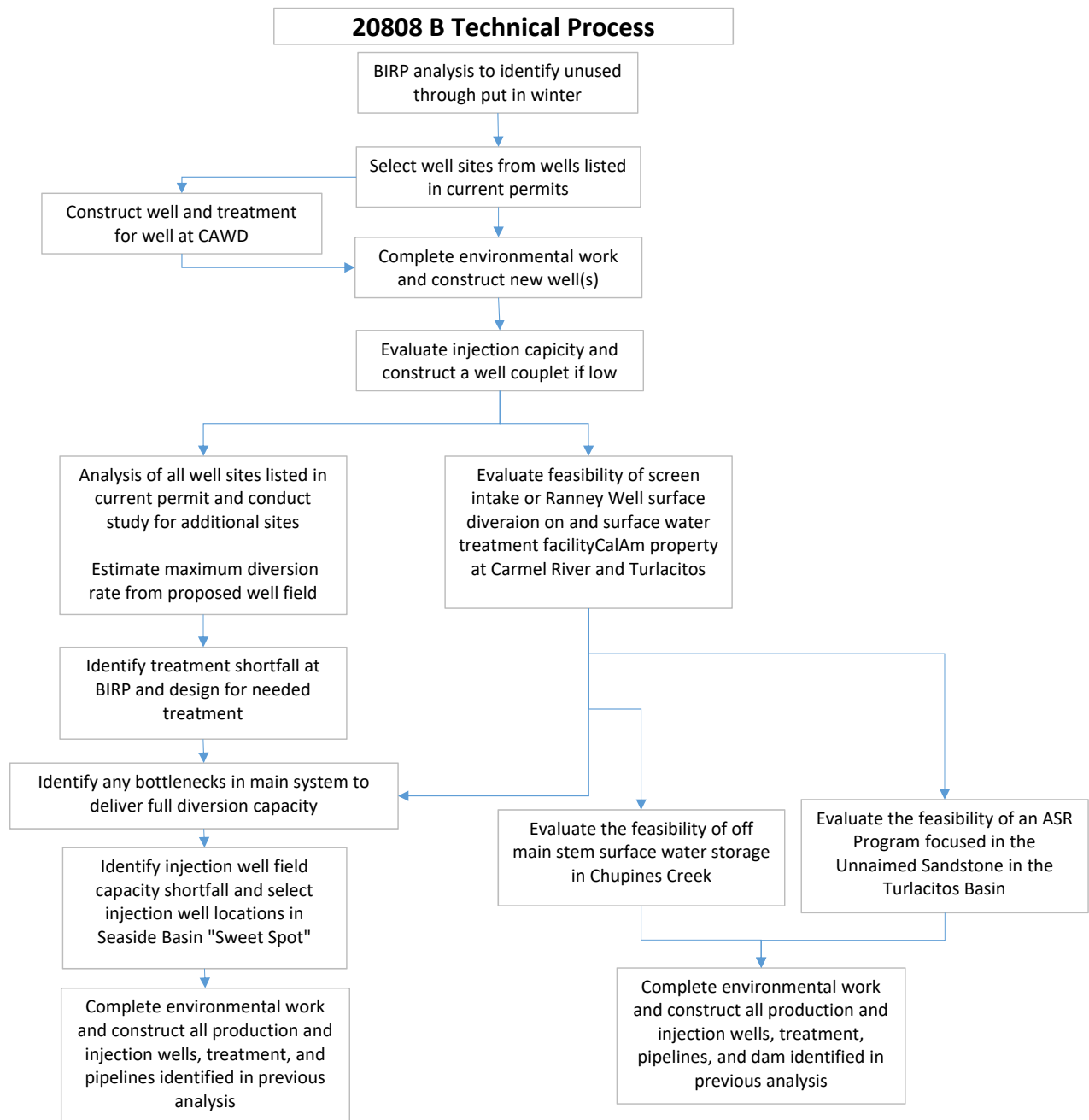


EXHIBIT 2-B



Diversion from Carmel River Storage in Seaside

- 1) Expansion of Carmel Valley Well Field
- 2) Increased BIRP treatment capacity, and/or
- 3) Surface water diversion and treatment
- 4) Expansion of Seaside Injection well field
- 5) All connecting piping

Diversion from Carmel River storage in Turlacitos Basin

- 1) Surface water diversion and treatment
- 2) Construction of Dam
- 3) Installation of injection well field in Turlacitos
- 4) All connecting piping
- 5) Real Property negotiation

EXHIBIT 2-B

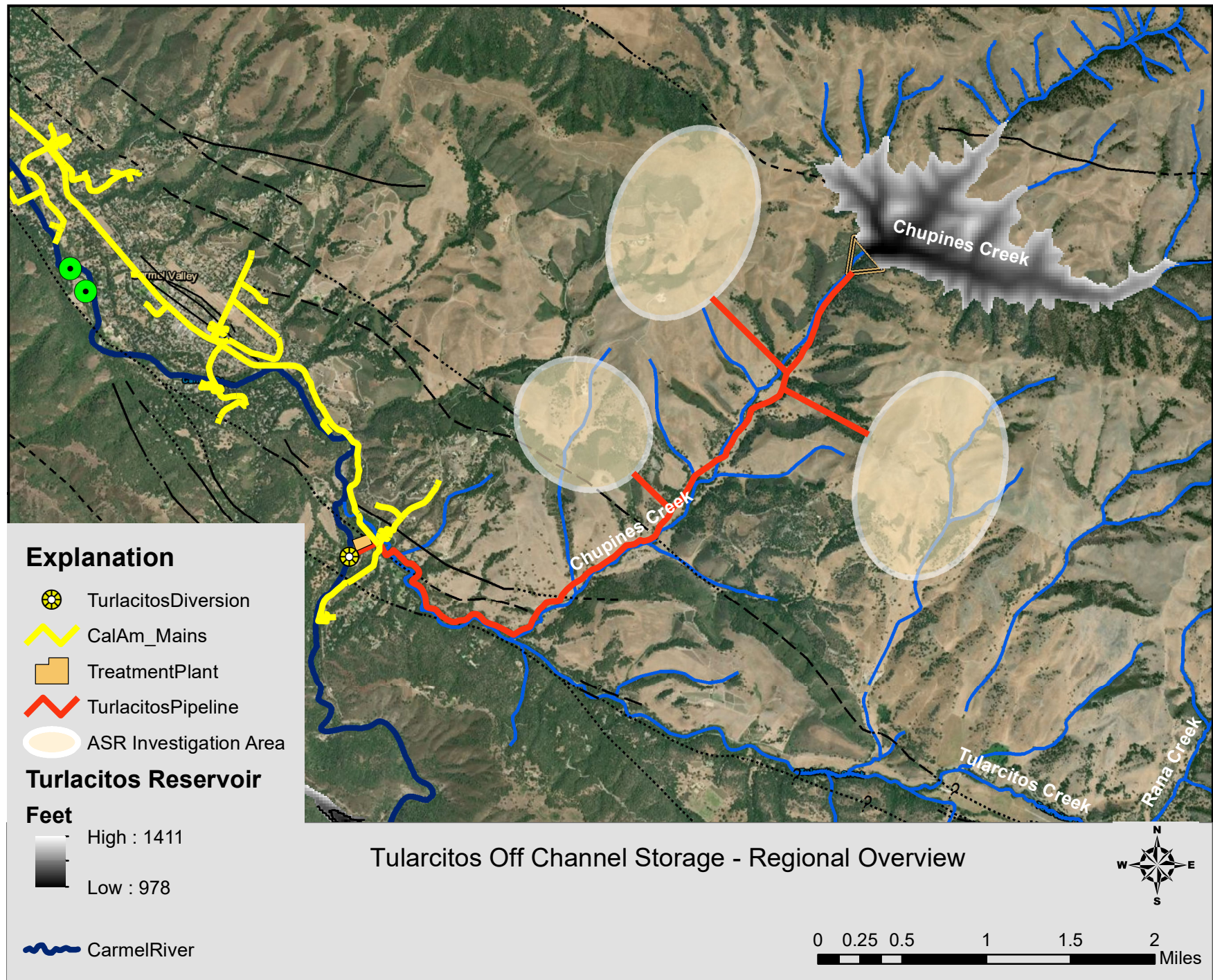


EXHIBIT 2-B

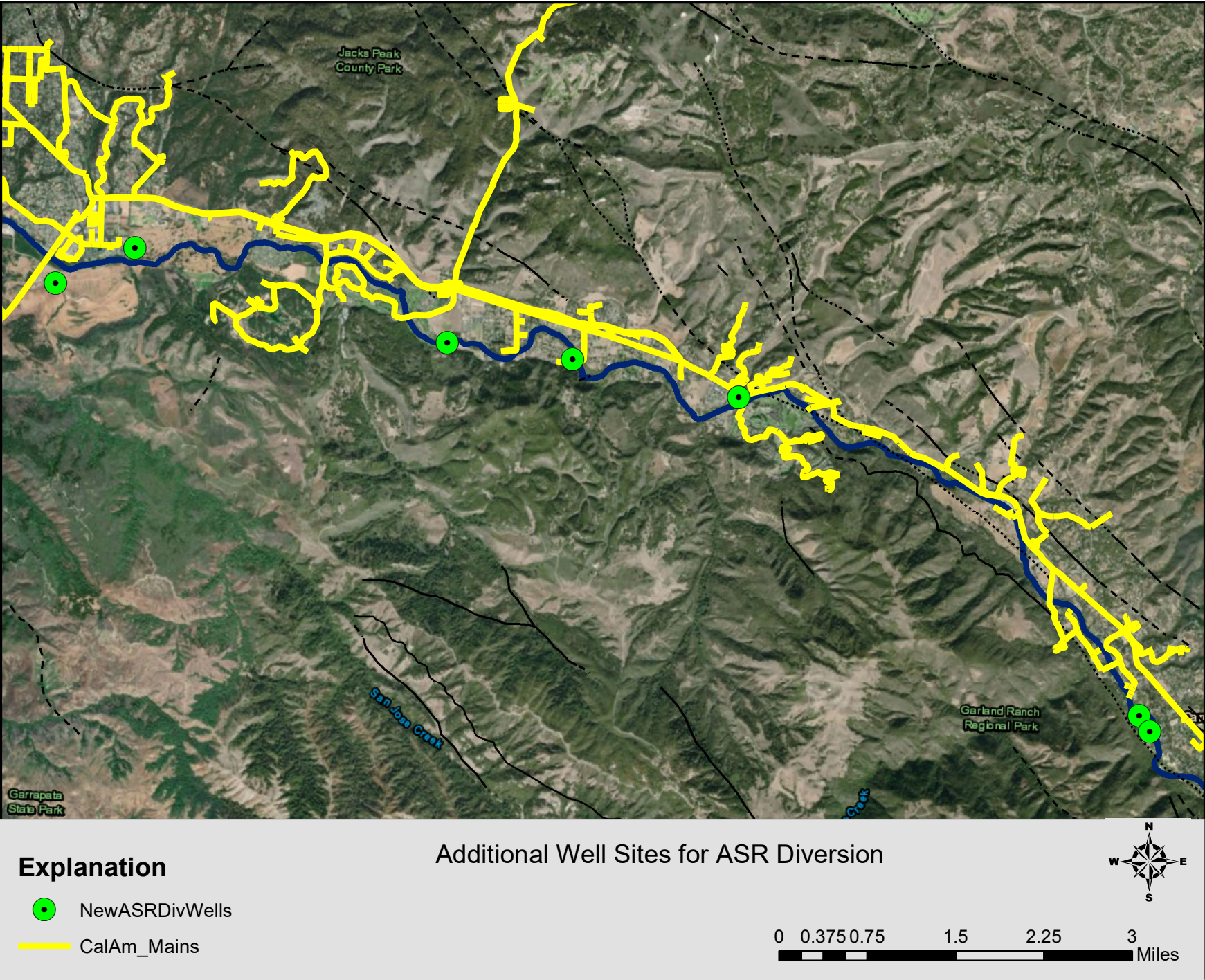


EXHIBIT 2-B



Recommended ASR Wellfield Location

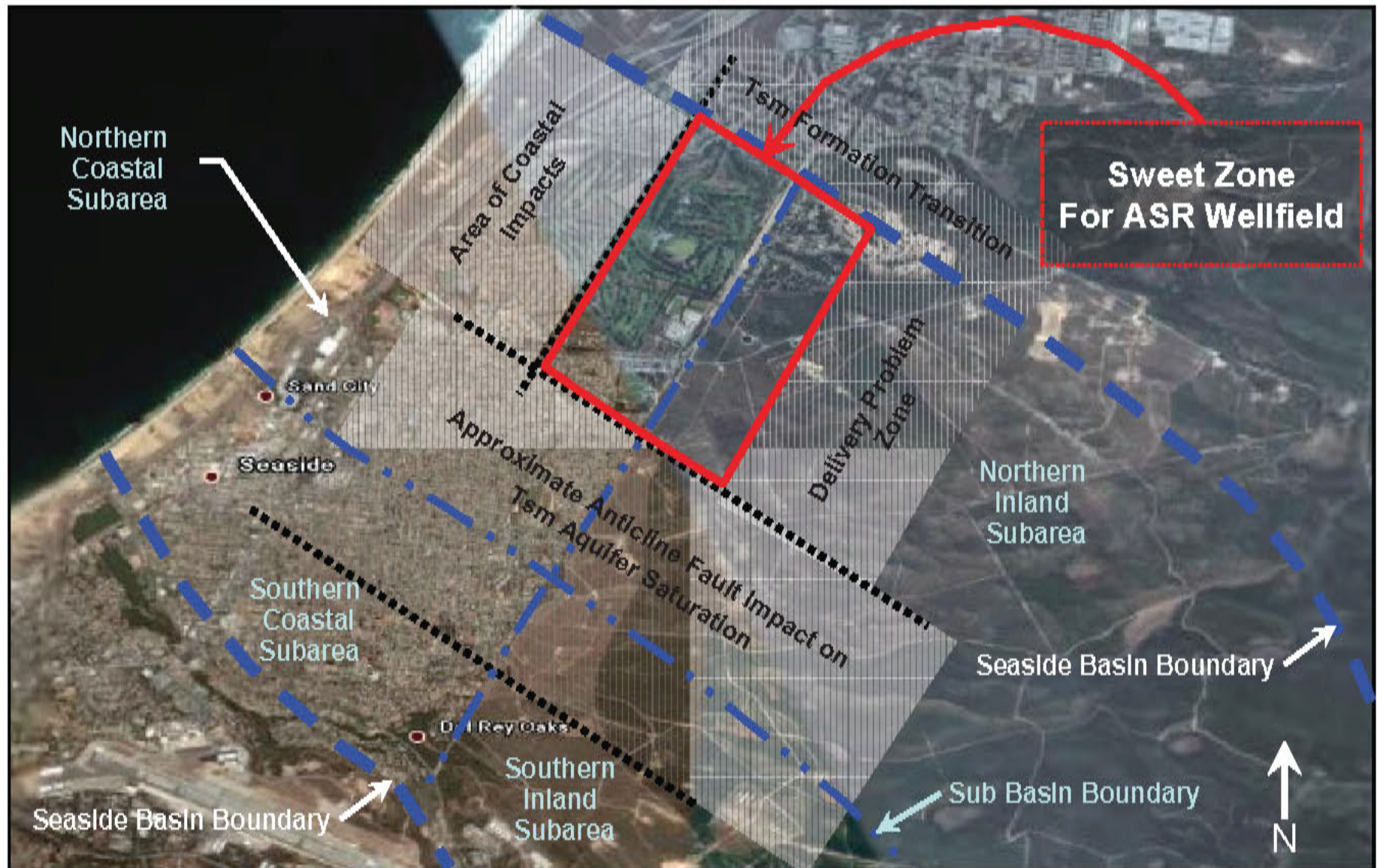


EXHIBIT 2-B

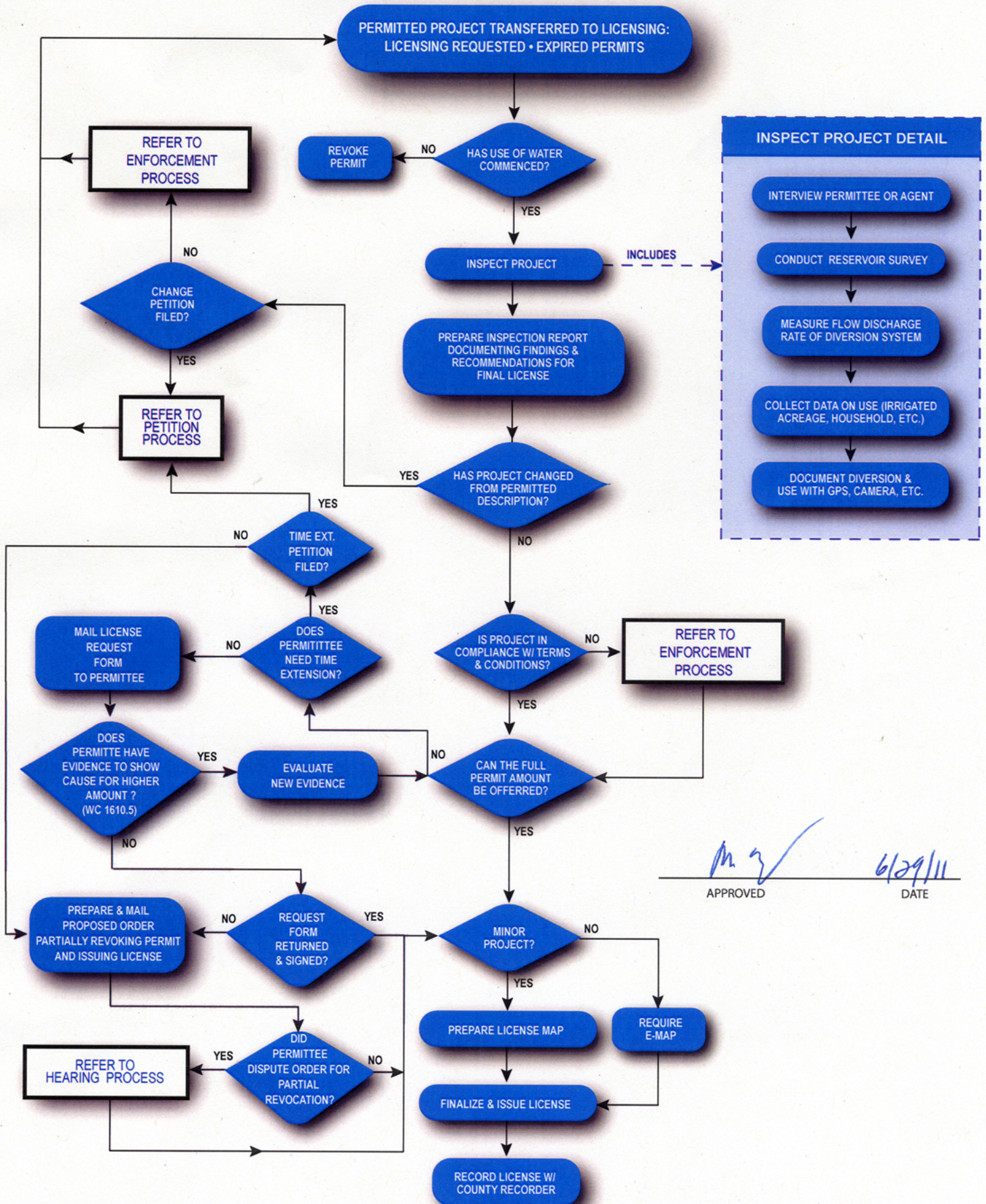


EXHIBIT 2-B

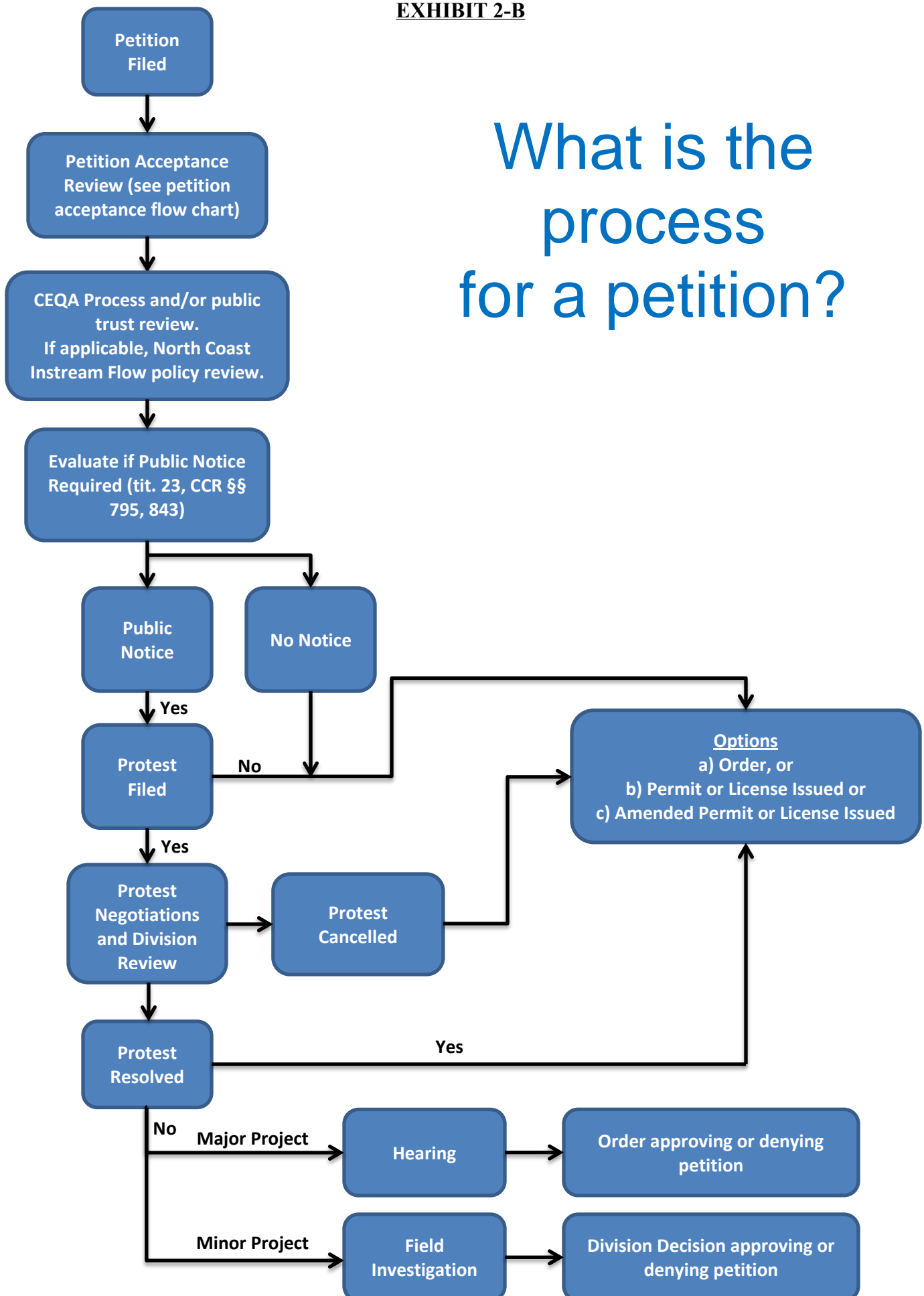
SWRCB Regulatory Process
Flow Charts

EXHIBIT 2-B

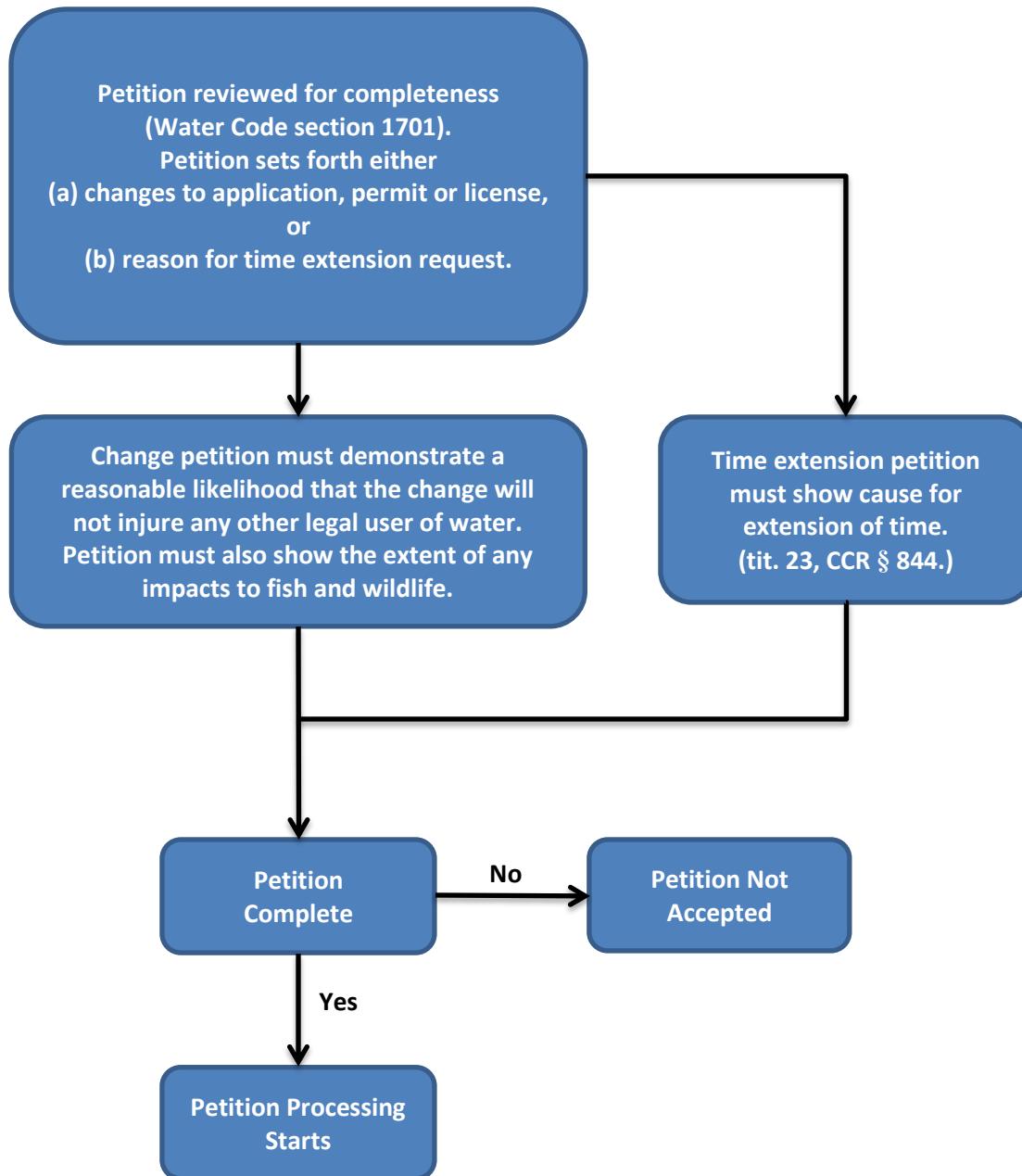
LICENSE PROCESS



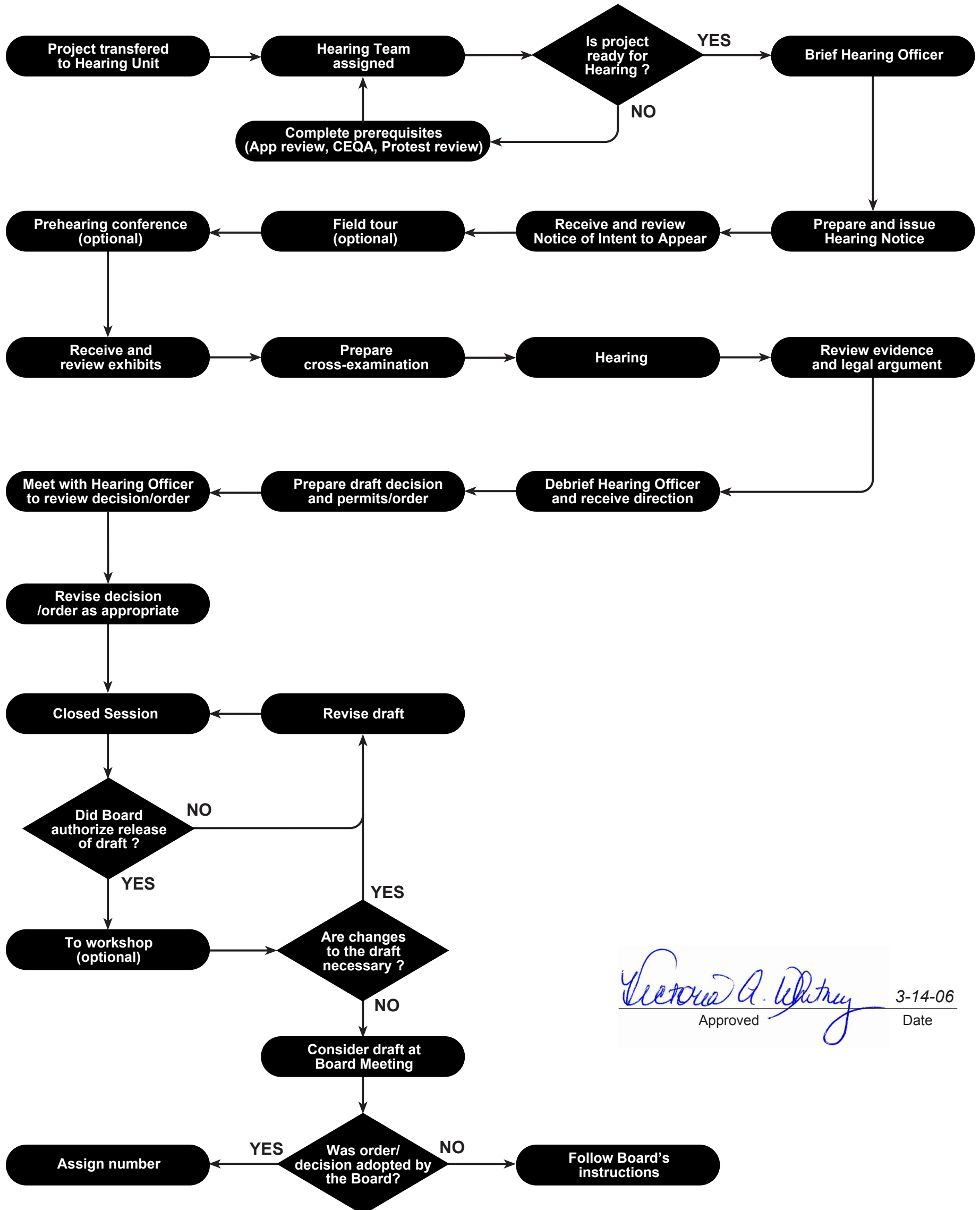
What is the process for a petition?



Petition acceptance review process

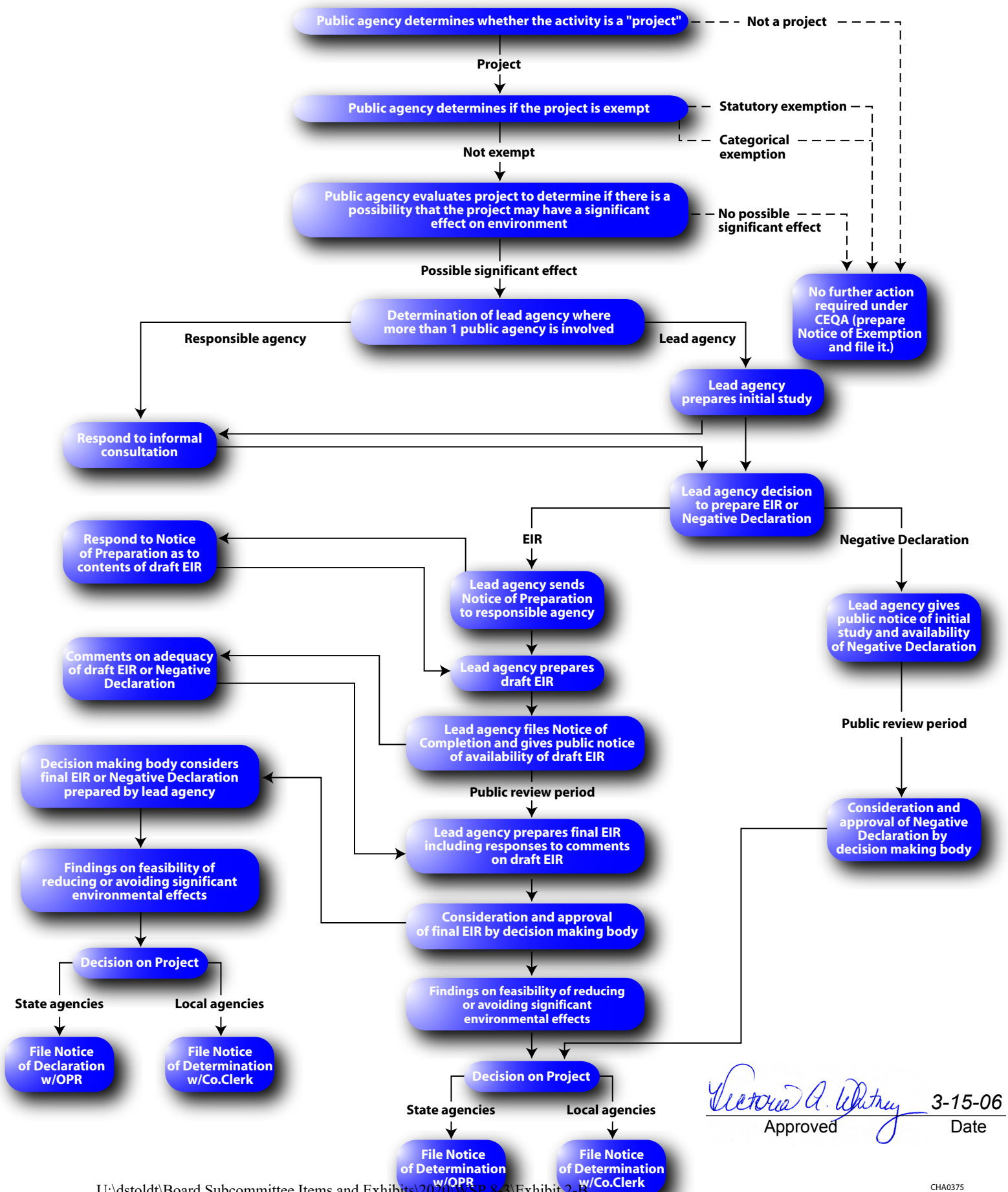


Hearing Process



Victoria A. Whitney 3-14-06
 Approved Date

EXHIBIT 2-B CEQA Process



WATER SUPPLY PLANNING COMMITTEE

ITEM: DISCUSSION ITEM

4. UPDATE ON CARMEL RIVER SGMA DISCUSSION WITH STATE

Meeting Date: August 3, 2020 **Budgeted:** N/A

From: David J. Stoldt **Program/**
General Manager **Line Item No.:** N/A

Prepared By: David J. Stoldt **Cost Estimate:** N/A

General Counsel Approval: N/A

Committee Recommendation: N/A

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

DISCUSSION: On May 23, 2019 MPWMD received a letter from the State Water Resources Control Board (SWRCB) Chief of the Groundwater Management Program making the finding that while the Sustainable Groundwater Management Act (SGMA) planning deadlines are technically applicable to the Carmel Valley Alluvial Aquifer (CVA), failing to meet these deadlines would not result in SWRCB staff recommending to place the CVA into probationary status. Following receipt of this letter, staff inquired to Amanda Peisch-Derby, the Central Coast groundwater basins Department of Water Resources (DWR) regulator, how the District acting as the CVA's Groundwater Sustainability Agency (GSA) was to participate in SGMA requirements. On 7/15/2020 Ms. Peisch-Derby informed Jon Lear that through the Practices and Procedures that had been set up while working on the Critically Overdrafted Groundwater Basins, the CVA GSA would be required to submit a Groundwater Sustainability Plan (GSP) by January 31, 2022 along with all other High Priority Basins listed in SGMA.

On 7/16/2020 a telephone conference was held between Dave Stoldt and Jon Lear of MPWMD, Craig Altare and Ms. Peisch-Derby from DWR, and Natalie Stork the current Chief of Groundwater Management Program at SWRCB regarding how the CVA fit into the regulatory framework of SGMA. Natalie affirmed that SWRCB staff agreed with the findings in the May 23, 2019 letter and SWRCB staff had no plans to recommend to their Board that the CVA put into probationary status. Amanda restated that DWR Procedures would require that DWR report to the SWRCB that the CVA GSA had not complied with submitting a GSP, however DWR does not have authority to manage groundwater. Mr. Altare, the DWR Coordinating Officer for SGMA, stated that he did not see a problem with this arrangement and unless a SGMA structured GSP was useful locally to manage the CVA, he did not see a reason to prepare a GSP and submit it to DWR. Ms. Peisch-Derby pointed out that technically the CVA would be listed or shown on a map as a groundwater basin that had not complied with SGMA. Craig said possibly there could be a footnote on a table and a different color on a map the CVA due to the special circumstances. Jon Lear asked if being included in a list of groundwater basins out of compliance with SGMA would restrict the District from applying for DWR grant funding. Mr. Altare replied that he would check with his colleagues at DWR and see if this was a potential issue. District staff will follow up.

WATER SUPPLY PLANNING COMMITTEE

ITEM: INFORMATION ITEM

6. NOTIFICATION OF AWARD – PROPOSITION NO 1 IRWM IMPLEMENTATION GRANT

Meeting Date: August 3, 2020

From: David J. Stoldt,
General Manager

Prepared By: Arlene Tavani

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Attached as **Exhibit 6-A** is a letter from the Department of Water Resources announcing that the District was awarded a \$2,317,040 Proposition 1 IRWM Implementation Grant.

EXHIBIT

6-A July 7, 2020 Letter from the Department of Water Resources

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



Transmitted via email only.

July 7, 2020

Maureen Hamilton
Water Resources Engineer
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940

Award Notification for Round 1 Proposition 1 Integrated Regional Water Management (IRWM) Implementation Grant, Central Coast Funding Area

Dear Ms. Hamilton:

Congratulations! We are pleased to inform you that the proposal, Monterey Peninsula Water Management District Round 1 IRWM Implementation, filed by Monterey Peninsula Water Management District has been awarded **\$2,317,040** by the Department of Water Resources (DWR) for the Round 1 Proposition 1 IRWM Implementation Grant Solicitation. Costs incurred after June 26, 2020 will be eligible for grant reimbursement and costs incurred after January 1, 2015 can be used as required local cost share. This award is conditioned upon the execution of a Grant Agreement between DWR and your agency. Please see the [Agreement Template](#) for your reference.

Your timely attention is directed to the following requirements:

Within 14 calendar days of the date of this award letter:

Award Acceptance - Please submit a letter or e-mail signed by the authorized representative (agreement signatory) confirming your agency as the Grantee to accept the grant award in the amount of \$2,317,040 and your commitment to provide the required non-State cost share of 50% of the total project costs, excluding projects receiving a cost share waiver or reduction.

Electronic Signatures - DWR uses DocuSign to process signatures electronically to expedite all grant-related documents requiring a signature. In order for DWR to send documents to you via DocuSign, we need your permission and consent. If you consent to the use of DocuSign, please send DWR a letter on official letterhead signed by the authorized representative, consenting to the use of DocuSign for all transactions related to this award. Please contact the DWR Project Manager if you would like sample language. If you prefer not to use electronic signatures, DWR can send documents for original (wet) signatures via email or mail, but this can delay the process significantly, especially during situations such as the COVID-19 public health emergency.

Within 60 calendar days of the date of this award letter, or as otherwise specified in the attachment:

Vendor Information - You will receive a Vendor Packet from one of our Grants Analysts shortly; submitting the vendor forms is required to establish grantee contact and payment information with DWR's Accounting Office.

Ms. Hamilton
July 7, 2020
Page 2

Eligibility Requirements - Attachment 1 (Eligibility Criteria Self Certification Form) outlines the conditions that must be met before the grant agreement can be executed and additional requirements that must be addressed to maintain continuing eligibility and receive grant funds. Please complete, sign (electronically if possible) and submit the form and any required additional documentation to the DWR Project Manager according to the specified time periods.

Changes to Work Plan, Budget, and/or Schedule: Please submit a list of projects to be included in the Grant Agreement and any changes to the work plan, budget, and/or schedule since the proposal was submitted. Any proposed changes should be submitted as a Word document in track changes to the original document (work plan, budget and/or schedule), and an explanation of the changes provided. Changes will only be considered acceptable by DWR if the project maintains or increases the level of quality and benefits as compared to the original proposal, unless the grant award amount is less than what was requested in the proposal.

Following receipt of all required information, the DWR Project Manager will work with you to complete the grant agreement for execution and schedule a kick-off meeting.

Your timely attention to these requirements is critical to execute the Grant Agreement; failure to do so may result in DWR revoking the grant award. Please submit the required information in the time periods specified to the DWR Project Manager Monia Holleman at Monia.Holleman@water.ca.gov.

Please contact Maria Lorenzo-Lee at Maria.Lorenzo-Lee@water.ca.gov or (916) 657-4893 or Ashley Gilreath at Ashley.Gilreath@water.ca.gov or (916) 653-9190 for any questions regarding the required materials.

Again, congratulations to you and your Local Project Sponsors on this well-deserved grant award. Our team appreciates the time and effort you contributed to this new and improved grant solicitation process and we will be reaching out in coming months to get your feedback for use in developing the process for Round 2 starting in 2021. We look forward to working with you to complete these IRWM projects to build water resilience in your communities.

Sincerely,

Carmel Brown

Carmel Brown P.E.

ML EE

Chief, Financial Assistance Branch

Division of Regional Assistance

Attachment 1 – Eligibility Criteria Self-Certification Form