



**DRAFT
CONDITIONS OF APPROVAL**

**APPROVAL OF A WATER DISTRIBUTION SYSTEM PERMIT FOR
A REPLACEMENT WELL FOR IRRIGATION AT THE
CARMEL MIDDLE SCHOOL**

Permittee: Carmel Unified School District, a Body Politic

Permitted System: Carmel Middle School Water Distribution System

Recipient Assessor's Parcel Numbers: 015-162-014-000, 015-162-015-000, 015-162-028-000 (Well Site), and 015-162-029-000

Application #WDS-20220119CAR, Permit #M22-01-L3

Mandatory Conditions of Approval

1. The Carmel Middle School Water Distribution System (Permitted System) Permit is authorized by the Monterey Peninsula Water Management District (MPWMD or District) by action on April 6, 2022, under Permit M22-01-L3 to irrigate the landscaping and recreation fields located on four Parcels identified as Assessor's Parcel Numbers (APNs) 015-162-014-000, 015-162-015-000, 015-162-028-000 (Well Site), & 015-162-029-000, as shown in Attachment 1- Parcel Map. This action is referred to herein as the "Carmel Middle School WDS Permit." [Rule 22-D-1-a]
2. The Carmel Middle School WDS is authorized under Permit M22-01-L3 to provide Non-Potable Well water for irrigation on four Parcels identified as Assessor Parcel Numbers (APNs) 015-162-014-000, 015-162-015-000, 015-162-028-000 (Well Site), & 015-162-029-000. The Production Limit shall be set at 37 Acre-Feet-Annually (AFA), and no new Connections are permitted. [Rule 22-D-1-b]
3. The Source of Supply for the Permitted System is one Well located within the Carmel Valley Alluvial Aquifer (CVAA). The Well is located on APN 015-162-028-000 and permitted by Monterey County Environmental Health Bureau Well Permit #20-13419 issued December 29, 2020, and DWR Well Completion Report #WCR2021-004253 signed on April 7, 2021. [Rule 22-D-1-b]
4. No additional agency approvals are required before the WDS is finalized.



5. Permittee shall execute an Indemnification Agreement, provided separately, which holds the District harmless and promises to defend the District from any claims, demands, or expenses of any nature or kind arising from or in any way related to the District approval of the Permitted System or the adequacy of the system water supply. This Permit is not valid until the Indemnification Agreement is signed within 60 days of the hearing date by both the Permittee, Carmel Unified School District, and MPWMD. [Rule 22-D-1-d]
6. Permittee shall comply with District rules relating to water Well registration, metering, and annual reporting of production (MPWMD Rules 52 and 54). [Rule 22-D-1-e; Rule 22-D-2]
7. Permittee shall report production by the Water Meter Method (MPWMD Rule 56) for the Well designated in Condition #2. [Rule 22-D-1-e; Rule 22-D-2]
8. Permittee shall comply with all MPWMD water efficiency rules (e.g., Regulations XIV and Regulation XV). [Rule 22-D-1-f]
9. Permittee shall comply with District regulations that govern Water Meter Connections, including payment of applicable fees. No new Connections are approved as part of Permit #M22-01-L3. [Regulation II, Permits]
10. Any new Water Gathering Facility, Source of Supply, expansion of Service Area boundary, changed conditions regarding water service by other entities, increase in the System Limit set in Condition #2, or other changes described in MPWMD Rule 22-E shall require a Permit to amend the Permitted System. [Rule 22-E]
11. A back-flow protection device to prevent contamination of the California American Water system is not required. [Rule 22-D-1-h]
12. Upon District approval of this Permit, Permittee shall pay to the District the invoiced cost for MPWMD staff, attorney, and consultant time spent to process the Permit subsequent to the application date, if required. Actual costs will be compared to the initial Application Fee. The Permittee will be separately provided documentation to support the invoiced amount. This Permit is not valid until payment for the invoiced amount is received by MPWMD. The payment must be received within 60 days of the hearing date. [Rule 22-D-1-i]
13. Upon finalization of these conditions, the Permittee shall sign and notarize an Acceptance of Permit Conditions form associated with the approval of the Permitted System. By signing the form, Permittee acknowledges that Permittee understands and accepts these conditions as a binding part of the Permit approval and agrees to carry them out faithfully. The Acceptance



form must be received within 60 days of the hearing date for this Permit to remain valid. [Rule 22-D-1-m]

14. Permittee shall disclose to any future Owner, successors and assigns of the property described in Condition #1 the requirements for the Permitted System associated with this Permit. MPWMD shall be advised in a timely manner of any changes in system ownership, system name, or other substantive changes to the system to facilitate accurate record-keeping. [Rule 22-D-2]
15. Permittee shall execute a Notice and Deed Restriction Regarding Limitation on Use of a Water Distribution System prepared by MPWMD regarding the limitation on water use as set forth in these conditions. Permittee shall pay all fees associated with preparation, review and recording of the Notice and Deed Restriction Regarding Limitation on Use of a Water Distribution System. The Notice and Deed Restriction Regarding Limitation of Use of a Water Distribution System must be signed and notarized by the Permittee and accepted by the Monterey County Recorder. [Rule 22-D-1-n]
16. Upon notice to the Permittee in writing, e-mail or by telephone, reasonable access shall be given to MPWMD staff or its designated representative to inspect and document Water-Gathering Facilities and Water-Measuring Devices, obtain hydrogeologic data, and take readings from Water Measuring Devices within the Permitted System. [Rule 22-D-1-o]
17. The Permit granted herein is subject to revocation in the event the Permittee does not fully comply with each condition set forth in this Permit. [Rule 22-D-1-p]

Other Standard Conditions of Approval

18. Nothing in this Permit shall be construed to grant or confirm any water right.
19. This Permit does not authorize any act that results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code Sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. Sections 1531 to 1544). If a “take” will result from any act authorized under this Permit, the Permittee shall obtain authorization for an incidental take prior to construction or operation of the project. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this Permit.

ATTACHMENT 1- Parcel Map

Attachment 1: Map

Carmel Middle School, 4380 Carmel Valley Rd, Carmel

