



AGENDA
Special and Regular Meeting
Board of Directors
Monterey Peninsula Water Management District

Monday, July 21, 2025 at 5:00 p.m. [PST]

Meeting Location: MPWMD – Main Conference Room
5 Harris Court, Building G, Monterey, CA 93940

[This is an in-person meeting. Remote participation via Zoom may be offered, but it is optional and not required for the meeting to proceed. **Please note the meeting will proceed as normal even if there are technical difficulties accessing Zoom.** The District will do its best to resolve any technical issues as quickly as possible.]

To Join via Zoom- Teleconferencing means, please click the link below:
<https://mpwmd-net.zoom.us/j/83762341591?pwd=xhcfn4ZfYHo00rmoze4dlnbgRaPasI.1>

Webinar ID: **837 6234 1591** | Passcode: **072125** | To Participate by Phone: **(669) 900-9128**

For detailed instructions on how to connect to the meeting, please click the link below:
<https://www.mpwmd.net/instructions-for-connecting-to-the-zoom-meetings/>

The public may also view the live broadcast of the meeting on Comcast Channel 24 or the live webcast on AMP
<https://accessmediaproductions.org/> scroll down to the bottom of the page and select AMP 1.

Copies of the agenda packet are available for review on the District website (www.mpwmd.net) and at 5 Harris Court, Bldg. G, Monterey, CA.

Under the Brown Act, public comment for matters on the agenda must relate to that agenda item and public comments for matters not on the agenda must relate to the subject matter jurisdiction of this legislative body. This is a warning that if a member of the public attending this meeting remotely or in-person violates the Brown Act by failing to comply with these requirements, then the Chair may request that speaker be muted. If a member of the public attending this meeting in-person engages in disruptive behavior that disturbs the orderly conduct of the meeting, they may be removed from the meeting after a warning.

<p><u>Board of Directors</u> George Riley, Chair – Division 2 Ian Oglesby, Vice-Chair – Mayoral Representative Amy Anderson, Chair – Division 5 Alvin Edwards – Division 1 Rebecca Lindor – Division 3 Karen Paull – Division 4 Kate Daniels – Monterey County Board of Supervisors Representative</p> <p><u>General Manager</u> David J. Stoldt</p> <p><u>Assistant General Manager</u> Mike McCullough</p>	<p><u>Mission Statement</u> Sustainably manage and augment the water resources of the Monterey Peninsula to meet the needs of its residents and businesses while protecting, restoring, and enhancing its natural and human environments.</p> <p><u>Vision Statement</u> Model ethical, responsible, and responsive governance in pursuit of our mission.</p> <p><u>Board's Goals and Objectives</u> Are available online at: https://www.mpwmd.net/who-we-are/mission-vision-goals/</p>
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CLOSED SESSION AGENDA | 5:00 P.M.

CALL TO ORDER AND ROLL CALL

ADDITIONS AND CORRECTIONS TO THE CLOSED SESSION AGENDA – *The General Manager will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.*

PUBLIC COMMENT ON THE CLOSED SESSION AGENDA - *Members of the public may address the Board on the item or items listed on the Closed Session agenda.*

RECESS TO CLOSED SESSION - *As permitted by Government Code Section 54956.9 et seq., the Board may recess to closed session to consider specific matters dealing with pending or threatened litigation, certain personnel matters or certain property acquisition matters.*

- CS 1. Conference with Legal Counsel – Existing Litigation (§54956.9(d)(1)), City of Marina; MPWMD, et al, v. California Coastal Commission (CCC); Cal-Am; 22CV004063

RECESS TO CLOSED SESSION

Any Closed Session Items not completed may be continued to after the end of all open session items.

REGULAR SESSION AGENDA | 6:00 P.M.

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS AND CORRECTIONS TO THE AGENDA – *The General Manager will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.*

ORAL COMMUNICATIONS – *Anyone wishing to address the Board on Consent Calendar, Information Items, Closed Session items, or matters not listed on the agenda may do so only during Oral Communications. Please limit your comment to three (3) minutes. The public may comment on all other items at the time they are presented to the Board.*

CONSENT CALENDAR - *The Consent Calendar consists of routine items for which staff has prepared a recommendation. Approval of the Consent Calendar ratifies the staff recommendation. Consent Calendar items may be pulled for separate consideration at the request of a member of the public, or a member of the Board. Following adoption of the remaining Consent Calendar items, staff will give a brief presentation on the pulled item. Members of the public are requested to limit individual comment on pulled Consent Items to three (3) minutes. Unless noted with double asterisks “**”, Consent Calendar items do not constitute a project as defined by CEQA Guidelines section 15378.*

1. Consider Adoption of the Board Minutes from the June 16, 2025 Regular Board Meeting
2. Consider Adoption of Treasurer’s Report for May 2025
3. Consider Approval of 2025 Annual Memorandum of Agreement For Releases From Los Padres Reservoir Among California American Water, California Department Of Fish And Wildlife, And Monterey Peninsula Water Management District

GENERAL MANAGER’S REPORT

4. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision (*Verbal Report*)

REPORT FROM DISTRICT COUNSEL

5. General Report of Pending Litigation and Closed Session Report from July 21, 2025

DIRECTORS' REPORTS (INCLUDING AB 1234 REPORTS ON TRIPS, CONFERENCE ATTENDANCE AND MEETINGS)

6. Oral Reports on Activities of County, Cities, Other Agencies/Committees/Associations

PUBLIC HEARING – *Public Comment will be received. Please limit your comments to three (3) minutes per item.*

7. Consider Second Reading and Adoption of Ordinance No. 198 – Amending Definitions and Permit Processes

Recommended Action: *The Board will consider adopting Ordinance No. 198, which amends Rules 11 and 23 and codifies language in Rule 24 to update definitions and clarify permit processes.*

ACTION ITEMS – *Public Comment will be received. Please limit your comments to three (3) minutes per item.*

8. Consider Directing Staff to Negotiate a Draft Agreement with Marina Coast Water District for Aquifer Storage and Recovery Cooperation

Recommended Action: *The Board will consider directing staff to negotiate a draft agreement with Marina Coast Water District for Aquifer Storage and Recovery cooperation.*

DISCUSSION ITEM – *Public Comment will be received. Please limit your comments to three (3) minutes per item.*

9. Update on California Public Utilities Commission A.21-11-024 Phase 2 (Supply and Demand) Proceeding

Recommended Action: *The Board will receive a status update on Phase 2 of California-American Water Company's Application 21-11-024.*

INFORMATIONAL ITEMS/STAFF REPORTS - *The public may address the Board on Informational Items and Staff Reports during the Oral Communications portion of the meeting. Please limit your comments to three minutes.*

10. Report on Activity/Progress on Contracts Over \$25,000
11. Status Report on Expenditures – Public's Ownership of Monterey Water System
12. Letters Received and Sent Supplemental Letter Packet
13. Committee Reports
14. Monthly Allocation Report
15. Water Conservation Program Report for June 2025
16. Carmel River Fishery Report for June 2025
17. Quarterly Carmel River Riparian Corridor Management Program Report
18. Monthly Water Supply and California American Water Production Report
[Exempt from environmental review per SWRCB Order Nos. 95-10 and 2016-0016, and the Seaside Basin Groundwater Basin adjudication decision, as amended and Section 15268 of the California Environmental Quality Act (CEQA) Guidelines, as a ministerial project; Exempt from Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources]

ADJOURNMENT

Board Meeting Schedule		
Monday, August 18, 2025	<i>Regular</i>	6:00 p.m.
Monday, September 15, 2025	<i>Regular</i>	6:00 p.m.

Accessibility

In accordance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), 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 at least 48 hours prior to the scheduled meeting date/time to Sara Reyes, Board Clerk by e-mail at sara@mpwmd.net or at (831) 658-5610.

Options for Providing Public Comment

Attend In-Person

The Board meeting will be held in the Main Conference Room at **5 Harris Court, Building G, Monterey, CA 93942** and has limited seating capacity.

Submission of Written Public Comment

Send written comments to District Office, 5 Harris Court, Building G, Monterey, CA or online at comments@mpwmd.net. Include the following subject line: "PUBLIC COMMENT ITEM #" (insert the agenda item number relevant to your comment). Written comments must be received by 2:00 PM on the day of the meeting. All submitted comments will be provided to the Board of Directors, compiled as part of the record, and placed on the District's website as part of the agenda packet for the meeting. Correspondence is not read during the public comment portion of the meeting.

Instructions for Connecting to the Zoom Meeting can be found at <https://www.mpwmd.net/instructions-for-connecting-to-the-zoom-meetings/>

Refer to the Meeting Rules to review the complete Rules of Procedure for MPWMD Board and Committee Meetings:
<https://www.mpwmd.net/who-we-are/board-of-directors/meeting-rules-of-the-mpwmd/>

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ITEM: CONSENT CALENDAR

1. CONSIDER ADOPTION OF THE BOARD MINUTES FROM THE JUNE 16, 2025 REGULAR MEETING

Meeting Date: July 21, 2025 **Budgeted:** N/A

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

Prepared By: Sara Reyes **Cost Estimate:** N/A

General Counsel Review: 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: Attached for consideration are the draft minutes of the MPWMD Board of Directors' Regular Meeting held on June 16, 2025 (**Exhibit 1-A**).

RECOMMENDATION: The Board will consider adopting the draft minutes of the June 16, 2025 Regular Meeting.

EXHIBIT

1-A Draft Minutes - MPWMD Board of Directors' Regular Meeting on June 16, 2025



EXHIBIT 1-A

**Draft Minutes
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
June 16, 2025 at 6:00 p.m.**

Meeting Location: District Office, Main Conference Room
5 Harris Court, Building G, Monterey, CA 93940 AND
By Teleconferencing Means - *Zoom*

CALL TO ORDER

Chair Riley called the meeting to order at 6:00 p.m.

ROLL CALL

Board Members Present:

George Riley, Chair
Ian Oglesby, Vice-Chair
Amy Anderson
Kate Daniels
Alvin Edwards
Rebecca Lindor (via Zoom)
Karen Paull (via Zoom)

Board Members Absent:

None

District Staff Members Present:

David Stoldt, General Manager
Mike McCullough, Assistant General Manager
Nishil Bali, Chief Financial Officer/Administrative Services Manager
Stephanie Locke, Water Demand Manager
Jonathan Lear, Water Resources Manager
Maureen Hamilton, District Engineer
Sara Reyes, Clerk of the Board / Executive Assistant

District Staff Members Absent:

Thomas Christensen

District Counsel Present:

David Laredo, De Lay & Laredo
Michael Laredo, De Lay & Laredo
Fran Farina, De Lay & Laredo

PLEDGE OF ALLEGIANCE

The assembly recited the Pledge of Allegiance.

ADDITIONS AND CORRECTIONS TO THE AGENDA

None

ORAL COMMUNICATIONS

Chair Riley opened the Oral Communications period, and the following comments were made to the Board:

- 1) Tom Rowley reported that groundwater contamination has prompted plans for a \$2 billion desalination facility at Barber's Point, underscoring that even aquifer-rich regions face water safety concerns. He expressed concern regarding the district's reliance on the Seaside Basin, citing previous contamination incidents caused by infrastructure failure, and emphasized the need to protect water quality as well as supply.
- 2) Melodie Chrislock commended MPWMD and Monterey One Water for their effective and visionary management approach in securing a reliable water supply. She highlighted the availability of multiple sources-river, groundwater, Aquifer Storage and Recovery (ASR), and Pure Water Monterey (PWM)-and stated that contamination is not a concern. Ms. Chrislock urged the Board to clearly communicate water security to the public and noted that California American Water's (Cal-Am) reluctance to lift the Cease and Desist Order (CDO) continues to fuel the perception that a desalination plant is necessary.

CONSENT CALENDAR

Chair Riley introduced the item.

Director Oglesby offered a motion, seconded by Director Anderson, to approve the Consent Calendar. The motion passed by a voice vote of 7 Ayes (Anderson, Daniels, Edwards, Lindor, Paull, Oglesby, and Riley) and 0 Noes.

The following agenda items were accepted as part of the Consent Calendar:

1. **Consider Adoption of the Board Minutes from the May 19, 2025 Special and Regular Meeting, and the May 29, 2025 Special Budget Workshop Meeting**
2. **Consider Adoption of Resolution No. 2025-05 - Amending Fees and Charges Table – Rule 60**
3. **Consider Adoption of Resolution No. 2025-06 – Annual Update to Rule 24, Table 3, Capacity Fee History**
4. **Consider Authorizing Monterey Bay Analytical Services to Provide Laboratory Support for Aquifer Storage and Recovery, Watermaster Monitoring and Maintenance Plan, and Carmel Valley Alluvial Aquifer Water Quality Monitoring**
5. **Consider Authorization to Enter into a Contract Amendment with Montgomery and Associates to Provide Groundwater Modeling Support to the District**
6. **Consider Extension of Cooperative Agreement with the United States Geological Survey for Streamflow Gaging in Water year 2026**
7. **Consider Authorization to Enter into a Contract with a Qualified Well Driller Contractor for As-Needed ASR Repairs**
8. **Consider Adoption of Treasurer's Report for April 2025**

GENERAL MANAGER'S REPORT

Chair Riley introduced the item.

9. **Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision**

General Manager Stoldt provided information on the status of this agenda item through a slide-deck presentation titled "Status Report on Cal-Am Compliance with SWRCB Orders and Basin Decision as of June 1, 2025".

Following the presentation, the Board engaged in discussion. A copy of the presentation is available on the District's website.

10. Update on Water Supply Project

General Manager Stoldt confirmed that the Pure Water Monterey Expansion project remains on schedule for October, with no reportable delays. Preparations are underway for a ribbon-cutting or commemorative event, potentially timed with the project's sixth or seventh anniversary.

REPORT FROM DISTRICT COUNSEL

Chair Riley introduced the item.

11. General Report of Pending Litigation

District Counsel David Laredo referenced the litigation report on page 55 of the meeting packet and provided a

summary of ongoing legal matters. He also reported on actions taken during the Closed Session meetings.

Chair Riley opened the public comment period, and the following comment was made to the Board:

- 1) Michael Baer praised the Board's persistence in legal matters and supported collaboration with MCWD and Marina on potential appeals. He asked about ways to prompt State Water Board action on the CDO and sought clarification on the status of eminent domain proceedings.

DIRECTORS' REPORTS (INCLUDING AB 1234 REPORTS ON TRIPS, CONFERENCE ATTENDANCE AND MEETINGS)

Chair Riley introduced the item.

12. Oral Reports on Activities of County, Cities, Other Agencies/Committees/Associations

Director Paull reported on attending CPUC meetings on June 4-6 to discuss the proposed decision on water supply and demand estimates. She noted disagreement with Cal-Am's projections, which led to further review. Ms. Paull encouraged prompt public comments via the CPUC website while revisions remain under consideration.

PUBLIC HEARING

Chair Riley introduced the item.

13. Consider Adoption of July through September 2025 Quarterly Supply Strategy and Budget

Jonathan Lear, Water Resources Manager, provided information on this agenda item through a slide-deck presentation titled "Consider Adoption of Jul – Sep 2025 Quarterly Water Supply Strategy and Budget for California American Water".

Following the presentation, the Board engaged in discussions. A copy of the presentation is available on the District's website.

Chair Riley opened the public comment period, and the following comment was made to the Board:

- 1) Michael Baer asked for clarification on issues with injection wells 3 and 4 and emphasized the need to maximize well use during the ASR season. He questioned Cal-Am's role in limiting well usage and whether those issues would persist without their involvement.

General Manager Stoldt responded to Mr. Baer and stated that Bayonet Wells 1 and 2 are expected online by year-end to boost capacity. ASR Well 4 has water quality issues and may return to injection-only use. Wells 3 and 4 are temporarily used for production due to current capacity needs. He noted a shift from the river to the Seaside Basin and that no new wells have been developed since 2020.

A motion was made by Director Daniels, seconded by Director Anderson, to recommend that the Board adopt the proposed quarterly water supply budget. The motion passed by a voice vote with 7 Ayes (Anderson, Daniels, Edwards, Lindor, Paull, Oglesby, and Riley) and 0 Noes.

14. Consider First Reading of Draft Ordinance No. 198 – Amending Definitions and Permit Processes

Stephanie Locke, Water Demand Manager, provided information on this agenda item through a slide-deck presentation titled "Consider First Reading of Ordinance No. 198, Amending Definitions and Permit Processes".

Following the presentation, the Board engaged in discussions.

Chair Riley opened the public comment period; however, no comments were received.

A motion was made by Director Oglesby, seconded by Director Edwards, to recommend the Board approve the first reading of Ordinance No. 198. The motion passed by a voice vote with 7 Ayes (Anderson, Daniels, Edwards, Lindor, Paull, Oglesby, and Riley) and 0 Noes.

ACTION ITEMS

Chair Riley introduced the item.

15. Adopt Proposed Fiscal Year 2025-2026 MPWMD Budget and Resolution No. 2025-04

Nishil Bali, Chief Financial Officer/Administrative Services Manager, provided an overview of this agenda item through a slide-deck presentation titled “Consider Adoption of Proposed Fiscal Year 2025-2026 MPWMD Budget and Resolution 2025-04”.

General Manager Stoldt provided additional information through a slide-deck presentation titled “Cost of Acquisition of Monterey Water system 2018-2025”.

Following the presentation, the Board engaged in discussions. Copies of the presentations are available on the District’s website.

Chair Riley opened the public comment period, and the following comments were made to the Board:

- 1) Tom Rowley, Vice President of the Monterey Peninsula Taxpayers Association, expressed appreciation that the water supply charge was removed. He raised concerns about the continued allocation of funds for the potential acquisition of a water company that is not currently for sale. Mr. Rowley urged the Board to reconsider the financial commitment, suggesting the money could be better spent elsewhere. He concluded by referencing eminent domain laws as a possible justification for the effort.
- 2) Susan Schiavone expressed support for the use of eminent domain, noting that it aligns with voter intent. She thanked staff for the clear and understandable budget graphics. Ms. Schiavone inquired about the impact of recent expenses, particularly the water supply settlement, on the agency’s reserve. She asked whether reduced project spending in the coming year would help stabilize the reserves.
- 3) Michael Baer, stated that Cal-Am has not updated the cost estimate for building its desalination plant since 2018. He noted that, considering inflation and other economic factors, it is reasonable to expect that financing the project over 25 years could result in a total cost exceeding one billion dollars.
- 4) Melodie Chrislock, representing Public Water Now, emphasized that the original intent behind Measure J was not based on the expectation that Cal-Am would willingly sell, but rather on the understanding that the Monterey Peninsula Water Management District has the authority to pursue eminent domain. She expressed concern over Cal-Am’s continued profit from local ratepayers and warned that allowing the company to proceed unchecked could have serious economic consequences for the region.

A motion was made by Director Edwards, seconded by Director Lindor, to recommend that the Board adopt Resolution No. 2025-04, approving the budget for Fiscal Year 2025-2026. The motion passed by a voice vote with 7 Ayes (Anderson, Daniels, Edwards, Lindor, Paull, Oglesby, and Riley) and 0 Noes.

DISCUSSION ITEMS

Chair Riley introduced the item.

16. Update on Resolution No. 2024-13 Supporting Closure of Open Water Permits by Implementing a One-Time Amnesty Period

Stephanie Locke, Water Demand Manager, provided an overview of this item through a slide-deck presentation titled “Update on Resolution 2024-13-Supporting Closure of Open Water Permits by Implementing a One-Time Amnesty Period”.

Following the presentation, the Board engaged in discussions. A copy of the presentation is available on the District’s website.

Chair Riley opened the public comment period, and the following comment was made to the Board:

- 1) Tom Rowley, a licensed realtor and member of the local Government Relations Committee, expressed strong support for the program presented by staff, commending Stephanie for her organization and effectiveness. He highlighted the importance of addressing unresolved violations, noting that such issues can complicate real estate transactions and potentially disrupt escrows. Mr. Rowley noted that Phase One of the program plays a key role in improving compliance and reducing burdens on realtors.

17. Update on Summer Splash Water Challenge Giveaway 6

Stephanie Locke presented an overview of this item through a slide-deck presentation titled “Summer Splash-Starting July 1”.

Following the presentation, the Board engaged in discussions. A copy of the presentation is available on the District’s website.

Chair Riley opened the public comment period, and the following comment was made to the Board:

- 1) Melodie Chrislock suggested developing a future version of the “Summer Splash” campaign focused on educating the public about the local water supply, citing widespread misinformation. She shared that she and Michael DeLapa of LandWatch contacted approximately 3,500 people multiple times to encourage participation in a recent CPUC meeting, which resulted in 14 public comments, all opposing the proposed decision. She concluded by reaffirming ongoing efforts to raise public awareness.

18. Comments on Proposed Decision for California Public Utilities Commission (CPUC) – Case No. A21-11-024

Chair Riley noted that this topic was addressed under Item 11 - Report from District Counsel, after which the Board engaged in discussion.

INFORMATIONAL ITEMS/STAFF REPORTS:

- 19. Report on Activity/Progress on Contracts Over \$25,000**
- 20. Status Report on Spending – Public’s Ownership of Monterey Water System**
- 21. Letters Received and Sent**
- 22. Committee Reports**
- 23. Monthly Allocation Report**
- 24. Water Conservation Program Report for May 2025**
- 25. Carmel River Fishery Report for May 2025**
- 26. Monthly Water Supply and California American Water Production Report**

These items were informational only and no action was taken. Copies of these reports are available at the District office and can be found on the District website.

ADJOURNMENT

There being no further business, Chair Riley adjourned the meeting at 8:20 p.m.

Sara Reyes, Deputy District Secretary

Minutes approved by the MPWMD Board of Directors on _____, 2025

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ITEM: CONSENT CALENDAR**2. CONSIDER ADOPTION OF TREASURER'S REPORT FOR MAY 2025**

Meeting Date:	July 21, 2025	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
Prepared By:	Nishil Bali	Cost Estimate:	N/A

General Counsel Review: 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: Exhibit 2-A comprises the Treasurer's Report for May 2025. Exhibit 2-B includes listings of check disbursements for the period May 1-31, 2025. Checks, virtual checks (AP Automation), direct deposits of employee paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$4,175,951.40. Exhibit 2-C reflects the unaudited version of the Statement of Revenues and Expenditures for the month ending May 31, 2025.

RECOMMENDATION: Staff recommends the Board adopt the May 2025 Treasurer's Report and Statement of Revenues and Expenditures, and ratify the disbursements made during the month.

EXHIBITS**2-A** Treasurer's Report**2-B** Listing of Cash Disbursements-Regular**2-C** Statement of Revenues and Expenditures

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT FOR MAY 2025**

<u>Description</u>	<u>Checking</u>	<u>MPWMD Money Market</u>	<u>California CLASS</u>	<u>L.A.I.F.</u>	<u>Multi-Bank Securities*</u>	<u>MPWMD Total</u>	<u>PB Reclamation Money Market</u>
Beginning Balance (A)	\$2,929,021.90	\$4,932,353.51	\$513,241.75	\$16,069,372.78	9,331,783.27	\$33,775,773.21	\$157,569.91
Fees/Deposits		2,544,547.25				2,544,547.25	421,952.17
MoCo Tax & WS Chg Installment Pymt						0.00	
Interest Received			2,076.93		29,250.04	31,326.97	
Transfer - Checking/CLASS	(500,000.00)		500,000.00			0.00	
Transfer - Money Market/LAIF						0.00	
Transfer - Money Market/Checking	3,500,000.00	(3,500,000.00)				0.00	
Transfer - Money Market/Multi-Bank						0.00	
Transfer to CAWD						0.00	(179,000.00)
Sub-total - Receipts/Transfers (B)	\$3,000,000.00	(\$955,452.75)	\$502,076.93	-	\$29,250.04	\$2,575,874.22	\$242,952.17
Bank Corrections/Reversals/Errors	215.00					215.00	
Voided Checks	-					0.00	
Bank Charges/Other	(769.74)					(769.74)	
Credit Card Fees						0.00	
Returned Deposits						0.00	
Payroll Tax/Benefit Deposits	(225,335.35)					(225,335.35)	
Payroll Checks/Direct Deposits	(276,778.63)					(276,778.63)	
General Checks	(1,252.84)					(1,252.84)	
Rebate Payments	-					0.00	
Bank Draft Payments	(50,975.29)					(50,975.29)	
AP Automation Payments	(3,621,054.55)					(3,621,054.55)	
Sub-total - Disbursements (C)	(4,175,951.40)	-	-	-	-	(4,175,951.40)	-
Ending Balance (A+B+C)	\$1,753,070.50	\$3,976,900.76	\$1,015,318.68	\$16,069,372.78	\$9,361,033.31	\$32,175,696.03	\$400,522.08

* Fixed Income investments are reported at face value

EXHIBIT 2-B

13

My Check Report

By Check Number

Date Range: 05/01/2025 - 05/31/2025



Monterey Peninsula Water Management D

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK	-Bank of America Checking					
Payment Type: Regular						
23760	William Banker-Hix (employee reimbursement)	05/02/2025	Regular	0.00	332.00	40957
00252	Cal-Am Water	05/27/2025	Regular	0.00	5.00	40961
01349	Suresh Prasad (retiree medical)	05/27/2025	Regular	0.00	915.84	40962
Total Regular:				0.00	1,252.84	

My Check Report

Date Range: 05/01/2025 - 05/31/2025

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Virtual Payment						
00983	Beverly Chaney	05/02/2025	Virtual Payment	0.00	1,455.51	APA006931
12601	Carmel Valley Ace Hardware	05/02/2025	Virtual Payment	0.00	66.80	APA006932
06001	Cypress Coast Ford	05/02/2025	Virtual Payment	0.00	145.69	APA006933
08109	David Olson, Inc.	05/02/2025	Virtual Payment	0.00	560.00	APA006934
18734	DeVeera Inc.	05/02/2025	Virtual Payment	0.00	222.83	APA006935
21199	G3, Green Gardens Group, LLC	05/02/2025	Virtual Payment	0.00	1,600.00	APA006936
00993	Harris Court Business Park	05/02/2025	Virtual Payment	0.00	793.39	APA006937
04717	Inder Osahan	05/02/2025	Virtual Payment	0.00	1,417.20	APA006938
00242	MBAS	05/02/2025	Virtual Payment	0.00	559.00	APA006939
16182	Monterey County Weekly	05/02/2025	Virtual Payment	0.00	2,340.00	APA006940
00274	Monterey One Water	05/02/2025	Virtual Payment	0.00	1,583,834.86	APA006941
13396	Navia Benefit Solutions, Inc.	05/02/2025	Virtual Payment	0.00	1,451.91	APA006942
00159	Pueblo Water Resources, Inc.	05/02/2025	Virtual Payment	0.00	470.00	APA006943
00262	Pure H2O	05/02/2025	Virtual Payment	0.00	65.54	APA006944
00251	Rick Dickhaut	05/02/2025	Virtual Payment	0.00	1,122.00	APA006945
04359	The Carmel Pine Cone	05/02/2025	Virtual Payment	0.00	1,275.00	APA006946
17965	The Maynard Group	05/02/2025	Virtual Payment	0.00	1,932.99	APA006947
17965	The Maynard Group	05/07/2025	Virtual Payment	0.00	-1,932.99	APA006947
27147	TJC and Associates, Inc.	05/02/2025	Virtual Payment	0.00	2,320.75	APA006948
04366	Tom Lindberg	05/02/2025	Virtual Payment	0.00	1,435.13	APA006949
06009	yourservicesolution.com	05/02/2025	Virtual Payment	0.00	2,455.00	APA006950
00028	Colantuono, Highsmith, & Whatley, PC	05/09/2025	Virtual Payment	0.00	19.00	APA006951
18734	DeVeera Inc.	05/09/2025	Virtual Payment	0.00	7,959.98	APA006952
00094	John Arriaga	05/09/2025	Virtual Payment	0.00	4,500.00	APA006953
06999	KBA Document Solutions, LLC	05/09/2025	Virtual Payment	0.00	309.70	APA006954
00118	MB Carpet & Janitorial Inc.	05/09/2025	Virtual Payment	0.00	1,560.00	APA006955
17965	The Maynard Group	05/09/2025	Virtual Payment	0.00	804.39	APA006956
00203	ThyssenKrup Elevator	05/09/2025	Virtual Payment	0.00	778.02	APA006957
00763	ACWA-JPIA	05/09/2025	Virtual Payment	0.00	356.00	APA006958
00263	Arlene Tavani	05/09/2025	Virtual Payment	0.00	1,114.00	APA006959
12601	Carmel Valley Ace Hardware	05/09/2025	Virtual Payment	0.00	13.04	APA006960
00028	Colantuono, Highsmith, & Whatley, PC	05/09/2025	Virtual Payment	0.00	2,871.00	APA006961
02833	Greg James	05/09/2025	Virtual Payment	0.00	1,455.51	APA006962
05830	Larry Hampson	05/09/2025	Virtual Payment	0.00	1,410.00	APA006963
13431	Lynx Technologies, Inc	05/09/2025	Virtual Payment	0.00	2,925.00	APA006964
26785	Monterey Bay Pest Control, Inc.	05/09/2025	Virtual Payment	0.00	280.00	APA006965
16182	Monterey County Weekly	05/09/2025	Virtual Payment	0.00	1,737.00	APA006966
19700	Shute, Mihaly & Weinberger LLP	05/09/2025	Virtual Payment	0.00	222.47	APA006967
09425	The Ferguson Group LLC	05/09/2025	Virtual Payment	0.00	6,300.00	APA006968
17965	The Maynard Group	05/09/2025	Virtual Payment	0.00	1,815.81	APA006969
23550	WellmanAD	05/09/2025	Virtual Payment	0.00	8,599.73	APA006970
20230	Zoom Video Communications Inc	05/09/2025	Virtual Payment	0.00	470.32	APA006971
00767	AFLAC	05/16/2025	Virtual Payment	0.00	733.74	APA006972
28519	Albert A. Webb Associates	05/16/2025	Virtual Payment	0.00	12,589.25	APA006973
17966	Carmel Valley Ironworks, Inc.	05/16/2025	Virtual Payment	0.00	75.00	APA006974
00281	CoreLogic Information Solutions, Inc.	05/16/2025	Virtual Payment	0.00	1,633.20	APA006975
06001	Cypress Coast Ford	05/16/2025	Virtual Payment	0.00	551.52	APA006976
00046	De Lay & Laredo	05/16/2025	Virtual Payment	0.00	25,731.00	APA006977
05371	June Silva	05/16/2025	Virtual Payment	0.00	937.40	APA006978
26785	Monterey Bay Pest Control, Inc.	05/16/2025	Virtual Payment	0.00	385.00	APA006979
00274	Monterey One Water	05/16/2025	Virtual Payment	0.00	801,298.00	APA006980
13396	Navia Benefit Solutions, Inc.	05/16/2025	Virtual Payment	0.00	1,468.13	APA006981
00154	Peninsula Messenger Service	05/16/2025	Virtual Payment	0.00	804.00	APA006982
00755	Peninsula Welding Supply, Inc.	05/16/2025	Virtual Payment	0.00	164.93	APA006983
24163	Quality Print & Copy LLC	05/16/2025	Virtual Payment	0.00	590.20	APA006984
24869	Raftelis Financial Consultants, Inc.	05/16/2025	Virtual Payment	0.00	1,187.50	APA006985
23550	WellmanAD	05/16/2025	Virtual Payment	0.00	1,950.00	APA006986
00760	Andy Bell	05/23/2025	Virtual Payment	0.00	604.00	APA006987
29035	BlueTriton Brands Inc	05/23/2025	Virtual Payment	0.00	195.25	APA006988
12601	Carmel Valley Ace Hardware	05/23/2025	Virtual Payment	0.00	36.05	APA006989

My Check Report

Date Range: 05/01/2025 - 05/31/2025

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
02660	Forestry Suppliers Inc.	05/23/2025	Virtual Payment	0.00	110.49	APA006990
03857	Joe Oliver	05/23/2025	Virtual Payment	0.00	744.00	APA006991
27302	Kyocera Document Solutions America, Inc.	05/23/2025	Virtual Payment	0.00	565.47	APA006992
00222	M.J. Murphy	05/23/2025	Virtual Payment	0.00	20.66	APA006993
05829	Mark Bekker	05/23/2025	Virtual Payment	0.00	343.63	APA006994
01012	Mark Dudley	05/23/2025	Virtual Payment	0.00	540.00	APA006995
26785	Monterey Bay Pest Control, Inc.	05/23/2025	Virtual Payment	0.00	275.00	APA006996
00036	Parham Living Trust	05/23/2025	Virtual Payment	0.00	850.00	APA006997
00203	ThyssenKrup Elevator	05/23/2025	Virtual Payment	0.00	1,936.50	APA006998
00229	Tyler Technologies	05/23/2025	Virtual Payment	0.00	580.00	APA006999
00271	UPEC, Local 792	05/23/2025	Virtual Payment	0.00	1,236.00	APA007000
08105	Yolanda Munoz	05/23/2025	Virtual Payment	0.00	540.00	APA007001
04038	YSI Inc.	05/23/2025	Virtual Payment	0.00	295.97	APA007002
28398	A Tool Shed Equipment Rentals	05/30/2025	Virtual Payment	0.00	258.73	APA007003
01015	American Lock & Key	05/30/2025	Virtual Payment	0.00	20.88	APA007004
14036	City of Sand City	05/30/2025	Virtual Payment	0.00	9,270.78	APA007005
22793	ETech Consulting, LLC	05/30/2025	Virtual Payment	0.00	481.25	APA007006
00192	Extra Space Storage	05/30/2025	Virtual Payment	0.00	510.00	APA007007
21199	G3, Green Gardens Group, LLC	05/30/2025	Virtual Payment	0.00	1,850.00	APA007008
00993	Harris Court Business Park	05/30/2025	Virtual Payment	0.00	793.39	APA007009
00222	M.J. Murphy	05/30/2025	Virtual Payment	0.00	106.17	APA007010
16182	Monterey County Weekly	05/30/2025	Virtual Payment	0.00	914.00	APA007011
00274	Monterey One Water	05/30/2025	Virtual Payment	0.00	1,095,125.86	APA007012
29036	Resendez Bros. Carpet & Tile Cleaning	05/30/2025	Virtual Payment	0.00	2,171.95	APA007013
00176	Sentry Alarm Systems	05/30/2025	Virtual Payment	0.00	515.50	APA007014
04359	The Carmel Pine Cone	05/30/2025	Virtual Payment	0.00	680.00	APA007015
00225	Trowbridge Enterprises Inc.	05/30/2025	Virtual Payment	0.00	292.57	APA007016
Total Virtual Payment:				0.00	3,621,054.55	

My Check Report

Date Range: 05/01/2025 - 05/31/2025

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Bank Draft						
00266	I.R.S.	05/02/2025	Bank Draft	0.00	17,660.37	DFT0003747
00266	I.R.S.	05/02/2025	Bank Draft	0.00	3,935.00	DFT0003748
00267	Employment Development Dept.	05/02/2025	Bank Draft	0.00	7,319.09	DFT0003749
00266	I.R.S.	05/02/2025	Bank Draft	0.00	160.14	DFT0003750
00252	Cal-Am Water	05/02/2025	Bank Draft	0.00	417.34	DFT0003751
00277	Home Depot Credit Services	05/02/2025	Bank Draft	0.00	172.70	DFT0003752
00259	Marina Coast Water District	05/02/2025	Bank Draft	0.00	2,053.75	DFT0003753
00768	MissionSquare Retirement- 302617	05/02/2025	Bank Draft	0.00	7,854.18	DFT0003754
00256	PERS Retirement	05/02/2025	Bank Draft	0.00	24,299.62	DFT0003755
00282	PG&E	05/02/2025	Bank Draft	0.00	23,673.92	DFT0003756
18163	Wex Bank	05/02/2025	Bank Draft	0.00	99.52	DFT0003757
00266	I.R.S.	05/09/2025	Bank Draft	0.00	74.40	DFT0003758
00266	I.R.S.	05/09/2025	Bank Draft	0.00	318.06	DFT0003759
00252	Cal-Am Water	05/09/2025	Bank Draft	0.00	504.47	DFT0003760
00277	Home Depot Credit Services	05/09/2025	Bank Draft	0.00	115.12	DFT0003761
00769	Laborers Trust Fund of Northern CA	05/09/2025	Bank Draft	0.00	43,004.00	DFT0003762
00766	Standard Insurance Company	05/07/2025	Bank Draft	0.00	1,567.21	DFT0003763
18163	Wex Bank	05/09/2025	Bank Draft	0.00	1,810.84	DFT0003764
00266	I.R.S.	05/11/2025	Bank Draft	0.00	17,881.60	DFT0003765
00266	I.R.S.	05/11/2025	Bank Draft	0.00	3,925.20	DFT0003766
00267	Employment Development Dept.	05/11/2025	Bank Draft	0.00	7,425.76	DFT0003767
00266	I.R.S.	05/11/2025	Bank Draft	0.00	145.82	DFT0003768
00256	PERS Retirement	05/16/2025	Bank Draft	0.00	24,299.60	DFT0003769
00768	MissionSquare Retirement- 302617	05/16/2025	Bank Draft	0.00	7,854.18	DFT0003770
00277	Home Depot Credit Services	05/16/2025	Bank Draft	0.00	110.09	DFT0003771
00269	U.S. Bank	05/16/2025	Bank Draft	0.00	19,154.78	DFT0003772
00277	Home Depot Credit Services	05/23/2025	Bank Draft	0.00	86.22	DFT0003773
00282	PG&E	05/23/2025	Bank Draft	0.00	2,776.54	DFT0003774
00266	I.R.S.	05/30/2025	Bank Draft	0.00	20,044.70	DFT0003775
00266	I.R.S.	05/30/2025	Bank Draft	0.00	4,013.20	DFT0003776
00267	Employment Development Dept.	05/30/2025	Bank Draft	0.00	8,185.76	DFT0003777
00266	I.R.S.	05/30/2025	Bank Draft	0.00	117.84	DFT0003778
00768	MissionSquare Retirement- 302617	05/30/2025	Bank Draft	0.00	950.00	DFT0003780
00256	PERS Retirement	05/30/2025	Bank Draft	0.00	24,299.62	DFT0003781
Total Bank Draft:				0.00	276,310.64	

Bank Code APBNK

Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	5	3	0.00	1,252.84
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	96	34	0.00	276,310.64
EFT's	0	0	0.00	0.00
	210	124	0.00	3,898,618.03

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	5	3	0.00	1,252.84
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	96	34	0.00	276,310.64
EFT's	0	0	0.00	0.00
Virtual Payments	109	87	0.00	3,621,054.55
	210	124	0.00	3,898,618.03

Fund Summary

Fund	Name	Period	Amount
99	POOL CASH FUND	5/2025	3,898,618.03
			3,898,618.03



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
FOR THE MONTH MAY 31, 2025

	<u>Mitigation</u>	<u>Conservation</u>	<u>Water Supply</u>	<u>Current Period Activity</u>	<u>Current FY Year-to-Date Actual</u>	<u>Current FY Annual Budget</u>	<u>Prior FY Year-to-Date Actual</u>
REVENUES							
Property taxes	\$ -	\$ -	\$ -	\$ -	\$ 2,783,274	\$ 2,900,000	\$ 2,675,611
Water supply charge			-	-	-	-	3,288,908
User fees	140,378	101,072	320,061	561,511	6,373,555	7,400,000	5,677,207
PWM Water Sales			1,248,213	1,248,213	13,919,101	14,619,500	13,275,501
Capacity fees			36,569	36,569	451,571	400,000	1,359,456
Permit fees	-	19,093		19,093	185,021	198,000	217,312
Investment income	9,652	10,025	10,964	31,327	707,851	700,000	542,244
Miscellaneous	-	-	-	-	7,151	10,000	9,082
Sub-total district revenues	150,030	130,190	1,615,807	1,896,712	24,427,524	26,227,500	27,045,322
Project reimbursements	-	7,940	-	7,940	993,138	1,357,550	771,467
Legal fee reimbursements		600		600	15,748	15,000	14,070
Grants	-	-	-	-	6,284,546	12,628,523	693,144
Recording fees		4,400		4,400	52,150	60,000	53,460
Sub-total reimbursements	-	12,940	-	12,940	7,345,582	14,061,073	1,532,141
From Reserves	-	-	-	-	-	4,521,595	-
Total revenues	150,030	143,130	1,615,807	1,909,652	31,773,105	44,810,168	28,577,462
EXPENDITURES							
Personnel:							
Salaries	141,024	93,219	174,498	408,741	3,045,150	3,536,000	2,760,792
Retirement	13,533	9,344	17,876	40,753	903,317	1,034,774	762,037
Unemployment Compensation	-	-	-	-	-	10,100	-
Auto Allowance	249	249	748	1,246	5,977	11,000	5,423
Deferred Compensation	280	280	841	1,402	10,191	17,483	9,891
Temporary Personnel	-	-	-	-	-	10,000	14,877
Workers Comp. Ins.	5,764	510	3,728	10,002	79,325	100,901	70,036
Employee Insurance	18,820	13,675	19,701	52,196	569,599	686,383	523,942
Medicare & FICA Taxes	2,356	1,402	2,587	6,345	46,509	77,153	41,246
Personnel Recruitment	124	120	132	376	38,328	56,000	2,084
Other benefits	66	64	70	200	2,896	2,000	5,129
Staff Development	675	411	175	1,261	17,318	31,100	7,690
Sub-total personnel costs	182,893	119,274	220,356	522,522	4,718,610	5,572,894	4,203,146
Services & Supplies:							
Board Member Comp	846	846	872	2,565	24,840	37,000	26,325
Board Expenses	88	85	93	266	7,992	10,000	9,722
Rent	593	163	604	1,360	11,370	29,200	21,626
Utilities	1,163	1,127	1,233	3,523	40,593	41,200	36,351
Telephone	824	524	325	1,673	31,213	51,000	52,413
Facility Maintenance	3,821	3,705	4,053	11,579	60,771	76,000	51,877
Bank Charges	254	246	269	770	13,516	25,100	10,829
Office Supplies	64	50	54	168	10,653	24,700	18,441
Courier Expense	265	257	281	804	6,769	7,600	7,165
Postage & Shipping	7	6	7	20	2,659	7,500	4,632
Equipment Lease	-	-	-	-	7,472	13,200	10,801
Equip. Repairs & Maintenance	102	99	108	310	2,869	5,100	6,106
Printing/Duplicating/Binding	-	590	-	590	2,084	2,100	1,335
IT Supplies/Services	3,176	3,107	3,341	9,624	233,086	293,600	281,218
Operating Supplies	668	1,396	-	2,064	25,657	34,389	22,169
Legal Services	-	-	2,665	2,665	436,579	945,241	325,503
Professional Fees	3,564	11,331	3,780	18,675	346,236	431,625	341,120
Transportation	1,060	260	2,076	3,396	41,172	59,542	36,137



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
FOR THE MONTH MAY 31, 2025

	Mitigation	Conservation	Water Supply	Current Period Activity	Current FY Year-to-Date Actual	Current FY Annual Budget	Prior FY Year-to-Date Actual
Travel	287	1,114	451	1,852	7,739	21,000	8,723
Meeting Expenses	596	578	632	1,807	25,901	21,200	13,259
Insurance	7,849	7,611	8,325	23,785	261,850	300,000	250,776
Legal Notices	-	-	-	-	2,145	32,600	-
Membership Dues	203	199	223	625	41,274	47,900	40,105
Public Outreach	211	205	224	640	10,145	3,500	3,105
Assessors Administration Fee	-	-	-	-	20,596	34,000	20,893
Miscellaneous	-	-	-	-	420	28,000	387
Sub-total services & supplies costs	25,641	33,502	29,616	88,760	1,675,599	2,582,297	1,601,018
Project expenditures	16,060	11,218	1,267,697	1,294,975	19,442,090	32,398,632	15,868,444
Fixed assets	-	-	613	613	66,830	70,100	80,701
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	92,576	250,000	-
Debt service: Principal	-	-	-	-	-	-	-
Debt service: Interest	-	-	-	-	-	-	75
Flood drought reserve	-	-	-	-	-	-	-
Capital equipment reserve	-	-	-	-	-	313,000	-
General fund balance	-	-	-	-	-	-	-
Water Supply Charge Reserve	-	-	-	-	-	3,353,245	-
Pension reserve	-	-	-	-	-	100,000	-
OPEB reserve	-	-	-	-	-	100,000	-
Sub-total other	16,060	11,218	1,268,309	1,295,588	19,601,495	36,654,977	15,949,219
Total expenditures	224,594	163,995	1,518,281	1,906,869	25,995,705	44,810,168	21,753,383
Excess (Deficiency) of revenues over expenditures	\$ (74,564)	\$ (20,865)	\$ 97,527	\$ 2,783	\$ 5,777,400	\$ (0)	\$ 6,824,079

ITEM: CONSENT CALENDAR**3. CONSIDER APPROVAL OF 2025 ANNUAL MEMORANDUM OF AGREEMENT FOR RELEASES FROM LOS PADRES RESERVOIR AMONG CALIFORNIA AMERICAN WATER, CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE, AND MONTEREY PENINSULA WATER MANAGEMENT DISTRICT**

Meeting Date:	July 21, 2025	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	Aquatic Resources and Hydrologic Monitoring 2
Prepared By:	Cory Hamilton and Thomas Christensen	Cost Estimate:	N/A

General Counsel Review: N/A**Committee Recommendation: N/A****CEQA Compliance: Consistent with SWRCB WR Order Nos. 95-10, 98-04, 2002-0002, and 2016-0016.****ESA Compliance: Consistent with the September 2001 Conservation Agreement between the National Marine Fisheries Service and California American Water to minimize take of listed steelhead in the Carmel River.**

SUMMARY: Representatives from the Monterey Peninsula Water Management District (MPWMD), California American Water (Cal-Am), the California Department of Fish and Wildlife (CDFW), and National Marine Fisheries Service (NMFS) met on June 4, 2025, to negotiate the terms and conditions for the 2025 Memorandum of Agreement (MOA) for releases and diversions from Los Padres Reservoir to the Carmel River. As has been the case annually since 2010, concurrence was provided only on the minimum low-flow targets.

Based on current storage conditions and expected reservoir inflows, it was agreed that Cal-Am shall make water releases into the Carmel River channel below Los Padres Reservoir beginning June 20, 2025, as follows measured at the District's Below Los Padres Gage:

Date Range 2025	Flow in Cubic Feet per Second
June 20 – August 31	8 cfs
September 1- October 15	7 cfs
October 16-November 30	6 cfs
December 1 – December 30	5 cfs

When winter returns, Los Padres Reservoir will refill as the natural base flow increases and flows resume going over the spillway.

Cal-Am ceased diversions from its wells upstream of the Narrows on May 28, 2025, when Carmel River flow at the District's Don Juan Bridge gaging station in Garland Park had dropped below 20 cfs for the prior five consecutive days. These actions conform to State Water Resources Control Board (SWRCB) Order 2002-0002 and the 2001 NMFS Conservation Agreement with Cal-Am. The Draft 2025 MOA is included as **Exhibit 3-A**.

RECOMMENDATION: Staff recommends that the Board approve the 2025 MOA and direct the General Manager to sign the agreement.

BACKGROUND: The projected monthly inflows to Los Padres Reservoir are derived from many years of above Los Padres Reservoir streamflow measurements. These inflows are then incorporated into a spreadsheet that uses the continuity equation to track stage, evaporation, and release. The parties will continue to monitor reservoir stage and release throughout the year and may meet either in September or October to reconsider whether or not any further modifications are needed.

To maximize the instream flow benefits from the proposed releases, the MOA also includes a condition that limits the amount of water pumped from Cal-Am's production wells in the Upper Carmel Valley (i.e., above the Narrows) to levels required for maintenance of the wells (**Exhibit 3-B**). This limitation and schedule also applies to the former Water West wells that are now owned and operated by Cal-Am. Similarly, the MOA includes a provision that Cal-Am will make all reasonable efforts to operate its Lower Carmel Valley production wells beginning with the most downstream well and moving to upstream wells as needed to meet system demand. This provision is consistent with Condition No. 5 of SWRCB Order 95-10.

The proposed MOA may be modified by mutual consent of all the parties and will be monitored weekly by representatives of the three parties.

IMPACT ON STAFF AND FISCAL RESOURCES: It is anticipated that flows in the lower river will slowly drop. Staff are monitoring flows for possible fish rescue efforts.

EXHIBITS

- 3-A** Draft 2025 Memorandum of Agreement between the State of California Department of Fish and Wildlife, California American Water, and the Monterey Peninsula Water Management District to Release Water into the Carmel River from Los Padres Reservoir
- 3-B** Maintenance and Water Quality Pumping Schedule

EXHIBIT 3-A

**2025 MEMORANDUM OF AGREEMENT
AMONG THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE,
CALIFORNIA AMERICAN WATER, AND MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT TO RELEASE WATER INTO THE CARMEL RIVER
FROM LOS PADRES RESERVOIR**

THIS AGREEMENT is made this 4th day of June 2025, among the California Department of Fish and Wildlife, ("Department"), California American Water, ("Cal-Am"), and the Monterey Peninsula Water Management District, (the "District"), with respect to the following.

RECITALS

A. The Department is required to conserve and protect the fish and wildlife resources of this state, and it is the Department's objective to maximize surface flows in the Carmel River below Los Padres Dam;

B. Cal-Am supplies water to the citizens of the communities of the Monterey Peninsula, Monterey County in accordance with SWRCB Order No. 95-10, as amended.

C. The District, through its rules and regulations, establishes a quarterly water supply strategy and budget for the Monterey Peninsula.

NOW THEREFORE, IT IS HEREBY AGREED:

DEFINITIONS

1. "Minimum pool at Los Padres Reservoir" means a surface water elevation of 1000 feet above mean sea level, or 378 acre-feet of storage.

2. "Water Release by Cal-Am at Los Padres Dam" into the Carmel River may occur from seepage through the dam, direct release from any discharge port, spillage over the crest of the dam, releases through the fish ladder or smolt emigration facility, releases from the lowest outlet at 980 feet NGVD, or any combination thereof.

DESIGNATION OF RESPONSIBILITIES

3. Cal-Am shall make water releases into the Carmel River channel below Los Padres Reservoir beginning approximately June 20, 2025 as follows: Cal-Am shall maintain 8.0 cubic feet per second (cfs) as measured at the District's Below Los Padres Gage until August 31, 2025. Then Cal-Am shall follow the schedule below. Small adjustments may be made as real-time data becomes available towards the end of summer.

Date Range 2025	Flow in Cubic Feet per Second
September 1- October 15	7 cfs
October 16-November 30	6 cfs
December 1 – December 30	5 cfs

4. In the event that a significant change in projected runoff occurs in the basin during the duration of this Agreement, the parties will meet to discuss modifications to the scheduled reservoir releases and diversion.

5. Cal-Am shall limit operation of its wells in the Carmel Valley above the Narrows during low-flow periods as set forth in ordering Paragraph No. 2 of SWRCB Order WRO 2002-0002 (**Attachment A** hereto). Cal-Am shall notify the District and the Department of its maintenance pumping schedule in advance.

6. Cal-Am shall make reasonable efforts to operate the Lower Carmel Valley production wells in the sequence from the most downstream well and progress upstream as wells are needed and available for production. Cal-Am shall notify the District and the Department before operating its Scarlett No. 8 Well.

7. Cal-Am shall notify the District and the Department when the water elevation reaches 1005 feet NGVD at Los Padres Reservoir, and Cal-Am shall not draw Los Padres Reservoir below minimum-pool elevation without obtaining specific written approval from the Department.

8. In the event that Cal-Am has not exceeded its annual production limit from both the Coastal Subareas of the Seaside Groundwater Basin and Carmel River sources, Cal-Am shall make every reasonable effort to produce water from the Coastal Subareas of the Seaside Basin before producing water from its Carmel River sources to preserve streamflow and instream habitat in the Carmel River for listed species, consistent with the production amounts specified in the Quarterly Water Supply Strategy and Budget for Cal-Am's main distribution system.

DISTRICT

9. The District shall take direct measurements of inflow to Los Padres Reservoir on a monthly basis through the duration of this Agreement.

ALL PARTIES

10. This Agreement is revocable upon ten days' written notice to all parties signatory to this Agreement.

11. This Agreement is entered into without prejudice to the rights and remedies of any party to the Agreement.

EFFECTIVE DATE AND TERM OF AGREEMENT

12. This Agreement is effective June 4, 2025 and shall remain in force until January 31, 2026. This Agreement may be modified or extended by mutual consent of all the parties.

EXECUTION

IN WITNESS WHEREOF, each party hereto has caused this Memorandum of Agreement to be executed by an authorized official on the day and year set forth opposite their signature.

California American Water

By: _____
511 Forest Lodge Road
Pacific Grove, CA 93950

Date

Monterey Peninsula Water Management
District

By: _____
P.O. Box 85
Monterey, CA 93942-0085

Date

California Department of Fish and
Wildlife

By: _____
1234 East Shaw Avenue
Fresno, CA 93710

Date

ATTACHMENT A

STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

ORDER WRO 2002 – 0002

In the Matter of Reconsideration of WR Order 2001-04-DWR
Implementing Condition 6 of Order WR 95-10 as Modified by
Order WR 98-04 Regarding Diversions by
California-American Water Company

SOURCE: Carmel River

COUNTY: Monterey

ORDER RECONSIDERING WR ORDER 2001-04-DWR

IT IS FURTHER ORDERED that Cal-Am shall comply with Condition 6 of Order WR 95-10, as modified by Order WR 98-04 as follows:

1. Cal-Am shall immediately upon issuance of this order cease withdrawal of water from the San Clemente Dam during low flow periods except during an emergency. “Emergency” means a system failure such as a pump failure, main breaks or fires, that jeopardizes the public health and safety. Hot weather demand alone shall not *per se* be an “emergency,” but it is recognized that after taking appropriate conservation measures, if levels in the Clear Well fall below nine feet from the bottom of the tank, an emergency may exist and diversions at San Clemente or the utilization of other facilities may be necessary. Nine feet from the bottom of the tank is a minimum requirement established by California Department of Health Services regulations. In all cases, diversions at San Clemente Dam or the utilization of other facilities shall be undertaken in a manner that is least damaging to the fishery resources, and these emergency operations shall be for the shortest practicable time. Cal-Am shall notify and consult with NMFS, FWS, DFG, and the District prior to implementation of emergency operations. If there is no time for consultation, Cal-Am shall notify NMFS, FWS, DFG, and the District of its emergency operation as early as practicable within eight (8) hours after Cal-Am first becomes aware of the emergency. Cal-Am shall notify, by telephone or telefax, the Chief of the Division of Water Rights within 24 hours of the emergency or by noon of the first business day following the incident. For the purpose of this Order, “low flow periods” are defined as times when stream flow in the Carmel River at the Don Juan Bridge (RM 10.8) gage is less than 20 cfs for five consecutive days. Pursuant to its continuing authority over the public trust, the SWRCB may amend this order to modify the definition of “low flow periods” or to add additional flow requirements to protect steelhead in the Carmel River. The Chief of the Division of Water Rights (Chief) is delegated the authority to modify the definition of “low flow periods” and the authority to add flow requirements based on new information, after finding that any proposed change to the order would better protect steelhead in the Carmel River. The Chief is also delegated the authority to modify the flow requirements of this order, in response to any changes in the requirements imposed under the Endangered Species Act, as necessary to prevent this order from being in violation of the Endangered Species Act or unreasonably interfering with efforts to comply with the Endangered Species Act. Prior to making the finding and prior to making any change to the order, the Chief shall provide notice to the parties to this hearing and give them an opportunity to comment on the proposed change.

EXHIBIT 3-B

Anticipated Maintenance & Water Quality Pumping Schedule												
2025												
Wells	January	February	March	April	May	June	July	August	September	October	November	December
Scarlett Well No. 8	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed
Los Laureles Well No. 5	7	4	4	8	6	3	1	5	2	7	4	2
Los Laureles Well No. 6	8	5	5	9	7	4	2	6	3	8	5	3
Garzas Well No. 3	6 & 7	3 & 4	3 & 4	7 & 8	5 & 6	2 & 3	7 & 8	4 & 5	8 & 9	6 & 7	3 & 4	1 & 2
Garzas Well No. 4	8 & 9	5 & 6	5 & 6	9 & 10	7 & 8	4 & 5	9 & 10	6 & 7	10 & 11	8 & 9	5 & 6	3 & 4
Panetta Well No. 1	6 & 7	3 & 4	3 & 4	7 & 8	5 & 6	2 & 3	7 & 8	4 & 5	8 & 9	6 & 7	3 & 4	1 & 2
Panetta Well No. 2	8 & 9	5 & 6	5 & 6	9 & 10	7 & 8	4 & 5	9 & 10	6 & 7	10 & 11	8 & 9	5 & 6	3 & 4
Robles Well No. 3	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed	Destroyed
Scarlett Well No. 8, Los Laureles Well No. 5 and Well No. 6 will be pumped one day per month for 8 hours												
Garzas Wells No. 3 and No. 4 and Panetta Wells No. 1 and No. 2 will be pumped 2 days per week, one week per month for 8 hours per day.												
Robles Well No. 3 will be pumped two (2) hours per day, one (1) day per week, four (4) weeks per month.												
Well sampling for Water Quality purposes may be in addition to above schedules and will be conducted after 10:30 a.m. and before 2:00 p.m. on a quarterly basis.												
The wells need to run for approximately 20 min for this sampling.												
(< 20 cfs for 5 consecutive days at the Don Juan gauging station) or non-usage, the above schedule will be utilized.												
NOTE: The dates marked in RED are Holidays or days that Holidays are observed by the company. In these cases, the maintenance pump schedule will be performed on the nearest feasible regular workday schedule (ie. If a Monday is a holiday and a well is scheduled for a maintenance run, the nearest feasible day would be Tuesday.)												

 **De LAY & LAREDO**
ATTORNEYS AT LAW

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(1919 – 2018)

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Pacific Grove, CA 93950
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Facsimile: (831) 646-0377

July 16, 2025

TO: Chair Riley, Members of the Board and General Manager Stoldt

FROM: David C. Laredo, Counsel

RE: General Report of Pending Litigation effective July 16, 2025

This memo presents a public summary of litigation matters that are deemed to be open and active. This is a recurring memo; the newly updated data is shown in **highlighted text**.

1 – MPWMD v. Cal-Am; 23CV004102

This lawsuit embodies District efforts to fulfill the electoral mandate of Measure J to acquire ownership and operation of Cal-Am's Monterey Division water supply facilities by eminent domain. Cal-Am's Dec. 16, 2024 Answer contends the District lacks the power to both acquire the water system, or to operate a retail potable water system. The District disputes Cal-Am's contentions and objections. Judge Rivamonte (Department 13A) is assigned as presiding judge for this case.

Although Cal-Am has stated its intent to seek a full or partial stay of proceedings in the Superior Court to until the California Supreme Court decides a pending case, *Town of Apple Valley v. Apple Valley Ranchos Water*, Case No. S289391, no motion to this effect has yet been filed. When filed, it is likely to trigger cross motions for Summary Judgment and Summary Adjudication. The likely hearing date for these matters will be held on December 12, 2025.

2 – MPWMD v. Local Agency Formation Commission (LAFCO); Cal-Am; 22CV000925
6th Dist. Court of Appeal H051849

The District brought this lawsuit to challenge LAFCO's conduct and administrative decisions regarding exercise of District powers to acquire Cal-Am water system facilities in accord with the voter mandate in Measure J. On December 7, 2023 Judge Thomas Wills ruled in favor of the District, and against LAFCO. The matter is now on appeal before the Sixth District Court of Appeal.

MPWMD's Opening brief is due on August 11, 2025.

3 – City of Marina; MPWMD, et al, v. California Coastal Commission (CCC); Cal-Am; 22CV004063

Following a trial on the merits held in December, 2024 and January, 2025, Judge Wills issued a final decision ruling in favor of the Coastal Commission (CCC) and Cal-Am, as Real Party in Interest. The Court found the CCC did not exceed its jurisdiction or abuse its discretion, and that CCC action was supported by substantial evidence.

Petitioning parties (City of Marina, the Marina Coast Water District (MCWD), the MCWD Groundwater Sustainability Agency and MPWMD) are evaluating merits of an appeal. Notice of Entry of Judgment was served on the parties on June 2, 2025, which started the 60-day deadline for an appeal.

4 – Matters Pending before the California Public Utilities Commission (CPUC) Actions pertaining to the Cal-Am Water System

The following actions are separate pending proceedings in which MPWMD is involved due to their impact on the Monterey area or upon the Cal-Am water system.

4.a A.21-11-024 Cal-Am Amended Water Purchase Agreement

This action deals with Cal-Am’s water purchase from the Pure Water Replenishment Project, and updates Cal-Am system supplies and demand estimates.

The Proposed Decision (PD) related to Supply & Demand (Phase 2), originally circulated on May 9, has been continued until the July CPUC Meeting, during which time Commissioners have been engaged in further ex parte meetings. The CPUC previously extended its internal deadline to complete review of this case from June 30 to October 21, 2025.

4.b A.25-07-003 Cal-Am 2025 General Rate Case (GRC)

On July 1, 2025 Cal-Am filed its latest triennial rate request as part of its regular three-year rate cycle. This case presents the forum for the CPUC to review and authorize Cal-Am rates and charges and authorize changes to the Cal-Am’s operating system. Because the GRC is a massive filing, staff and counsel are in the early stages of assessing its content and the issues presented. An internal team meeting will be convened within the month to assess issues that need attention.

MPWMD has moved to participate in this proceeding as a full party, with the right to undertake discovery, and to present witnesses and evidence in forthcoming evidentiary hearings.

4.c R.22-04-003 CPUC Acquisition Rulemaking

This action deals with CPUC Rulemaking that impacts statewide public utility systems with particular impact on the Cal-Am system. Earlier versions of this Status Report characterize the scope of the proceeding and the issues that have been raised during a series of workshops.

It is not clear when a Proposed Decision will be issued or when the matter may be submitted for consideration by the full Commission. The Statutory Deadline for CPUC has been extended to September 30, 2025.

In addition to pending matters of active litigation referenced above, two matters of threatened litigation exist, as referenced below.

5 –MPWMD v. SWRCB. Case No. 1-10-CV-163328 (Santa Clara County Superior Court) 10/27/2009.

Background. This matter was filed in 2010 to challenge the Cease & Desist Order (CDO) issued by the SWRCB. The case asserted four causes of action against the SWRCB related to the Cease & Desist Order. Originally filed in Monterey County, the case was transferred to Santa Clara County.

Dismissal. No parties challenged the request for dismissal of this action filed by the Sierra Club and Carmel River Steelhead Association (CRSA). The Court has not yet ruled on that request.

5 –CITY OF MARINA & MARINA COAST WATER DISTRICT v. RMC LONESTAR and CAL-AM - Case No. 20CV001387 (Monterey County Superior Court)

Although MPWMD is not a party to this action that includes a focus on Cal-Am's access to water and water rights, this matter may potentially involved District interests. Staff and counsel are tracking this matter.

ITEM: PUBLIC HEARING**7. CONSIDER SECOND READING AND ADOPTION OF DRAFT ORDINANCE NO. 198 - AMENDING DEFINITIONS AND PERMIT PROCESSES**

Meeting Date:	July 21, 2025	Budgeted:	N/A
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From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
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Prepared By:	Stephanie Locke	Cost Estimate:	N/A
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General Counsel Review: Completed

Committee Recommendation: On June 5, 2025, the Water Demand Committee unanimously supported moving the ordinance to the Board.

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

SUMMARY: Draft Ordinance No. 198 (**Exhibit 7-A**) amends the Rule 11 definitions for “new construction” and “Main California American Water System” and adds definitions for “Dormitory Bed at Educational Institution” and “Advanced Treated Recycled Water.” The ordinance also amends Rule 23 for clarity and reorganizes metering requirements to fall under Mandatory Conditions. Finally and most importantly, the ordinance codifies language in Rule 24 that was adopted by the Board through Urgency Ordinance No. 196 in August 2024 that clarified the second bathroom protocol.

The Water Demand Committee considered the ordinance on June 5, 2025. The committee unanimously supported moving the ordinance to the Board.

RECOMMENDATION: The Board should receive public comment before adopting Ordinance No. 198.

EXHIBIT**7-A Draft Ordinance No. 198**

EXHIBIT 7-A**DRAFT****ORDINANCE NO. 198****AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING DEFINITIONS AND PROCESSES RELATED TO WATER PERMITS****FINDINGS**

1. The Monterey Peninsula Water Management District (“District”) is organized and exists under the Monterey Peninsula Water Management District Law (Chapter 527 of the Statutes of 1977, and published at Water Code Appendix, Section 118-1, et seq.) (“District Law”).
2. The District is charged under the Monterey Peninsula Water Management District Law with the integrated management of all ground and surface water resources in the Monterey Peninsula area.
3. This ordinance deletes the term “Odd Numbered Property” from Rule 11. The term is obsolete.
4. This ordinance amends the definition of “New Construction.”
5. This ordinance adds the definition “Dormitory Bed at Educational Institution” to clarify where the dorm bed factor should be used and that dorms at an educational institution should be considered “Residential” for purposes of water rationing.
6. The definition for “Main California American Water System” has been amended to allow use of the term “California American Water **Main** System” and use of the abbreviated terms “Cal-Am” or “CAW” when referring to the system.
7. The ordinance adds a definition for “Advanced Treated Recycled Water” to define the product of the Pure Water Monterey project.

8. The ordinance amends Rule 23 for clarity, including relocating a section on metering from Rule 23-A-1-I to Rule 23-B-3.
9. The ordinance codifies language in Rule 24 that was adopted by the Board through Urgency Ordinance No. 196 in August 2024 that clarified the second bathroom protocol process.
10. This ordinance does not constitute a Project as that term is defined by Section 15378 of the California Environmental Quality Act (CEQA) as it is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment.

NOW THEREFORE, be it ordained as follows:

ORDINANCE

Section One: Short Title

This ordinance shall be known as the Initial 2025 Rules Amendment Ordinance of the Monterey Peninsula Water Management District.

Section Two: Purpose

This ordinance amends the Rules and Regulations of the District to codify updates to definitions and processes for Water Permits.

Section Three: Amendment to Rule 11, Definitions

Rule 11 shall be amended as shown in bold italics for new text (***bold italics***) and highlighted strikethrough (~~strikethrough~~) text for deletions.

~~ODD-NUMBERED PROPERTY — “Odd-Numbered Property” shall mean a property with an official address ending in an odd number. This definition shall also apply to properties located on the South or West side of the street in cities or other areas where no numbered street address is available. Landscaped areas associated with a building will use the number of that building as the~~

address. Only one address shall be used for a Landscaped area associated with one building or activity, even if the Landscaped area is broken into many separate subareas.

NEW CONSTRUCTION - “New Construction” means any construction of a previously non-existent structure *or additions to a structure* requiring a discretionary or ministerial permit. “New Construction” shall include additions, modifications, or structural improvements which add square footage to floor space of Existing Structures.

DORMITORY BED AT EDUCATIONAL INSTITUTION - “*Dormitory Bed at Educational Institution*” shall mean a mattress and bed frame designed for one person (i.e. twin bed) located in a sleeping room at an educational institution or in a building contracted with an educational institution to provide student housing. All other uses within the building shall be calculated using factors shown in Table 2: Non-Residential Water Use Factors. Dormitory buildings shall be considered Residential uses if water rationing is required.

MAIN CALIFORNIA AMERICAN (CAL-AM or CAW) WATER SYSTEM *or CALIFORNIA AMERICAN (CAL-AM or CAW) MAIN SYSTEM* – “Main California American (Cal-Am or CAW) Water System” *or “California American (Cal-Am or CAW) Main System”* shall mean the California American Water Company’s Water Distribution System that derives its Source of Supply from the Carmel River System and the Seaside Coastal Subareas of the Seaside Groundwater Basin. *The system may also “wheel” water from other locations pursuant to approvals by MPWMD.*

ADVANCED TREATED RECYCLED WATER – “*Advanced Treated Recycled Water*” shall mean water that has undergone extensive treatment to remove impurities, making it suitable for various uses beyond irrigation, such as groundwater recharge and Potable reuse. This treatment process typically involves advanced filtration methods like reverse osmosis and ultrafiltration, along with disinfection techniques like ultraviolet light and hydrogen peroxide.

Section Four: ***Amendment to Rule 23, Action on Application for a Water Permit to Connect to or Modify a Connection to an Existing Water Distribution System***

Rule 23 shall be amended as shown in bold italics for new text (***bold italics***) and highlighted strikethrough (~~strikethrough~~) text for deletions.

**RULE 23 - ACTION ON APPLICATION FOR A WATER PERMIT TO CONNECT TO OR
MODIFY A CONNECTION TO AN EXISTING WATER DISTRIBUTION SYSTEM**

A. PROCESS

1. New and Amended Water Permit

- a. The General Manager shall review the application and determine whether the Applicant has met the criteria for a Water Permit. If additional information is required to complete the application, the Applicant shall be notified in writing within thirty (30) days of the initial application. ***Applications are subject to the rules in effect at the time the application is deemed complete.***
- b. The General Manager shall determine if the District has temporarily delayed the issuance of new Water Permits pursuant to Regulation XV. If a temporary delay is in place that affects the application, no Water Permit shall be processed and the application shall be returned to the Applicant. ***Exceptions to this rule shall be made for Permit applications for a new Water Meter for a fire suppression system or to individually meter uses previously metered by one Water Meter (i.e. Meter Split) unless otherwise determined by action of the Board of Directors.***
- c. The General Manager shall not process a Water Permit when any portion of the Site lies outside of the affected Water Distribution System Service Area. ***Annexation of the Site must be pursued.***
- d. The General Manager shall not process a Water Permit when there is a previously issued Permit for a completed Project on the application Site and a final inspection by the District has not been conducted, or where the property is not in compliance with District Rules and Regulations ***or is non-compliant with*** conditions attached to previous District Permits.
- e. The General Manager shall calculate the appropriate Capacity Fee for

the Project using Rule 24, Calculation of Water Use Capacity and Capacity Fees. Estimation of past and future water use should be done according to the Rule 24 methodology.

- f. When the application involves an Intensification of Use, the General Manager shall ensure that the total quantity of water permitted for all projects, including the current application, within a Jurisdiction shall not exceed that Jurisdiction's total Allocation. Similarly, for Projects not subject to a Jurisdiction's Allocation, the General Manager shall ensure that the total quantity of water permitted for all Projects, including the current application, does not exceed the production limit, ~~and/or~~ ***the Connection limit, or the total Water Entitlement available*** of the Water Distribution System serving the Project Site.
- g. When the Adjusted Water Use Capacity as determined in Rule 24 is a positive number, that amount of water shall be deducted from the Jurisdiction's Allocation or Water Entitlement as authorized on the Water Release Form. If additional water is required to meet the Adjusted Water Use Capacity of the Project and the Applicant is unable to reduce the Adjusted Water Use Capacity, the application shall be denied and returned to the Applicant to secure additional water resources.
- h. Intensification of Use allowed by a Water Permit shall result in a deduction from a Jurisdiction's Allocation (for Projects served by the Main California American Water System), from a Water Entitlement available to the property, or from the total available production limit for that Water Distribution System. Each Project which allows new, modified, or Intensified Water Use, shall require a Water Permit.

~~i. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User except as allowed in 23-A-1-i (3), (4), (5), (6), and (7).~~

~~(1) A Non-Residential User may extend water use to another Non-Residential User within an existing structure unless the~~

Remodel or Addition requires a Water Permit for a Change of Use (as defined in Rule 11).

(2) A Change of Use as defined in Rule 11 shall trigger the requirement for a separate Water Meter if the User has a Bathroom or uses water as a component of their business (i.e., restaurant, Group II uses, manufacturing, etc.).

(3) Users of multiple structures on a Site occupied by one Non-Residential User may apply for a variance of this Rule.

(4) The General Manager shall allow sub-metering for each Multi-Family Dwelling (including condominiums and Common Interest Developments), Mixed Use, or Non-Residential User when the installation of separate Water Meters is not feasible and the User is utilizing Water Credits or an Entitlement on a Site that has a Connection. Applications for sub-metering of Single Family Dwellings will be considered by the General Manager when the Jurisdiction confirms there is no potential that the sub-metered User could be located on a separate Site through subdivision or transfer of ownership of a portion of the Site. Approval of a Water Permit allowing sub-metering under this provision shall require recordation of a deed restriction on the title of the property that shall encumber current and future Site owners to comply with the following conditions:

a. A Site's owner shall have Water Meters installed for each sub-metered User by the Water Distribution System Operator within ninety (90) days of the conclusion of a Connection moratorium. It is recommended that the sub-meter(s) be located in or near the future meter box to facilitate this requirement. Once Water Meters maintained by the Water Distribution System Operator have been installed, the deed restriction shall be removed.

b. When requested at the conclusion of the Water Year, the Site's owner shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the sub-meter (e.g. apartment number or lease space number) and the number of residents in each Residential Dwelling Unit or the type of use according to Rule 24, Table 2, for each Non-Residential User;

c. During Stage Four of the Monterey Peninsula Water Conservation and Rationing Plan (Regulation XV), sub-metered consumption shall be provided to the District monthly or more frequently if requested by the General Manager;

(5) The Board shall consider variances to this Rule when the installation of separate Water Measuring Devices is not feasible due to Special Circumstances. In considering a variance, the Board shall determine if another type of Water Measuring Device is appropriate and shall make reporting of consumption a condition of approval.

(6) The General Manager shall allow permanent sub-metering of all water use into one Accessory Dwelling Unit. An Accessory Dwelling Unit contained within the existing space of a single-family residence or accessory structure (e.g., studio, pool house, or other similar structure) shall be exempt from the sub-metering requirement. Sub-metering is, however, encouraged as a conservation tool that promotes the efficient use of water. The sub-metering requirement or sub-metering exemption will be considered by the General Manager when the Jurisdiction confirms there is no potential that the sub-metered User could be located on a separate Site through subdivision or transfer of ownership of a portion of the Site.

(7) The General Manager shall allow permanent sub-metering of

~~each User's water use in a Multi-Family Dwelling or Residential Common Interest Development of more than four units and into the project's common areas. Approval of a Water Permit allowing sub metering under this provision shall require recordation of a deed restriction the title of the property that shall encumber current and future Site/common area owners to comply with the following conditions:~~

~~a. When requested at the conclusion of the Water Year, the Site's owner shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the sub-meter (e.g. apartment or condo number) and the number of residents in each Dwelling Unit and information about common area uses;~~

~~b. During Stage Four of the Monterey Peninsula Water Conservation and Rationing Plan (Regulation XV), sub-metered consumption shall be provided to the District monthly or more frequently if requested by the General Manager.~~

- i. When the application involves recordation of notices on the title of the property, all notices shall be recorded by the District prior to final issuance of a Water Permit. Additional information (e.g. trust documents, Articles of Incorporation) may be requested to verify ownership and to facilitate preparation of District notices.
- j. The General Manager shall collect payment of the appropriate Capacity Fee and processing fees and shall issue a receipt prior to final issuance of a Water Permit.
- k. When the application requests a Permit to install a new Water Meter for a fire suppression system, to extend a water main within the boundaries of the Water Distribution System, or to individually meter

uses previously metered by one Water Meter (i.e. Meter Split), there shall be no processing fee.

- l. ~~The General Manager shall mark the Construction Plans and the Landscape plans with the District's Water Permit Approval Stamp and shall sign the stamp and include the Water Permit number and date issued. An electronic copy~~ A *digital copy* of the *District-approved Construction Plans and the Landscaping Landscape Design Plan* shall be retained by the District.
- m. The General Manager shall review the final Water Permit with the Applicant or his agent prior to ~~requesting~~ *securing* a signature on the Water Permit and releasing the permit ~~and Construction Plans~~.
- n. Following Project completion, a final inspection of the Project shall be conducted by the District. Major Landscape Projects shall be audited by a Certified Landscape Irrigation Auditor and corrections noted in the audit shall be made prior to District inspection. If the completed Project varies from the permitted Project, application for an amended Water Permit is required. When the completed Project has fewer fixture units than the number permitted (Residential Water Permits), or has a smaller Water Use Capacity than permitted (Non-Residential and landscape Water Permits), the Applicant shall not be required to secure the signature of the authorized official of the applicable Jurisdiction on the Water Release Form.
- o. Notice by the District to correct any discrepancy shall be provided on the inspection report to the Person contacted at the Site and by regular mail *or email* to the owner of record. Notice of violations that may result in a debit to a Jurisdiction's Allocation shall also be mailed, faxed or emailed to the Jurisdiction. Such notice shall include a date by which any corrections and amendments shall be made. Thereafter, the General Manager may adjust the charge and debit the water from a Jurisdiction's Allocation or cause a refund of Capacity Fees paid and water previously debited from an Allocation to reflect the Project as built rather than the Project as permitted.

- p. Removal of unpermitted water fixture. When a water fixture requiring a Water Permit by the District is installed without a Water Permit and the Applicant is unable to secure sufficient Allocation from a Jurisdiction or Entitlement, or if there is insufficient Water Credit on Site to permit the fixture, the Applicant shall remove the fixture and return the location to its original state where there is no evidence of the unpermitted water fixture.

2. Temporary Water Permits.

- a. The General Manager may issue a Water Permit for temporary water use when the Applicant has submitted a written request for a Temporary Water Permit, including an explanation of the type of use and quantity of water requested and a signed Water Release Form *authorizing a temporary water debit* from the Jurisdiction.
- b. The Applicant for a Temporary Water Permit shall acknowledge in writing that the Temporary Water Permit does not confer a property interest to obtain or use water after expiration and/or Revocation of the Permit. The terms and conditions of the Temporary Water Permit shall be recorded on the title of the property for the duration of the Temporary Water Permit.
- c. The term of a Temporary Water Permit shall not exceed twenty-four (24) months.
- d. The General Manager shall process a Temporary Water Permit pursuant to the process in Rule 23-A-1.
- e. Following removal of the temporary use and verification by the District, water temporarily debited from the Jurisdiction's Allocation will be returned to the Jurisdiction and the Capacity Fee paid for the temporary use will be refunded to the current property owner.
- f. A Notice of Removal of Deed Restriction shall be recorded by the

District at the conclusion of the Temporary Water Permit process.

3. Conditional Water Permits.

A category of Water Permits known as Conditional Water Permits shall be available to a limited group of Applicants under restricted circumstances and only with the Jurisdiction's endorsement. A Conditional Water Permit creates a record that specifically quantifies the increment of water assigned for use at the location designated by the Jurisdiction and debits the Jurisdiction's Allocation. Conditional Water Permits are available to those Projects that are unable to meet all of the criteria of Rule 23-A-1 and meet the standards of this Rule.

a. The following categories of Projects may obtain a Conditional Water Permit:

- (1). Large Projects - Commercial Projects with a projected water demand of over one Acre-Foot annually.
- (2). Government Projects - Projects owned and operated or financed by a Governmental agency.
- (3). Projects with Complex Financial Underwriting - Determined at the discretion of the Board of Directors.

b. The Conditional Water Permit may be issued when the following criteria have been met:

- (1) There is no Water Supply Emergency;
- (2) There is sufficient water supply in the Jurisdiction's Allocation;
- (3) The governing body of a Jurisdiction submits a written request that a Conditional Water Permit be issued to a Project;

- (4) A completed Water Release Form for the Project is submitted which includes the authorizing signature of the Jurisdiction to debit its Allocation;
 - (5) Payment of all Capacity Fees and fees has been received by the District.
- c. A Conditional Water Permit shall be numbered with the next sequential alpha and numeric number beginning with C-001, C-002, etc. A Water Permit bearing the Permit number referenced in the Conditional Water Permit shall be maintained unsigned in the District's file.
 - d. The Applicant's notarized signature is required on the Conditional Water Permit form before the General Manager's approval.
 - e. A Conditional Water Permit shall be valid after the General Manager has signed the Permit.
 - f. An amount of water approved for use by the Jurisdiction for the Project will be debited from the Jurisdiction's Allocation at the time the Conditional Water Permit is issued.
 - g. A Conditional Water Permit does not allow the setting of any Water Meter or the start of any new or expanded water use until the conditions of the Permit have been met and a Water Permit has been issued pursuant to Rules 21, **and** 23, **and** 24.
 - h. Each Conditional Water Permit is time limited. The Conditional Water Permit shall expire on December 31st of the year following issuance.
 - i. A written request for extension of the Conditional Water Permit may be requested and shall require Board authorization for extension. Requests for extension must be received no earlier than ninety (90) days and no later than forty-five (45) days prior to expiration and

must include an explanation for the request and the Jurisdiction's agreement that the Board should grant an extension.

4. Water Permit Waiver

When requested by a Jurisdiction, or at the request of an Applicant, the District will review a Water Permit application *that does not appear to require a Water Permit*. When a Water Permit is not required, the District will issue a “*permit* waiver.” A waiver involves the same review process as a Water Permit but does not result in recordation of deed restrictions *and does not authorize changes that require a Water Permit*.

B. MANDATORY CONDITIONS, ACTION ON APPLICATION FOR A WATER PERMIT TO CONNECT TO OR MODIFY AN EXISTING WATER DISTRIBUTION SYSTEM

1. Construction Affecting the Interior or Exterior of an Existing Structure. All construction within or to an Existing Structure *that requires a Water Permit* shall be subject to the following conditions:
 - a. The project Site must meet all applicable water conservation requirements of Regulations XIV and XV.
 - b. Other conditions may be placed upon approval as indicated in the applicable rule governing the Water Permit process.
 - c. The Applicant shall arrange for a final inspection by the District upon Project completion. District staff shall review the Project, water fixtures, and Landscaping for compliance with the Water Permit.
 - d. Permit amendments or other actions required as a result of a final inspection shall be completed within thirty (30) days of the date of the final inspection.
 - e. All Water Permits shall include a Notice and Deed Restriction titled

“Provide Public Access to Water Use Data.” There shall be no additional charge for this deed restriction.

- f. To encourage separate metering, permits for Meter Splits for existing Users shall be processed and issued with no charge to the Applicant.*

2. Construction of a New Structure.

- a. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User pursuant to Rule ~~23-A-1-i (3), (4), and (5)~~ 23-B-3.
- b. All Non-Residential New Structures that include irrigated landscapes of 1,000 square-feet or greater shall utilize a separate Water Meter supplied by the Water Distribution System to measure all exterior water uses. All Residential irrigated landscapes of 5,000 square-feet or greater shall install a sub-meter to measure outdoor water use.
- c. All New Structures receiving a Water Permit after January 1, 2009, shall have separate water supply lines that tee off in the meter box after the Water Meter to supply fire suppression service and domestic service as demonstrated in Figure 23-1 (*found at the end of this rule*), unless the User has separate Water Meters maintained by the Water Distribution System Operator for fire and domestic services. This configuration shall facilitate installation of a Flow Restrictor in the domestic service without interfering with the fire suppression service. The General Manager shall have authority to make exceptions to this requirement for Undue Hardship. Exceptions shall be recorded on the property title with notice that rationing enforcement could result in a Flow Restrictor.
- d. Other conditions may be placed upon approval as indicated in the applicable rule governing the Water Permit process.

- e. The Applicant shall arrange for a final inspection by the District upon Project completion. District staff shall review the Project, water fixtures, and Landscaping for compliance with the Water Permit.
- f. Permit amendments or other actions required as a result of a final inspection shall be completed within ~~thirty (30)~~ **sixty (60)** days of the date of the final inspection.
- g. All Water Permits shall include a Notice and Deed Restriction titled “Provide Public Access to Water Use Data.” There shall be no additional charge for this deed restriction.

3. **Water Meter Requirements**

- a. *Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User with exceptions listed below.*
- b. *Accessory Dwelling Unit. Permanent submetering of all water use into one Accessory Dwelling Unit shall be allowed when the Jurisdiction confirms there is no potential that the submetered User could be located on a separate Site through subdivision or transfer of ownership of a portion of the Site. An Accessory Dwelling Unit contained within the existing space of a single-family residence or accessory structure (e.g., studio, pool house, or other similar structure) shall be exempt from the sub-metering requirement. Submetering is, however, encouraged as a conservation tool that promotes the efficient use of water.*
- c. *Multi-Family Dwelling and Residential Common Interest Developments of four or more units. Permanent submetering of each User’s water use in a Multi-Family Dwelling or Residential Common Interest Development of more than four units shall be allowed pursuant to California Water Code Division 1 Chapter 8, Water Measurement. Submeters or Water Meters shall be required*

for Common Areas. Landscape shall be separately metered pursuant to Rule 142.1.

Approval of a Water Permit allowing submetering under this provision shall require recordation of a deed restriction on the title of the property that shall encumber current and future Site/common area owners to comply with the following conditions:

- (1). When requested, the Responsible Party shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the submeter (e.g. apartment or condo number) and the number of residents in each Dwelling Unit and information about common area uses;*
- (2). During Stage Four of the Monterey Peninsula Water Conservation and Rationing Plan (Regulation XV), submetered consumption shall be provided to the District monthly or more frequently if requested by the General Manager.*

- d. A Non-Residential User may extend incidental water use to another Non-Residential User within an existing structure unless the Remodel or Addition requires a Water Permit for a Change of Use.*
- e. A Change of Use shall trigger the requirement for a separate Water Meter if the User has a Bathroom or uses water as a component of their business (i.e., restaurant, Group II uses, manufacturing, etc.).*
- f. Users of multiple structures on a Site occupied by one Non-Residential User may apply for a variance of this Rule.*

- g. The Board shall consider variances to this Rule when the installation of separate Water Measuring Devices is not feasible due to Special Circumstances. In considering a variance, the Board shall determine if another type of Water Measuring Device is appropriate and shall make reporting of consumption a condition of approval.*
- h. The General Manager shall allow submetering for each Multi-Family Dwelling (including condominiums and Common Interest Developments), Mixed Use, or Non-Residential User when the installation of separate Water Meters is not feasible and the User is utilizing Water Credits or an Entitlement on a Site that has a Connection. Applications for submetering of Single-Family Dwellings will be considered by the General Manager when the Jurisdiction confirms there is no potential that the submetered User could be located on a separate Site through subdivision or transfer of ownership of a portion of the Site. Approval of a Water Permit allowing submetering under this provision shall require recordation of a deed restriction on the title of the property that shall encumber current and future Site owners to comply with the following conditions:*
- (1). The Site's owner shall have Water Meters installed for each submetered User by the Water Distribution System Operator within ninety (90) days of the conclusion of a Connection moratorium. It is recommended that the submeter(s) be located in or near the future meter box to facilitate this requirement. Once Water Meters maintained by the Water Distribution System Operator have been installed and verified by the District, the deed restriction shall be removed.*
 - (2). When requested, the Responsible Party shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the submeter (e.g.*

apartment or condo number) and the number of residents in each Dwelling Unit and requested information about common area uses;

- (3). *During Stage Four of the Monterey Peninsula Water Conservation and Rationing Plan (Regulation XV), submetered consumption shall be provided to the District monthly or more frequently as requested by the General Manager.*

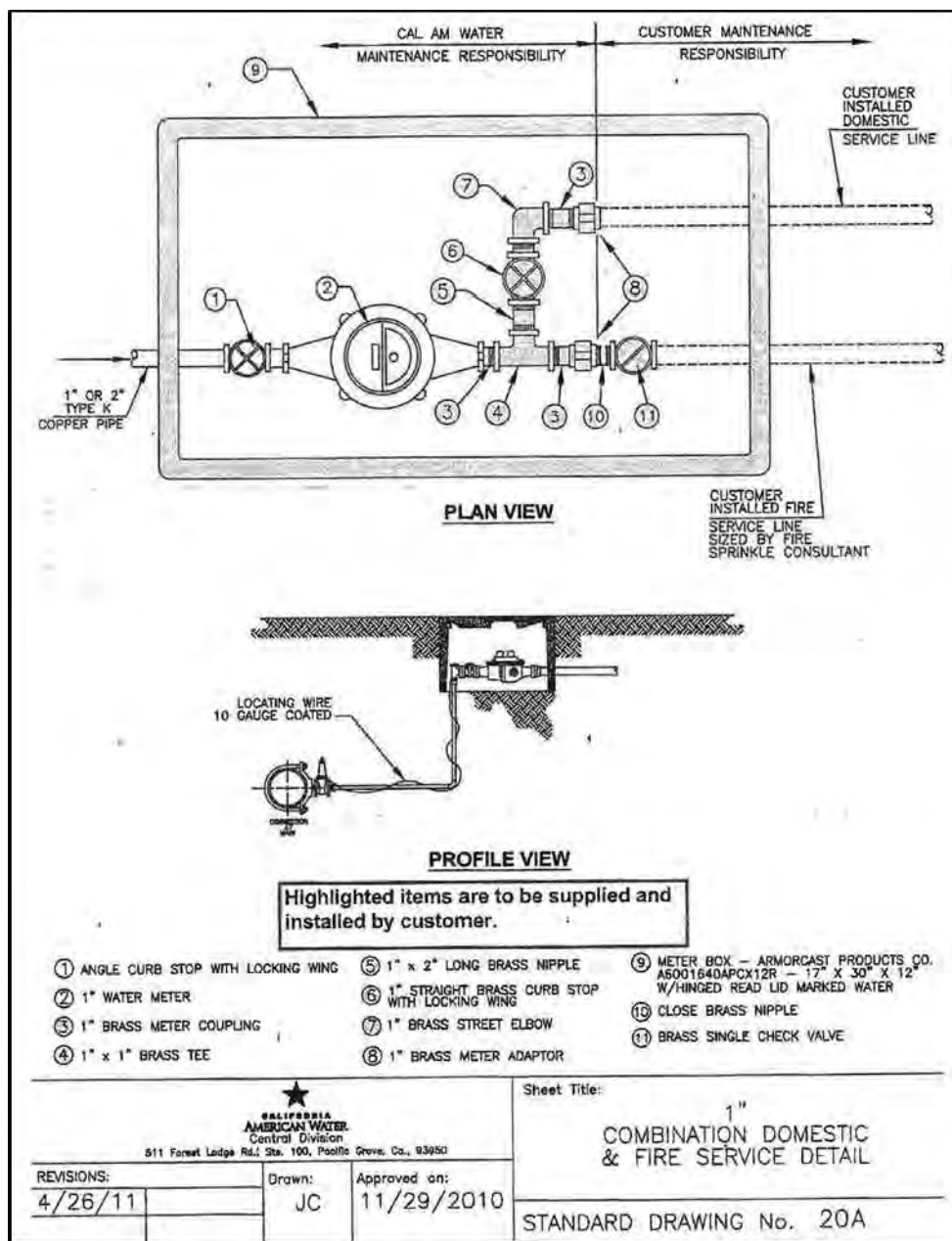
23. Construction in the Sleepy Hollow Subdivision of Carmel Valley.

- a. All ~~exterior~~ **Landscape Area** water use shall be supplied by the Sleepy Hollow Non-Potable Water system or by an On-Site Well.
- b. ~~Interior~~ **Potable** water use shall be supplied by California-American Water Company (also known as the Sleepy Hollow Mutual Potable Water Distribution System) by a Master Meter at the subdivision boundary.
- c. Both ~~interior~~ **Potable water uses** and ~~exterior~~ **Landscape Areas** uses shall be metered by individual Water Meters.

C. ADJUSTMENT OF ALLOCATION OR WATER USE PERMIT FOR UNUSED WATER CAPACITY

1. Any permitted Water Use Capacity which is not used because of an abandoned, expired, Revoked, returned, or amended Water Permit shall be returned to the applicable Allocation or Water Use Permit.
2. The Owner of any Benefited Property shall be entitled to receive additional Water Permit(s) until the Water Use Permit has been used in full.

Figure 23-1



Section Five: Amendments to Rule 24, Second Bathroom Addition Protocol

Rule 24-A-3 shall be amended as shown below, with added language as shown in ***bold italic*** type face, and deleted language shown in highlighted strikethrough (~~strikethrough~~) text. The remaining provisions of Rule 24 shall remain unchanged by this ordinance.

3. Second Bathroom Addition

A distinctive Water Permit protocol shall apply to any Residential application that proposes to add a second Bathroom to a Dwelling Unit built before May 16, 2001, that, ~~prior to the application,~~ has less than two full Bathrooms ***and that has not removed water fixtures in a Bathroom to facilitate the addition of water fixtures elsewhere on the Site.***

- a. The second Bathroom protocol shall be limited, and shall apply only to the following water appliances if they are installed in a second Bathroom as an expansion or remodel of an existing Dwelling Unit: (a) a single toilet, and (b) a single Standard Bathtub, or single Shower Stall, or a single standard tub-shower combination, and (c) one or two Washbasins.
- b. The second Bathroom protocol shall further apply to ~~any~~ ***a*** Residential application that proposes to add one or more of the water fixtures referenced above to a second Bathroom which lacks that fixture(s) within a Dwelling Unit that, ~~prior to the application,~~ has less than two full Bathrooms.
- c. The second Bathroom protocol shall apply only to a Dwelling Unit that has less than two full Bathrooms ***and that has not removed basic Bathroom water fixtures (i.e., a toilet, a Standard Bathtub or Shower Stall or a Washbasin) to enable the addition of water fixtures elsewhere on the Site.***
- d. The second Bathroom protocol shall not apply to any Multi-Family Dwelling or Multi-Family Residential Site with four or more units.
- e. Water fixtures installed pursuant to this provision shall be installed within the Dwelling Unit. The second Bathroom protocol shall not

be used to create a new Accessory Dwelling Unit. This includes the addition of a second Bathroom elsewhere in the Dwelling Unit that would allow the first Bathroom to be used by an Accessory Dwelling Unit *or junior Accessory Dwelling Unit*. The protocol was adopted to recognize that a second Bathroom is for convenience. It is not intended to support a new User.

- f. Under this second Bathroom protocol, the General Manager shall not debit the Jurisdiction's Allocation for the installation of the water fixtures in the second Bathroom.
- g. Capacity Fees shall nonetheless be collected for the addition of fixture units in the second Bathroom.
- h. No credit shall be granted for removal or retrofit of any fixture added pursuant to this second Bathroom protocol.
- i. Use of the second Bathroom protocol is voluntary. Any Dwelling Unit installing a second Bathroom pursuant to this provision shall be limited to two Bathrooms unless the second Bathroom is permitted by debit to a Jurisdiction's Allocation, an Entitlement, or offset by a credit. A Notice and Deed Restriction Regarding Limitation on Use of Water on a Property shall be recorded on the real property as a condition of the Water Permit.
- j. All Water Permits issued pursuant to this Rule shall include a Notice and Deed Restriction titled "Provide Public Access to Water Use Data" pursuant to Rule 23. In addition, permits utilizing the second Bathroom protocol shall authorize access to water records for the sixty (60) months prior to the date the Water Permit is issued. ~~There shall be no additional charge for this deed restriction.~~
- k. The provisions of this second Bathroom protocol shall take precedence and supersede any contrary provision of the Water Management District Rules and Regulations.

Section Seven: **Effective Date**

This ordinance shall take effect at 12:01 a.m. on August 21, 2025.

Section Eight: **Severability**

If any subdivision, paragraph, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion by Director _____, and second by Director _____, the foregoing ordinance is adopted upon this ____ day of _____, 2025 by the following vote:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of an ordinance duly adopted on the ____ day of _____ 2025.

Witness my hand and seal of the Board of Directors this ____ day of _____ 2025.

David J. Stoldt, Secretary to the Board

ITEM: ACTION ITEM**8. CONSIDER DIRECTING STAFF TO NEGOTIATE A DRAFT AGREEMENT WITH MARINA COAST WATER DISTRICT FOR AQUIFER STORAGE AND RECOVERY COOPERATION****Meeting Date: July 21, 2025 Budgeted: N/A****From: David J. Stoldt General Manager Program/ Line Item No.: N/A****Prepared By: David J. Stoldt Cost Estimate: N/A****General Counsel Approval: N/A****Committee Recommendation:****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: The Marina Coast Water District (MCWD) has requested that MPWMD consider making its Aquifer Storage and Recovery (ASR) facilities available to inject MCWD water to the Seaside Groundwater Basin when not in use for MPWMD's own ASR program.

- Under its permits MPWMD can only inject Carmel River water from December through May, meaning that there is available capacity in the June to November period. There may also be surplus capacity in winter months during dry years when Carmel River permit conditions cannot be met.
- MPWMD retains its statutory right to store water in the basin for the benefit of the District. The Court found that this right is preserved and does not conflict with the Physical Solution under the adjudication. The power of the Watermaster to enjoin unauthorized storage is limited to storage by Producers, and does not extend to storage by the District. However, the District has traditionally worked cooperatively with the Watermaster as to the nature and scope of its storage activities, and has participated in two storage and recovery agreements.
- MCWD has committed to serve water to developments in the former Fort Ord within the MPWMD jurisdiction, including Monterey (65 AFY), Del Rey Oaks (242.5 AFY), and Seaside (1,012 AFY). While these allocations are ostensibly sourced from the Salinas Valley Groundwater Basin, the place of use is generally within MPWMD boundaries. Until those developments are built out, MCWD could store water to build up reserves.

MPWMD may choose to do this solely as a mutual form of cooperation, although there are potential benefits to the groundwater basin, as well as to jurisdictions served by MCWD that are also constituents of MPWMD. There is a potential cost-sharing benefit to MPWMD should an additional injection well be desired. There may also be the potential for future exchanges or sales of water, and potential drought protection.

If MPWMD chooses to move forward, an agreement would be developed that would include terms and conditions as outlined in **Exhibit 8-A**.

RECOMMENDATION: Board should direct staff to negotiate a draft agreement with Marina Coast Water District for Aquifer Storage and Recovery cooperation.

EXHIBIT

8-A General Terms and Conditions of a Cooperation Agreement

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EXHIBIT 8-A

General Terms and Conditions of a Cooperation Agreement

- Recitals
- Definitions
- Injection Facilities: Injection will occur at the Santa Margarita ASR wells 1 and 2 (the “Point of Delivery.”) MPWMD shall retain exclusive ownership of all injection facilities. The Parties may agree to cost-share on any future injection wells.
- Extraction Facilities: MCWD will be solely responsible for developing extraction (production) facilities, or contracting with others for extraction. MPWMD will make its Santa Margarita water treatment facility available, subject to agreement with California American Water, as a possible option for treatment if extraction configuration supports it.
- Operations: MPWMD will be responsible for injection operations under its permit with the Regional Water Quality Control Board. MCWD will be responsible for extraction and treatment as regulated by the State Water Resource Control Board Division of Drinking Water.
- Water Rights: MCWD will represent that it owns the water designated for storage and is authorized to request storage.
- Storage Rights: The Parties will endeavor to negotiate a Storage and Recovery Agreement with the Watermaster. However, if such Agreement is not forthcoming, MPWMD will store on behalf of MCWD under its rights protected by the Superior Court adjudication decision.
- Measurement: All water furnished pursuant to the Agreement shall be measured by MPWMD at the Point of Delivery. Such measurement shall be with equipment chosen by MPWMD, installed by MPWMD on MPWMD facilities, and approved by MCWD in writing. All measuring equipment shall be installed, maintained, repaired and replaced by MPWMD. Measurement records of injection will be provided by MPWMD to MCWD monthly during injection operations.
- Water Quality Guarantee: All water delivered by MCWD to MPWMD to the Point of Delivery must meet the water quality requirements set forth in Applicable Law, including the Watermaster. MCWD will provide sufficient information to demonstrate that the water quality characteristics of the water being proposed for storage will meet all of the requirements imposed by any regulatory agency or agencies and the Watermaster. If at any time MCWD fails to meet the Water Quality Guarantee, MCWD shall give MPWMD immediate notice thereof and shall promptly meet with MPWMD to discuss the circumstances of such failure and a proposed action plan for remediation. Subject to such notice, MPWMD may immediately cease injection.

- **Costs:** MCWD will pay all costs associated with the operation of the ASR facilities on behalf of MCWD, including administration, operation, regulatory compliance, maintenance, repair, replacement, insurance, and depreciation. MPWMD will invoice MCWD monthly during injection operations.
- **Water Charges:** The Parties shall not impose any fee or other expense upon each other, except as provided for under “Costs,” above. However, the Parties will have the right to purchase water from each other at a rate (charge) to be determined at such time.
- **Permits:** The Parties agree to cooperate in acquisition of all regulatory permits and approvals required to undertake this agreement, including CEQA.
- **Planning and Construction:** The Parties may cooperate and share costs of planning and construction of any additional facilities.
- **Term:** 10 - 20 years
- **Events of Default:** TBD
- **Arbitration:** TBD
- **Assignment:** TBD

ITEM: DISCUSSION ITEM**9. UPDATE ON CALIFORNIA PUBLIC UTILITIES COMMISSION A.21-11-024
PHASE 2 (SUPPLY AND DEMAND) PROCEEDING****Meeting Date: July 21, 2025 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: Please see the memorandum attached as **Exhibit 9-A**. The reader is also directed to Item 12 “Supplemental Letter Packet” for a presentation utilized by the advocacy group LandWatch in its ex parte meetings with California Public Utilities Commission staff.

EXHIBIT**9-A A.21-11-024 Phase 2 Status Memorandum**

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David C. Laredo
Frances M. Farina
Michael D. Laredo

Paul R. De Lay
(1919 – 2018)

Pacific Grove Office:
606 Forest Avenue
Pacific Grove, CA 93950
Telephone: (831) 646-1502
Facsimile: (831) 646-0377

June 27, 2025

TO: MPWMD Board of Directors

FROM: Dave Laredo, Fran Farina

RE: A.21-11-024 Phase 2 Status

This memo provides a status update on Phase 2 of California-American Water Company's (Cal-Am) Application 21-11-024 to "address the most recent supply and demand data" Cal-Am has available as directed by the Commissioner's Scoping Memo and Ruling of February 9, 2022.

Background

California-American Water Company (Cal-Am) filed an application with the Commission in November of 2021 seeking authorization to enter into the Amended and Restated Water Purchase Agreement (Amended WPA) for the Pure Water Monterey (PWM) Project Expansion. The proceeding was divided into two phases. The first phase authorized Cal-Am to enter into the Amended WPA together with construction of certain facilities and rate recovery pursuant to Decision (D.) 22-12-001. Once constructed and online, the PWM Expansion Project will increase Cal-Am's water supply by an additional 2,250 acre-feet per year (AFY).

Phase 2 of the proceeding enabled the CPUC to revisit long-term water supply and demand estimates previously made in the Commission's 2018 decision that approved the Monterey Peninsula Water Supply Project (MPWSP).¹ A Phase 2 evidentiary hearing took place from March 11 to March 15, 2024. Opening and reply briefs were filed and the record was submitted on May 28, 2024.

The Proposed Decision (PD) was served on May 9, 2025. The parties were allowed twenty (20) days to file comments and an additional five (5) days thereafter to file reply comments. Cal-Am and others began scheduling ex parte meetings with the Commissioners' staff advisors.

The PD supports the full 5,750 acre-feet per year (AFY) supply from PWM and PWM Expansion and 1,210 AFY from ASR. The PD underestimates other available supplies from Cal-Am's legal rights in

¹ In 2012, Cal-Am filed Application 12-04-019 for approval of the Monterey Peninsula Water Supply Project (MPWSP). This project has three components: groundwater replenishment (GWR) now referred to as the Pure Water Monterey (PWM) Project, Aquifer Storage and Recovery (ASR), and a 6.4 million gallons per day (MGD) desalination facility. Commission approval was granted in Decision (D.) 18-09-017.

the Seaside Groundwater Basin, Sand City's desalination plant, and other water rights or entitlement project water available to Cal-Am. On the demand side of the equation, the PD continues to support Cal-Am's overestimated demand forecast that would have its service area population increase by 40,000 to 50,000 people in the next 25 years contrary to forecasts from the public agency parties and the independent Association of Monterey Bay Area Governments (AMBAG).

Recent Commission Activity

MPWMD, Marina Coast Water District (MCWD), the City of Marina, and Public Water Now scheduled additional ex parte meetings objecting to aspects of the PD while Cal-Am's meetings argued for even more support. The assigned Commissioner in this proceeding, Darcie Houck, held an All-Party meeting on June 5 after which the PD appeared on the Commission's June 12, 2025 meeting agenda as a *consent* item. This meant the PD would be adopted as written. Fortunately, the item appeared on the "Hold List" on June 10th by Commissioner Houck "for further review" and was rescheduled to the June 26th meeting date. Nevertheless, we organized many speakers who participated in the June 12th public comment portion of the meeting via telephone.

Prior to the June 26th meeting, Cal-Am, MCWD, and the City of Marina scheduled additional ex parte meetings. When this meeting agenda was published, it again showed the PD as a consent item. No revision had been circulated, which indicated there were no changes.

The Hold List was published on June 16th, but the PD was not on it. On Tuesday, June 17th, a letter from Senator Laird was distributed requesting the PD be removed from the calendar so that revisions could be made "including a more reasonable demand estimate for 2050." By late afternoon when the Hold List was published, the PD appeared as held "for further review" by Commissioner Houck to the July 24th meeting in San Francisco.

At the June 26th meeting, our supporters participated once again during public comment but this time Cal-Am had speakers in person and by phone urging approval of the PD and supporting the need for the desalination plant.

ITEM: INFORMATIONAL ITEM/STAFF REPORT**10. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER \$25,000**

Meeting Date: July 21, 2025 **Budgeted:** N/A

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

Prepared By: Nishil Bali **Cost Estimate:** N/A

General Counsel Review: 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: Attached for review as **Exhibit 10-A** is a monthly status report on contracts over \$25,000 for the period May 2025. Contracts associated with District grants are provided in a separate section for reference. This status report is provided for information only, no action is required.

EXHIBIT**10-A** Status on District Open Contracts over \$25k

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Monterey Peninsula Water Management District
Status on District Open Contracts and Grants
For The Period May 2025

	Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending*	Total Expended To Date	Current Period Activity	P.O. Number
1	Albert A. Webb Associates	Consultant for Public's Acquisition of Monterey Water System (Cal-Am)	11/18/2024	\$ 1,200,000.00	\$ 90,215.30	\$ 7,702.50	\$ 97,917.80		PO03880
2	Close and Associates	Utility consultant for Public's Acquisition of Monterey Water System	11/18/2024	\$ 965,000.00	\$ 55,657.50	\$ -	\$ 55,657.50		PO03876
4	TM Process & Controls	ASR Well Turbidity Control	8/19/2024	\$ 57,749.00	\$ 31,969.69	\$ -	\$ 31,969.69		PO03852
5	TJC and Associates	Perform a review of our electrical system, capacity, and provide overall support for the ASR project	6/27/2024	\$ 45,000.00	\$ 6,273.25	\$ 2,320.75	\$ 8,594.00	Current period billing	PO03829
6	DeVeera Inc.	IT Managed Services Contract and subscriptions FY 2024-2025	5/20/2024	\$ 95,500.00	\$ 79,566.97	\$ 7,959.98	\$ 87,526.95	Current period activity for managed IT services	PO03815
7	Lynx Technologies, Inc	GIS Consultant Contract for 2024-2025	5/20/2024	\$ 35,000.00	\$ 31,950.00	\$ 2,925.00	\$ 34,875.00	Current period billing	PO03795
8	Kyocera Document Solutions of America Inc.	Lease Agreement for three Copiers for 60 months	8/1/2024	\$ 29,424.00	\$ 3,895.92	\$ 565.47	\$ 4,461.39	Current period billing	PO03790
11	JEA & Associates	Legislative and Administrative Services	7/1/2024	\$ 54,000.00	\$ 45,000.00	\$ 4,500.00	\$ 49,500.00	Current period retainer billing	PO03761
12	The Ferguson Group LLC	Contract for Legislative Services for FY 2024-2025	7/1/2024	\$ 79,100.00	\$ 69,300.00	\$ 6,300.00	\$ 75,600.00	Current period retainer billing	PO03760
13	CSC	Recording Fees	7/1/2024	\$ 60,000.00	\$ 50,000.00	\$ -	\$ 50,000.00		PO03754
14	Onpoint Generators, Inc	Purchase & installation of Generator	6/27/2024	\$ 58,900.00	\$ 5,890.00	\$ -	\$ 5,890.00		PO03751
15	Montgomery & Associates	Groundwater Modeling Montgomery Contract	6/27/2024	\$ 55,000.00	\$ -	\$ -	\$ -		PO03750
16	Tyler Technologies	Annual Financial Software	5/20/2024	\$ 36,607.72	\$ 35,737.72	\$ 580.00	\$ 36,317.72	Current period billing	PO03737
17	WellmanAD	Public Outreach Consultant	7/17/2024	\$ 100,019.00	\$ 92,144.00	\$ 7,875.00	\$ 100,019.00	Current period payment for public outreach retainer	PO03735
18	Colantuono, Highsmith, & Whatley, PC	MTA Legal services for appeal to Water Supply Charge	9/15/2021	\$ 100,000.00	\$ 82,989.22	\$ 2,890.00	\$ 85,879.22	Current period billing	PO03715
19	John K. Cohan dba Telemetry	Consultant Services for Sleepy Hollow Facility	6/30/2023	\$ 29,600.00	\$ 26,700.49	\$ -	\$ 26,700.49		PO03693
20	Rutan & Tucker, LLP	Measure J/Rule 19.8 Eminent Domain Phase IV	2/24/2023	\$ 450,000.00	\$ 274,388.86	\$ -	\$ 274,388.86		PO03639
21	Raftelis Financial Consultants	Measure J/Rule 19.8 Appraisal/Rate Study Phase 4	8/21/2023	\$ 200,000.00	\$ 31,417.50	\$ -	\$ 31,417.50		PO03491
22	Telemetry	Flood Repair Services for Sleepy Hollow Facility	1/23/2023	\$ 85,000.00	\$ 43,062.84	\$ -	\$ 43,062.84		PO03556
23	Schaaf & Wheeler	Drawing Support Services	4/23/2023	\$ 30,000.00	\$ 29,425.00	\$ -	\$ 29,425.00		PO03474
24	Maggiora Bros. Drilling, Inc	ASR Support from Maggiora Bros for Well Work	6/20/2023	\$ 50,000.00	\$ -	\$ -	\$ -		PO03407
25	Pueblo Water Resources, Inc.	ASR Operations Support	6/20/2023	\$ 25,000.00	\$ 1,527.50	\$ 470.00	\$ 1,997.50	Current period billing	PO03406
26	Montgomery & Associates	Tularcitos ASR Feasibility Study	3/20/2023	\$ 119,200.00	\$ 14,642.00	\$ -	\$ 14,642.00		PO03368
27	Kevin Robert Knapp/ Tierra Plan LLC	Surface Water Data Portal	11/14/2022	\$ 27,730.00	\$ 27,400.81	\$ -	\$ 27,400.81		PO03302
28	Montgomery & Associates	Annual Groundwater Modeling Support	6/20/2022	\$ 50,000.00	\$ 36,639.00	\$ -	\$ 36,639.00		PO03193
29	Telemetry	Consultant Services for Sleepy Hollow Facility	6/20/2022	\$ 27,060.00	\$ 24,554.64	\$ -	\$ 24,554.64		PO03121
30	Reiff Manufacturing	Quarantine tanks for the Sleepy Hollow steelhead facility	10/18/2022	\$ 48,000.00	\$ 40,350.00	\$ -	\$ 40,350.00		PO02824
31	Weston Solutions, Inc.	UXO Support Services	6/15/2020	\$ 26,378.70	\$ 7,473.34	\$ -	\$ 7,473.34		PO02371
33	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	\$ 68,679.00	\$ 57,168.85	\$ -	\$ 57,168.85		PO01628

* Spending based on actual payment date instead of post date for non-Measure J contracts

Monterey Peninsula Water Management District
Status on District Open Contracts and Grants
For The Period May 2025

	Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending*	Total Expended To Date	Current Period Activity	P.O. Number
32	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	\$ 94,437.70	\$ 47,282.61	\$ -	\$ 47,282.61		PO01510
34	Shute, Mihaly & Weinberger LLP	LAFCO Litigation	3/17/2025	\$ 125,000.00	\$ 137,751.92	\$ 6,756.74	\$ 144,508.66	Current period billing	PO03882

Contracts related to District Grants

	Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending*	Total Expended To Date	Current Period Activity	P.O. Number
1	Monterey One Water	Urban Community Drought Grant	9/22/2022	\$ 11,935,206.00	\$ 3,555,693.43	\$ -	\$ 3,555,693.43		PO03726
2	Monterey One Water	PWM Expansion State Water Control Board Grant	9/22/2022	\$ 4,800,000.00	\$ 2,751,236.60	\$ 801,298.00	\$ 3,552,534.60	Current period billing	PO03753
3	DUDEK	Grant administration services for the Proposition 1 IRWM Implementation	12/14/2020	\$ 114,960.00	\$ 67,158.75	\$ -	\$ 67,158.75		PO02847
4	DUDEK	IRWM IR2 Grant Administration	10/1/2022	\$ 90,510.00	\$ 7,713.75	\$ -	\$ 7,713.75		PO03718
5	City of Sand City	IRWM Round 1 Grant Reimbursement	3/28/2022	\$ 1,084,322.50	\$ 80,150.00	\$ 9,270.78	\$ 89,420.78	Current period billing	PO03093
6	County of Monterey	IRWM Grant Round 2 Reimbursement	5/19/2023	\$ 898,451.00	\$ -	\$ -	\$ -		PO03879
7	City of Monterey	IRWM Grant Round 2 Reimbursement	5/19/2023	\$ 500,000.00	\$ 48,153.77	\$ -	\$ 48,153.77		PO03878

* Spending based on actual payment date instead of post date for non-Measure J contracts

ITEM: INFORMATIONAL ITEM/STAFF REPORT**11. STATUS REPORT ON EXPENDITURES – PUBLIC’S OWNERSHIP OF MONTEREY WATER SYSTEM**

Meeting Date:	July 21, 2025	Budgeted:	N/A
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From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
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Prepared By:	Nishil Bali	Cost Estimate:	N/A
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General Counsel Review: 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: Attached for review as **Exhibit 11-A** is a monthly status report on spending – Public’s Ownership of Monterey Water System for the period May 2025. This status report is provided for information only, no action is required.

EXHIBIT**11-A** Status Report on Spending Expenditure – Public’s Ownership of Monterey Water System

Monterey Peninsula Water Management District
Status on Public's Ownership of Monterey Water System - Phase IV
Eminent Domain Proceedings through Bench Trial
Through May 2025

	Contract	Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Phase IV - Authorization (unallocated)	11/13/2023	\$ -	\$ -		\$ -	\$ -	
2	Eminent Domain Legal Counsel (Rutan)	12/16/2024	\$ 450,000.00	\$ 274,388.86		\$ 274,388.86	\$ 175,611.14	PA00009-01
3	Eminent Domain Legal Counsel (SMW)	3/17/2025	\$ 225,000.00	\$ 137,751.92	\$ 6,756.74	\$ 144,508.66	\$ 80,491.34	PA00009-02
4	Financial Services (Raftelis)	8/21/2023	\$ 200,000.00	\$ 31,417.50		\$ 31,417.50	\$ 168,582.50	PA00009-03
5	District Legal Counsel		\$ 95,000.00	\$ 109,865.98		\$ 109,865.98	\$ (14,865.98)	PA00009-05
6	Utility Consultant (Close & Associates)	12/16/2024	\$ 965,000.00	\$ 55,657.50		\$ 55,657.50	\$ 909,342.50	PA00009-07
7	Consulting Civil Engineer (Webb Associates)*	11/18/2024	\$ 1,200,000.00	\$ 90,215.30	\$ 7,702.50	\$ 97,917.80	\$ 1,102,082.20	PA00009-07
	Total		\$ 3,135,000.00	\$ 635,966.19	\$ 14,459.24	\$ 713,756.30	\$ 2,421,243.70	

Status on Public's Ownership of Monterey Water System - Phase III
Appraisal through Resolution of Necessity
Through October 2023

	Contract	Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Eminent Domain Legal Counsel	12/16/2019	\$ 200,000.00	\$ 98,283.28		\$ 98,283.28	\$ 101,716.72	PA00007-01
2	Appraisal Services	4/17/2023	\$ 220,000.00	\$ 220,000.75		\$ 220,000.75	\$ (0.75)	PA00007-03
3	District Legal Counsel	12/16/2019	\$ 100,000.00	\$ 46,361.50		\$ 46,361.50	\$ 53,638.50	PA00007-05
4	Real Estate Appraiser	8/15/2022	\$ 80,000.00	\$ 53,309.64		\$ 53,309.64	\$ 26,690.36	PA00007-06
5	Water Rights Appraisal	8/15/2022	\$ 75,000.00	\$ 45,490.46		\$ 45,490.46	\$ 29,509.54	PA00007-10
6	Contingency/Miscellaneous	12/16/2019	\$ -	\$ -		\$ -	\$ -	PA00007-20
	Total		\$ 675,000.00	\$ 463,445.63	\$ -	\$ 463,445.63	\$ 211,554.37	

**Status on Public's Ownership of Monterey Water System - Phase II
EIR & LAFCO Application
Through September 2022**

	Contract	Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Eminent Domain Legal Counsel	9/20/2021	\$ 345,000.00	\$ 168,265.94		\$ 168,265.94	\$ 176,734.06	PA00005-01
2	CEQA Work	12/16/2019	\$ 134,928.00	\$ 134,779.54		\$ 134,779.54	\$ 148.46	PA00005-02
3	Appraisal Services	9/20/2021	\$ 430,000.00	\$ 188,683.75		\$ 188,683.75	\$ 241,316.25	PA00005-03
4	Operations Plan	12/16/2019	\$ 145,000.00	\$ 94,860.00		\$ 94,860.00	\$ 50,140.00	PA00005-04
5	District Legal Counsel	12/16/2019	\$ 40,000.00	\$ 162,254.16		\$ 162,254.16	\$ (122,254.16)	PA00005-05
6	MAI Appraiser	6/15/2020	\$ 170,000.00	\$ 76,032.00		\$ 76,032.00	\$ 93,968.00	PA00005-06
7	Jacobs Engineering	12/16/2019	\$ 87,000.00	\$ 86,977.36		\$ 86,977.36	\$ 22.64	PA00005-07
8	LAFCO Process	11/15/2021	\$ 240,000.00	\$ 217,784.62		\$ 217,784.62	\$ 22,215.38	PA00005-08
9	PSOMAS	9/20/2021	\$ 28,000.00	\$ 25,900.00		\$ 25,900.00	\$ 2,100.00	PA00005-09
10	Contingency/Miscellaneous/Uncommitted	12/16/2019	\$ 289,072.00	\$ 38,707.08		\$ 38,707.08	\$ 250,364.92	PA00005-20
	Total		\$ 1,909,000.00	\$ 1,194,244.45	\$ -	\$ 1,194,244.45	\$ 714,755.55	
1	Measure J CEQA Litigation Legal Services*	12/23/2020	\$ 200,000.00	\$ 140,303.06		\$ 140,303.06	\$ 59,696.94	PA00005-15
1	Measure J LAFCO Litigation Legal Services*	1/1/2022	\$ 400,000.00	\$ 398,750.20		\$ 398,750.20	\$ 1,249.80	PA00005-16

Status on Public's Ownership of Monterey Water System - Phase I
Financial Feasibility
Through November 2019

	Contract	Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Eminent Domain Legal Counsel	12/17/2018	\$ 100,000.00	\$ 160,998.16		\$ 160,998.16	\$ (60,998.16)	PA00002-01
2	Investment Banking Services	2/21/2019	\$ 30,000.00	\$ 27,000.00		\$ 27,000.00	\$ 3,000.00	PA00002-02
3	Valuation & Cost of Service Study Consultant	2/21/2019	\$ 355,000.00	\$ 286,965.17		\$ 286,965.17	\$ 68,034.83	PA00002-03
4	Investor Owned Utility Consultant	2/21/2019	\$ 100,000.00	\$ 84,221.69		\$ 84,221.69	\$ 15,778.31	PA00002-04
5	District Legal Counsel		\$ 35,000.00	\$ 41,897.59		\$ 41,897.59	\$ (6,897.59)	PA00002-05
6	Contingency/Miscellaneous		\$ 30,000.00	\$ 45,495.95		\$ 45,495.95	\$ (15,495.95)	PA00002-10
	Total		\$ 650,000.00	\$ 646,578.56	\$ -	\$ 646,578.56	\$ 3,421.44	

* Includes prior period adjustment

ITEM: INFORMATIONAL ITEM/STAFF REPORT**12. LETTERS RECEIVED AND SENT****Meeting Date:** July 21, 2025 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** Sara Reyes **Cost Estimate:** N/A**General Counsel Review:** 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.

The following is a list of letters sent to and/or received by the Board Chair and/or General Manager during the period from June 11, 2025, through July 16, 2025. These letters are included in the Board meeting packet to provide transparency for both the Board and the public.

Copies are available for public review at the District office. Reproduction fees may apply.

Digital versions can also be downloaded from the District's website at www.mpwmd.net.

Author	Addressee	Date	Topic
Melodie Chrislock	MPWMD Board	6/11/2025	The water supply/demand question
Melodie Chrislock	MPWMD Board	6/27/2025	NYT on water in CA
Michael DeLapa	Dave Stoldt	7/1/2025	ExParte Presentation on Proposed Phase 2 Decision of Administrative Laws Robert Haga and Jack Chang Approving Demand and Supply Estimates for the Monterey Peninsula Water Supply Project ("MPWSP") which was issued in A.21-11-024 on May 9, 2025

ITEM: INFORMATIONAL ITEM/STAFF REPORT**13. COMMITTEE REPORTS**

Meeting Date: July 21, 2025 **Budgeted:** N/A

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

Prepared By: Sara Reyes **Cost Estimate:** N/A

General Counsel Review: 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.

The final minutes of the committee meeting listed below are formally submitted for review.

EXHIBIT

13-A MPWMD Water Supply Planning Committee Meeting of May 5, 2025



EXHIBIT 13-A

**Final Minutes
Water Supply Planning Committee Meeting
Monday, May 5, 2025, at 2:00 p.m.
Meeting Location: Zoom**

Call to Order / Roll Call

Chair Paull called the meeting to order at 2:01 p.m.

Committee Members Present

Karen Paull, Chair
Alvin Edwards (Alternate)
Amy Anderson

Committee Members Absent

Rebecca Lindor

District Staff Members Present

David Stoldt, General Manager
Mike McCullough, Assistant General Manager
Jonathan Lear, Water Resources Manager
Maureen Hamilton, District Engineer
Sara Reyes, Board Clerk

District Staff Members Absent

None

District Counsel Present

Michael Laredo, De Lay & Laredo
Fran Farina, De Lay & Laredo

Additions and Corrections to the Agenda

None

Comments from the Public

Chair Paull opened the public comment period, and the following comment was made to the committee:

- 1) John Tilley, urged the District to discuss the source waters for the Pure Water Monterey expansion. He raised concerns about the return on investment, suggesting that if the water sources are only temporarily available or not contractually secured, it would be wise to reconsider the expansion investment.

Action Items

1. Consider Adoption of Committee Meeting Minutes from March 3, 2025

Chair Paull introduced this item and opened public comment; however no comments were directed to the committee.

On a motion by Anderson and seconded by Edwards, the minutes of the March 3, 2025, committee meeting were approved on a roll call vote of 3 Ayes (Edwards, Paull and Anderson) and 0 Noes.

Informational Items

2. Seaside Municipal Well Funding Request

Chair Paull introduced this item.

General Manager Stoldt reported that in 2024, the District worked with Congressman Panetta's office and City of Seaside staff to apply for a Community Project Funding grant for a second municipal well. The grant was approved for \$1.1 million, but all earmarks were removed when Congress passed the Continuing Resolution in January.

For FY2026, Rep. Panetta's office and the Senators' offices will resubmit the FY2025 earmark requests. The District has coordinated with the City and Congressman Panetta's office and submitted a letter of support.

Discussion Items

3. Follow-Up On Watermaster Board Workshop on April 2, 2025

Chair Paull introduced this item.

General Manager Stoldt referred to his report and summarized the following:

- As part of the District's ongoing efforts to understand how groundwater levels in the Salinas Valley affect conditions in the Seaside Subbasin, Montgomery & Associates were contracted to investigate and summarize the dynamics of the groundwater flow divide that defines the northern boundary of the Seaside Subbasin in a Technical Memorandum.
- March 3, 2025: MPWMD Water Supply Planning Committee reviewed the memorandum and recommended informing the full Board.
- March 17, 2025: The Board directed staff to send a letter summarizing the findings to the Watermaster (Exhibit 3-A).
- April 2, 2025: The Watermaster held a workshop and responded to the District's letter in a presentation titled "What is the Problem?" highlighting physical and institutional problems. District staff felt the presentation mischaracterized their position on several issues and stated the importance of maintaining adequate water levels to prevent leakage, overdraft, and seawater intrusion.

The committee engaged in discussions with District staff. General Manager Stoldt announced that Maureen Hamilton, District Engineer, has a presentation that displays where the District currently stands and where the Seaside Basin stands.

Chair Paull opened the public comment period, and the following comment was made to the committee:

- 1) Susan Schiavone attended the April 2, 2025, workshop and noted defensiveness at the meeting and hopes for collaboration to overcome initial resistance. She acknowledged Cal-Am's influence and the support for desalination despite challenges. She encouraged continued efforts to work together and appreciated the hard work being done.

Maureen Hamilton, District Engineer, presented a slide-deck presentation titled "MPWMD and the Seaside Groundwater Basin". She discussed the April 2 workshop and addressed institutional problems with MPWMD, summarizing their activities like investing in staff, maintaining wells, and conducting tracer studies. She highlighted efforts beyond monitoring, such as constructing the ASR site and investing in the Pure Water Monterey project. She noted a rebound in groundwater levels since 2022, supported by detailed data and graphs. *The presentation is available at the District office and on the District website.*

Jonathan Lear, Water Resources Manager, explained that the adjudication decision mechanism includes 10% ramp downs every three years to achieve natural safe yields. While water levels have stabilized and started to increase slightly, the full impact of the adjudication decision will be seen after the 25-year payback period. This mechanism is designed to gradually restore water levels without increasing overdraft.

4. Update on Fort Ord Wells 09, 10, and 11 Status

Chair Paull introduced this item.

General Manager Stoldt provided an update on Fort Ord Wells. He stated about a year and a half ago, a cost-sharing agreement was made to replace a shallow well. Recently, Wells 10 and 11 were evaluated. Marina Coast Water District, now the groundwater sustainability agency for the Monterey sub-area outside the adjudicated basin, analyzed Well 10 and recommended its destruction. The District agreed and will budget for its destruction in the coming fiscal year. Jonathan Lear provided additional information on the Wells. The committee engaged in discussions.

5. Timeline for Pure Water Monterey Expansion – AWPf, Injection Wells, CAW Extraction Wells, and Regulatory Approvals

Due to time constraints, the Committee did not discuss this matter.

6. Committee Activities Related to Adopted 2025 Strategic Goals and Objectives

Due to time constraints, the Committee did not discuss this matter.

Suggest Items to Be Placed on a Future Agenda

There were no items suggested for placement on a future agenda.

Adjournment

There being no further business, Chair Paull adjourned the meeting at 3:37 p.m.

/s/ Sara Reyes

Sara Reyes, Board Clerk to the
MPWMD Water Supply Planning Committee

Approved by the MPWMD Water Supply Planning Committee on July 7, 2025.

Received by the MPWMD Board of Director's on July 21, 2025.

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ITEM: INFORMATIONAL ITEM/STAFF REPORTS**14. MONTHLY ALLOCATION REPORT**

Meeting Date: July 21, 2025 **Budgeted:** N/A

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

Prepared By: Gabriela Bravo **Cost Estimate:** N/A

General Counsel Review: 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 1, 2025, the District released the first Allocation of water from Pure Water Monterey (“Pure Water”) via Ordinance No. 197. **Exhibit 14-A** shows the amount of water allocated to each Jurisdiction from Pure Water, the balance of water available by Jurisdiction from the Paralta Well Allocation and Pre-Paralta credits, the amount of “Public Water Credit” remaining, and the quantities of water permitted by Jurisdiction in June 2025 (“changes”), and the balances remaining. The table includes balances for Quail Meadows and Water West, which were specific amounts dedicated to properties located in specific areas of Monterey County.

Exhibit 14-B is the Monthly Entitlement Report which shows water available to Water Entitlement Holders. Entitlements were established by the following ordinances: The Pebble Beach Company (Ordinance Nos. 39 and 109), Hester Hyde Griffin Trust (Ordinance No. 39), J. Lohr Properties Inc. (Ordinance No. 39), the City of Sand City (Ordinance No. 132), Cypress Pacific Investors LLC (Water Distribution System Permit approved September 15, 2014), Malpas Water Company LLC (Ordinance No. 165), D.B.O. Development No. 30, a California Limited Liability Company (Ordinance No. 166), and the City of Pacific Grove (Ordinance No. 168).

BACKGROUND: The District’s Water Allocation Program, associated resource system supply limits, and Jurisdictional Allocations have been modified by a number of key ordinances. These key ordinances are listed in **Exhibit 14-C**.

EXHIBITS

14-A Monthly Allocation Report

14-B Monthly Entitlement Report

14-C District’s Water Allocation Program Ordinances

EXHIBIT 14-A
MONTHLY ALLOCATION REPORT
Reported in Acre-Feet
For the month of June 2025

Jurisdiction	Pure Water Monterey Allocation	Changes During Period	Balance Remaining	Paralta & Pre-Paralta Water	Changes During Period	Balance Remaining	Public Credits	Changes During Period	Balance Remaining	Total Available
Airport District	44.000	0.000	44.000	8.100	0.000	5.197	0.000	0.000	0.000	49.197
Carmel-by-the-Sea	14.000	0.000	14.000	20.491	0.000	2.479	0.910	0.000	0.182	16.661
Del Rey Oaks	6.000	0.000	6.000	8.540	0.000	0.030	0.000	0.000	0.000	6.030
Dept of Defense	27.000	0.000	27.000	0.000	0.000	0.000	0.000	0.000	0.000	27.000
Monterey	141.000	0.000	141.000	126.979	0.000	0.553	38.121	0.000	3.627	145.180
Monterey County	72.000	0.000	72.000	100.790	0.000	11.044	7.827	0.000	1.181	84.225
Pacific Grove	32.000	0.000	32.000	27.180	0.000	0.024	15.874	0.000	0.002	32.026
Sand City	14.000	0.000	14.000	52.698	0.000	0.029	24.717	0.000	23.163	37.192
Seaside	21.000	0.000	21.000	99.888	0.142	28.997	2.693	0.000	1.144	51.141
District Reserve	2086.000	0.000	2,086.000	9.000	0.222	7.168	0.000	0.000	0.000	2093.168

Allocation Holder	Water Available	Changes During Period	Total Demand from Water Permits Issued	Remaining Water Available
Quail Meadows	33.000	0.000	32.320	0.680
Water West	12.760	0.000	10.294	2.466

EXHIBIT 14-B
MONTHLY ALLOCATION REPORT
ENTITLEMENTS
Reported in Acre-Feet
For the month of June 2025

Recycled Water Project Entitlements

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
Pebble Beach Co. *	188.780	0.620	32.782	155.998
Del Monte Forest Benefited Properties (Pursuant to Ord No. 109)	176.220	0.648	83.997	92.223
Macomber Estates	10.000	0.000	10.000	0.000
Griffin Trust	5.000	0.000	4.829	0.171
CAWD/PBCSD Project Totals	380.000	1.268	131.608	248.392

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
City of Sand City	206.000	0.000	23.158	182.842
Malpas Water Company	80.000	0.000	25.147	54.853
D.B.O. Development No. 30	13.950	0.000	3.913	10.037
City of Pacific Grove	38.390	0.461	19.921	18.469
Cypress Pacific	3.170	0.000	3.170	0.000
City of Seaside	10.817	0.000	10.817	0.000

* Increases in the Del Monte Forest Benefited Properties Entitlement will result in reductions in the Pebble Beach Co. Entitlement.

EXHIBIT 14-C

District's Water Allocation Program Ordinances

Ordinance No. 1 was adopted in September 1980 to establish interim municipal water allocations based on existing water use by the jurisdictions. Resolution 81-7 was adopted in April 1981 to modify the interim allocations and incorporate projected water demands through the year 2000. Under the 1981 allocation, Cal-Am's annual production limit was set at 20,000 acre-feet.

Ordinance No. 52 was adopted in December 1990 to implement the District's water allocation program, modify the resource system supply limit, and to temporarily limit new uses of water. As a result of Ordinance No. 52, a moratorium on the issuance of most water permits within the District was established. Adoption of Ordinance No. 52 reduced Cal-Am's annual production limit to 16,744 acre-feet.

Ordinance No. 70 was adopted in June 1993 to modify the resource system supply limit, establish a water allocation for each of the jurisdictions within the District, and end the moratorium on the issuance of water permits. Adoption of Ordinance No. 70 was based on development of the Paralta Well in the Seaside Groundwater Basin and increased Cal-Am's annual production limit to **17,619** acre-feet. More specifically, Ordinance No. 70 allocated 308 acre-feet of water to the jurisdictions and 50 acre-feet to a District Reserve for regional projects with public benefit.

In addition to releasing water from the development of the Paralta Well, Ordinance No. 70 established a "special reserve" of 12.76 acre-feet of water saved by system improvements to the former Water West System when it was purchased and integrated into Cal-Am. This reserve was made available to properties in the former Water West System on a first-come, first-served basis. The ordinance also increased Cal-Am's production limit for savings related to the annexation of the Quail Meadows subdivision.

Ordinance No. 73 was adopted in February 1995 to eliminate the District Reserve and allocate the remaining water equally among the eight jurisdictions. Of the original 50 acre-feet that was allocated to the District Reserve, 34.72 acre-feet remained and was distributed equally (4.34 acre-feet) among the jurisdictions.

Ordinance No. 74 was adopted in March 1995 to allow the reinvestment of toilet retrofit water savings on single-family residential properties. The reinvested retrofit credits must be repaid by the jurisdiction from the next available water allocation and are limited to a maximum of 10 acre-feet. This ordinance sunset in July 1998.

Ordinance No. 75 was adopted in March 1995 to allow the reinvestment of water saved through toilet retrofits and other permanent water savings methods at publicly owned and operated facilities. Fifteen percent of the savings are set aside to meet the District's long-term water conservation goal and the remainder of the savings are credited to the jurisdictions allocation. This ordinance sunset in July 1998.

Ordinance No. 83 was adopted in April 1996 and set Cal-Am's annual production limit at **17,621** acre-feet and the non-Cal-Am annual production limit at **3,046** acre-feet. The modifications to the production limit were made based on the agreement by non-Cal-Am water users to permanently reduce annual water production from the Carmel Valley Alluvial Aquifer in exchange for water service from Cal-Am. As part of the agreement, fifteen percent of the historical non-Cal-Am production was set aside to meet the District's long-term water conservation goal.

Ordinance No. 87 was adopted in February 1997 as an urgency ordinance establishing a community benefit allocation for the planned expansion of the Community Hospital of the Monterey Peninsula (CHOMP). Specifically, a special reserve allocation of 19.60 acre-feet of production was created exclusively for the benefit of CHOMP. With this new allocation, Cal-Am's annual production limit was increased to **17,641** acre-feet and the non-Cal-Am annual production limit remained at **3,046** acre-feet.

Ordinance No. 90 was adopted in June 1998 to continue the program allowing the reinvestment of toilet retrofit water savings on single-family residential properties for 90-days following the expiration of Ordinance No. 74. This ordinance sunset in September 1998.

Ordinance No. 91 was adopted in June 1998 to continue the program allowing the reinvestment of water saved through toilet retrofits and other permanent water savings methods at publicly owned and operated facilities.

Ordinance No. 90 and No. 91 were challenged for compliance with CEQA and nullified by the Monterey Superior Court in December 1998.

Ordinance No. 109 was adopted on May 27, 2004, revised Rule 23.5 and adopted additional provisions to facilitate the financing and expansion of the CAWD/PBCSD Recycled Water Project.

Ordinance No. 132 was adopted on January 24, 2008, established a Water Entitlement for Sand City and amended the rules to reflect the process for issuing Water Use Permits.

Ordinance No. 165 was adopted on August 17, 2015, established a Water Entitlement for Malpas Water Company and amended the rules to reflect the process for issuing Water Use Permits.

Ordinance No. 166 was adopted on December 15, 2015, established a Water Entitlement for D.B.O. Development No. 30.

Ordinance No. 168 was adopted on January 27, 2016, established a Water Entitlement for the City of Pacific Grove.

Resolution 2024-13 was adopted October 21, 2024, to authorize the use of the District Reserve Allocation to permit unpermitted water fixtures found on final inspection, to suspend specific rules through September 2025, and to not collect the Capacity Fee or administrative fees for staff and legal time needed to close certain open Water Permits.

Ordinance No. 197 was adopted January 27, 2025, to allocate water from Pure Water Monterey.

ITEM: INFORMATIONAL ITEM/STAFF REPORT**15. WATER CONSERVATION PROGRAM REPORT FOR JUNE 2025****Meeting Date:** July 21, 2025 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/
Line Item No.** N/A**Prepared By:** Kyle Smith **Cost Estimate:** N/A**General Counsel Review:** 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.

*The following information reflects activities undertaken by the Water Demand Division during the month of **June 2025**.*

I. MANDATORY WATER CONSERVATION RETROFIT PROGRAM

District Regulation XIV requires the retrofit of water fixtures upon Change of Ownership or Use with High Efficiency Toilets (HET) (1.28 gallons-per-flush), 2.0 gallons-per-minute (gpm) Showerheads, 1.2 gpm Washbasin faucets, 1.8 gpm Kitchen, Utility, and Bar Sink faucets, and Rain Sensors on all automatic Irrigation Systems. Property owners must certify the Site meets the District's water efficiency standards by submitting a Water Conservation Certification Form (WCC), and a Site inspection is occasionally conducted to verify compliance. Properties that do not require an inspection are issued a Conservation Certification document.

A. Changes of Ownership

Information is obtained monthly from *Realquest.com* on properties transferring ownership within the District. The information is compared against the properties that have submitted WCCs. Details on **80** property transfers that occurred were added to the database.

B. Certification

The District received **53** Water Conservation Certification Forms. Data on ownership, transfer date, and status of water efficiency standard compliance were entered into the database.

C. Verification

23 properties were verified compliant with Rule 144 (Retrofit Upon Change of Ownership or Use). Of the **23** verifications, **8** properties verified compliance by submitting certification forms and/or receipts. District staff completed **34** Site inspections. Of the **34** properties visited, **15 (44%)** passed.

D. Non-Residential Compliance with Water Efficiency Standards

By January 1, 2014, all Non-Residential properties were required to meet Rule 143, Water Efficiency Standards for Existing Non-Residential Uses. District inspectors performed **no** verification inspections.

As part of the Non-Residential compliance effort, MPWMD notifies California American Water (Cal-Am) of properties with landscaping. Cal-Am staff then schedules an outdoor audit to verify compliance with the Rate Best Management Practices (BMPs). (Compliance with MPWMD's Rule 143 achieves Rate BMP compliance for indoor water uses.) Properties with landscaping must comply with Cal-Am's outdoor Rate BMPs to avoid rates in Division 4 (customers that are not in compliance with Rate BMPs). Rate BMPs are used to determine the appropriate Non-Residential rate division for each customer (there are four different rates based on the amount of irrigated area and compliance/noncompliance with the Rate BMPs).

MPWMD referred **no** property to Cal-Am for verification of outdoor Rate BMPs.

E. Water Waste Enforcement

The District has a Water Waste Hotline 831-658-5653 or an online form to report Water Waste occurrences at www.mpwmd.net or www.montereywaterinfo.org. There were **three** Water Waste responses during the past month. There was **one** repeated incidents that resulted in a fine.

II. WATER DEMAND MANAGEMENT

A. Permit Processing

District Rule 23 requires a Water Permit application for all properties that propose to expand or modify water use on a Site, including New Construction and Remodels. District staff processed and issued **73** Water Permits. **Twelve** permits were issued using Water Entitlements (Pebble Beach Company, Malpas Water, Sand City, etc.). **No** permits involved a debit to a Public Water Credit account. **Two** Meter Permits, and **11** Hydrant Meter Permits were issued.

District Rule 24-3-A allows the addition of a second Bathroom in an existing Dwelling Unit that has only one Bathroom. Of the **73** Water Permits issued, **three** were issued under this provision.

B. Permit Compliance

Staff completed **52** site inspections during June. **Thirty-five** properties passed the interior inspection, and **eight** properties failed due to unpermitted fixtures. **Five** properties were inspected to complete a Landscape Water Permit: **none** failed.

C. Close the Open Permits Project

Staff sent out **85** open permit letters during June. **One hundred and five** properties were inspected to close open permits. **Eighty-two** of the **105** inspected passed and **23** failed. In June **nine** permits were amended using the District Reserve.

D. Notary Services

District staff provided Notary services for **48** customers.

E. Rebates

The District processes rebate applications to ensure that only voluntary replacement of higher efficiency devices receive rebates. The comprehensive list of available rebates can be found in [Rule 141](#). Monthly statistics are shown on the following page.

EXHIBIT

15-A Rebate report for June 2025

U:\staff\Boardpacket\2025\072125\Informational Items\15\Item-15.docx

EXHIBIT 15-A

97

REBATE PROGRAM SUMMARY		May-2025				2025 YTD		1997 - Present	
I.	<u>Application Summary</u>								
A.	Applications Received	41				310		32,535	
B.	Applications Approved	31				255		25,597	
C.	Single Family Applications	30				251		28,477	
D.	Multi-Family Applications	1				4		1,633	
E.	Non-Residential Applications	0				0		363	
		Number of Devices	Rebate Paid	Estimated AF	Gallons Saved	Year to Date Number	Year to Date Paid	Year to Date Estimated AF	
II.	<u>Type of Devices Rebated</u>								
A.	High Efficiency Toilet (HET)	6	\$450.00	0.030000	9,776	36	\$2,775.00	0.18000	
B.	Ultra HET			0.000000	0	3	\$375.00	0.03000	
C.	Toilet Flapper			0.000000	0	7	\$97.40	0.00000	
D.	High Efficiency Dishwasher	6	\$750.00	0.018000	5,865	44	\$5,500.00	0.13200	
E.	High Efficiency Clothes Washer - Res	11	\$5,500.00	0.177100	57,708	119	\$59,796.56	1.91590	
F.	High Efficiency Clothes Washer - Com			0.000000	0	0	\$0.00	0.00000	
G.	Instant-Access Hot Water System			0.000000	0	2	\$400.00	0.01000	
H.	Zero Use Urinals			0.000000	0	0	\$0.00	0.00000	
I.	Pint Urinals			0.000000	0	0	\$0.00	0.00000	
J.	Cisterns			0.000000	0	0	\$0.00	0.00000	
K.	Smart Controllers	1	\$40.00	0.000000	0	4	\$340.00	0.00000	
L.	Rotating Sprinkler Nozzles			0.000000	0	0	\$0.00	0.00000	
M.	Moisture Sensors			0.000000	0	0	\$0.00	0.00000	
N.	Lawn Removal & Replacement			0.000000	0	0	\$0.00	0.00000	
O.	Graywater			0.000000	0	0	\$0.00	0.00000	
P.	Other - Smart Flowmeters	11	\$2,199.99	0.000000	0	62	\$12,357.99	0.00000	
Q.	Smart Toilet Leak Detectors			0.000000	0	0	\$0.00	0.00000	
III.	<u>TOTALS</u>	35	\$8,939.99	0.225100	73,349	277	\$81,641.95	2.26790	
IV.	<u>TOTALS Since 1997</u>					Paid Since 1997: \$ 6,440,397		250.89	
								Acre-Feet Per Year Saved Since 1997 (from quantifiable retrofits)	

ITEM: INFORMATIONAL ITEMS/STAFF REPORTS**16. CARMEL RIVER FISHERY REPORT FOR JUNE 2025****Meeting Date:** July 21, 2025 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** Cory Hamilton **Cost Estimate:** N/A**General Counsel Review:** 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.

AQUATIC HABITAT AND FLOW CONDITIONS: During June, river flows continuously decreased the entire month creating suboptimal migration conditions throughout the lower river. Tributaries of the Carmel River continued to dry up and the mainstem became very low. The lagoon mouth closed for longer periods and opened twice this month (see graphic below). Rearing conditions were adequate in the upper river but are degrading in the lower river as the flows continue to decrease. Los Padres Reservoir stopped spilling on June 13, 2025 and we began using storage to meet flow requirements. The water surface elevation at the end of the month was 1038.80 feet, Flow out of the reservoir at the end of the month was 8.4 cfs, while the incoming flow into the reservoir was 5.5 cfs.

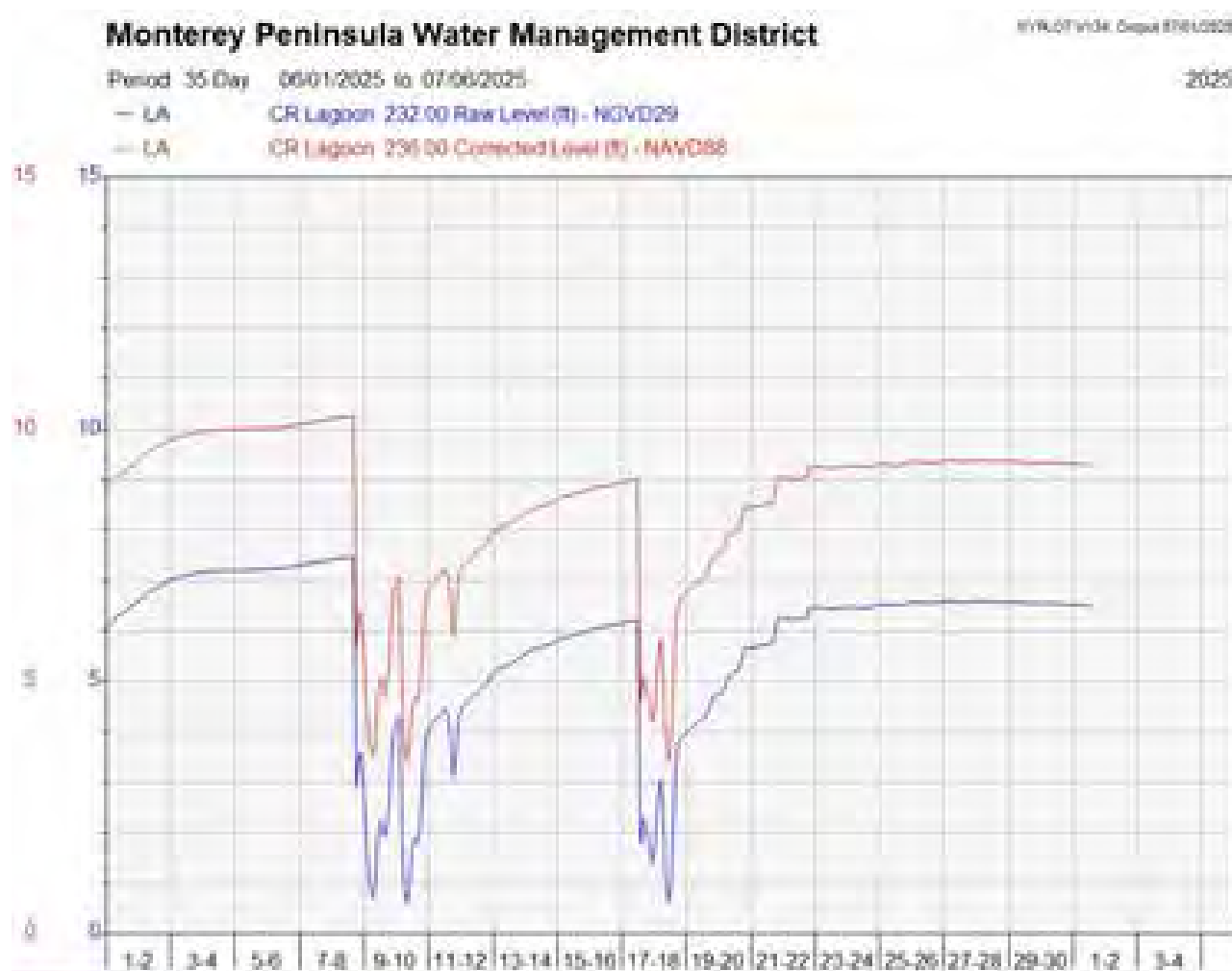
June's streamflow at the Sleepy Hollow Weir gaging station ranged from 10 to 17 cfs (mean 13.6 cfs), while flows at the Highway 1 gage ranged from 3.4 to 19 cfs (mean 10 cfs).

There was 0.01 inches of rainfall in June as recorded at the San Clemente gauge. The total rainfall for Water Year (WY) 2025 (which started October 1, 2024) is 16.68 inches., which is 79% of normal to date.

FISH RESCUE: On May 16, 2025, District staff started fish rescues due to drying conditions in the tributaries. On June 27, 2025, staff started conducting fish rescues in the mainstem Carmel River in the Palo Corona Regional Park area, where Cal-Am's Canada Production well is located due to degrading conditions. As of the end of June, a total of 4,449 fish have been rescued (3,981 YOY, 455 1+ year olds, and 13 mortalities).

CARMEL RIVER LAGOON: In June, the lagoon's Water Surface Elevation (WSE) ranged from approximately 3.5 to 10.25 feet (NGVD 1988) (see graph below). Water quality depth-profiles were conducted at five sites on June 16, 2025, while the lagoon mouth was closed, water surface elevation was 8.75 feet at the time of sampling, and river inflow was approximately 10 cfs. Lack of freshwater input and an increase in tidal overwash created a stratification in the lagoon of saltwater at about 1 meter. Salinity levels ranged from 0.6-28.1 parts per thousand (ppt),

throughout the lagoon. Water temperatures ranged from 64-76 degrees Fahrenheit, and dissolved oxygen (DO) levels ranged from 3.2 -14.9 mg/l.



ITEM: INFORMATIONAL ITEM/STAFF REPORTS

17. QUARTERLY CARMEL RIVER RIPARIAN CORRIDOR MANAGEMENT PROGRAM REPORT

Meeting Date: July 21, 2025 **Budgeted:** N/A

From:	Dave Stoldt,	Program/	N/A
	General Manager	Line Item No.:	

Prepared By: Thomas Christensen **Cost Estimate:** N/A

General Counsel Review: 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.

IRRIGATION OF RIPARIAN VEGETATION: The supplemental watering of riparian restoration plantings has resumed for the summer season at four Monterey Peninsula Water Management District (District) riparian habitat restoration sites. The following irrigation systems were in use during June: DeDampierre, Trail and Saddle Club, Begonia, and San Carlos. The other sites had sufficient soil moisture because of the cool weather during the spring months.

Water Use in Acre-Feet (AF)

(preliminary values subject to revision)

January - March 2025	0.02 AF
April - June 2025	<u>0.32</u>
Year-to-date	0.34 AF

MONITORING OF RIPARIAN VEGETATION: During the spring season, the District paused the riparian vegetation monitoring program because of cool weather and sufficient soil moisture. The monitoring of soil moisture, groundwater levels, and canopy defoliation (a measure of vegetation moisture stress) will resume in July 2025. During the months of July through October, staff will take monthly measurements of depth to groundwater and canopy vigor in areas where willow and cottonwood trees may be impacted by lowered water levels caused by groundwater extraction. The areas monitored are in the vicinity of California American Water's wells. Monitoring sites include the Cañada well and San Carlos Pump Station area and the District's Valley Hills Restoration Project (next to Cal-Am's Cypress Well) and the Schulte Restoration Project (next to Cal-Am's Schulte Well). The District's monitoring provides insight into the status of soil moisture through the riparian corridor by collecting and analyzing monthly readings from the District's array of monitoring wells and pumping records for large-capacity Carmel Valley wells in the Cal-Am system.

OTHER TASKS PERFORMED SINCE THE APRIL QUARTERLY REPORT:

- 1. Carmel River Vegetation Management Project Notification:** On May 29, 2025, District staff notified the U.S. Army Corps of Engineers, NOAA Fisheries, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife (CDFW), and the Regional Water Quality Control Board of thirteen reaches that are scheduled for vegetation management activities this fall. The goal of the vegetation management activities is to reduce the risk of streambank erosion along riverfront properties where vegetation encroachment could potentially divert river flows into streambanks during high flow periods.

- 2. Riparian Irrigation Tune-up:** District staff have been tuning up multiple irrigation systems along the Carmel River that are designed to water new restoration plantings. Tune-ups include replacement of clogged emitters, leak repair, and trouble shooting well pumps and pressure tanks.

ITEM: INFORMATIONAL ITEMS/STAFF REPORT**18. MONTHLY WATER SUPPLY AND CALIFORNIA AMERICAN WATER PRODUCTION REPORT**

Meeting Date: July 21, 2025 **Budgeted:** N/A

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

Prepared By: Jonathan Lear **Cost Estimate:** N/A

General Counsel Review: N/A

Committee Recommendation: N/A

CEQA Compliance: Exempt from environmental review per SWRCB Order Nos. 95-10 and 2016-0016, and the Seaside Basin Groundwater Basin adjudication decision, as amended and Section 15268 of the California Environmental Quality Act (CEQA) Guidelines, as a ministerial project; Exempt from Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources.

Exhibit 18-A shows the water supply status for the Monterey Peninsula Water Resources System (MPWRS) as of **July 1, 2025**. This system includes the surface water resources in the Carmel River Basin, the groundwater resources in the Carmel Valley Alluvial Aquifer and the Seaside Groundwater Basin. **Exhibit 18-A** is for Water Year (WY) 2025 and focuses on three factors: rainfall, runoff, and storage. The rainfall and Streamflow values are based on measurements in the upper Carmel River Basin at Sleepy Hollow Weir.

Water Supply Status: Rainfall through **June 2025** totaled **0.01 inches** and brings the cumulative rainfall total for WY 2025 to **16.68 inches**, which is **79%** of the long-term average through **June**. Estimated unimpaired runoff through **June** totaled **811 acre-feet (AF)** and brings the cumulative runoff total for WY 2025 to **33,006 AF**, which is **49%** of the long-term average through **June**. Usable storage for the MRWPRS was **28,850 acre-feet**, which is **94%** of average through **June**, and equates to **87%** of system capacity.

Production Compliance: Under State Water Resources Control Board (SWRCB) Cease and Desist Order No. 2016-0016 (CDO), California American Water (Cal-Am) is allowed to produce no more than 3,376 AF of water from the Carmel River in WY 2025. Through **June**, using the CDO accounting method, Cal-Am has produced **2,380 AF** from the Carmel River (excluding **182 AF** of Table 13 and **69 AF** of Mal Paso.) In addition, under the Seaside Basin Decision, Cal-Am is allowed to produce 1,474 AF of water from the Coastal Subareas and 0 AF from the Laguna Seca Subarea of the Seaside Basin in WY 2025. Through **June**, Cal-Am has produced **1,090 AF** from the Seaside Groundwater Basin. Through **June**, **716 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **0 AF** have been recovered for customer use, **182 AF** have been diverted under Table 13 water rights, and **2,640 AF** of Pure Water Monterey recovered. Cal-Am has produced **6,492 AF** for customer use from all sources through **June**. **Exhibit 18-B** shows production by source. Some of the values in this report may be revised in the future as Cal-Am finalizes their production values and monitoring data.

EXHIBITS

18-A Water Supply Status: **July 1, 2025**

18-B Monthly Cal-Am production by source: WY 2025

EXHIBIT 18-A

**Monterey Peninsula Water Management District
Water Supply Status
July 1, 2025**

Factor	Oct – Jun 2025	Average To Date	Percent of Average	Oct – Jun 2024
Rainfall (Inches)	16.68	20.99	79%	24.17
Runoff (Acre-Feet)	33,006	67,729	49%	81,514
Storage ⁵ (Acre-Feet)	28,850	30,570	94%	29,000

Notes:

1. Rainfall and runoff estimates are based on measurements at San Clemente Dam. Annual rainfall and runoff at Sleepy Hollow Weir average 21.22 inches and 67,246 acre-feet, respectively. Annual values are based on the water year that runs from October 1 to September 30 of the following calendar year. The rainfall and runoff averages at the Sleepy Hollow Weir site are based on records for the 1922-2024 and 1902-2024 periods respectively.
2. The rainfall and runoff totals are based on measurements through the dates referenced in the table.
3. Storage estimates refer to usable storage in the Monterey Peninsula Water Resources System (MPWRS) that includes surface water in Los Padres and San Clemente Reservoirs and ground water in the Carmel Valley Alluvial Aquifer and in the Coastal Subareas of the Seaside Groundwater Basin. The storage averages are end-of-month values and are based on records for the 1989-2024 period. The storage estimates are end-of-month values for the dates referenced in the table.
4. The maximum storage capacity for the MPWRS is currently 33,130 acre-feet.

Production vs. CDO and Adjudication to Date: WY 2025

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights				
	Carmel River Basin ^{2, 6}	Seaside Groundwater Basin		MPWRS Total						Water Projects and Rights Total
		Coastal	Laguna Seca			ASR Recovery	PWM Recovery	Table 13 ⁷	Sand City ³	
Target	2,085	1,000	0	1,000	3,085	0	2,965	138	225	3,328
Actual ⁴	2,380	1,002	88	1,090	3,470	0	2,640	182	131	2,953
Difference	-295	-2	-88	-90	-385	0	325	-44	94	375
WY 2024 Actual	1,983	1,041	92	1,133	3,116	0	2,627	410	62	3,099

1. This table is current through the date of this report.

2. For CDO compliance, ASR, Mal Paso, and Table 13 diversions are included in River production per State Board.

3. Sand City Desal, Table 13, and ASR recovery are also tracked as water resources projects.

4. To date, 716 AF and 182 AF have been produced from the River for ASR and Table 13 respectively.

5. All values are rounded to the nearest Acre-Foot.

6. For CDO Tracking Purposes, ASR production for injection is capped at 600 AFY.

7. Table 13 diversions are reported under water rights but counted as production from the River for CDO tracking.

Monthly Production from all Sources for Customer Service: WY 2025

(All values in Acre-Feet)

	Carmel River Basin	Table 13	Mal Paso	Seaside Basin	ASR Recovery	PWM Recovery	Sand City	Total
Oct-24	296	0	9	250	0	270	28	852
Nov-24	382	0	9	43	0	285	14	733
Dec-24	318	0	9	40	0	278	17	662
Jan-25	194	0	5	209	0	242	15	666
Feb-25	31	75	7	107	0	349	0	568
Mar-25	42	88	8	109	0	373	22	642
Apr-25	319	20	8	108	0	237	0	692
May-25	479	0	8	114	0	204	19	824
Jun-25	318	0	6	110	0	402	16	853
Jul-25								
Aug-25								
Sep-25								
Total	2,380	182	69	1,090	0	2,640	131	6,492
WY 2024	1,983	410	49	1,133	0	2,627	62	6,263

1. This table is produced as a proxy for customer demand.

2. Numbers are provisional and are subject to update.



Supplement to July 21, 2025 MPWMD Board Packet

A list of letters sent to and/or received by the Board Chair and/or General Manager between June 11, 2025, and July 16, 2025, is included in the Board meeting packet under the section titled “Letters Received and Sent.” A summary of these correspondences is provided in the table below for reference.

Author	Addressee	Date	Topic
Melodie Chrislock	MPWMD Board	6/11/2025	The water supply/demand question
Melodie Chrislock	MPWMD Board	6/27/2025	NYT on water in CA
Michael DeLapa	Dave Stoldt	7/1/2025	ExParte Presentation on Proposed Phase 2 Decision of Administrative Laws Robert Haga and Jack Chang Approving Demand and Supply Estimates for the Monterey Peninsula Water Supply Project (“MPWSP”) which was issued in A.21-11-024 on May 9, 2025

The water supply/demand question.

From mwchrislock@redshift.com <mwchrislock@redshift.com>

Date Wed 6/11/2025 5:59 PM

To Alvin Edwards <alvinedwards420@gmail.com>; Amy Anderson <carmelcellogal@comcast.net>; George Riley <georgetriley@gmail.com>; Karen Paull <karenppaull@gmail.com>; Kate Daniels <daniels.kate@gmail.com>; Rebecca Lindor <bekkalindor@gmail.com>; Ian Oglesby <ioglesby@ci.seaside.ca.us>; Dave Stoldt <dstoldt@mpwmd.net>; Sara Reyes <Sara@mpwmd.net>; Mike McCullough <mike@mpwmd.net>

[Email not displaying correctly?](#)

Daily news for Wed, Jun 11, 2025 from Monterey County NOW



ETC. Photo of the day by Sandie McCafferty. These eroded bluffs along River Road south of Salinas tell a geological story. Photographed with an iPhone

How much water will we need by 2050?

Good afternoon.

David Schmalz here. Having reported on water on the Monterey Peninsula for the better part of the last decade, it's remarkable to reflect on what has transpired in that time: A political movement for public water, a political movement to stop Cal Am's desal project in Marina, an innovative recycled water project and its expansion, and a conditional approval for Cal Am's desal project, which is still being litigated on multiple fronts.

The Peninsula's water demand has steadily dropped over that time while its legal supply continued to increase. Cal Am was finally able to stop its illegal overpumping of the Carmel River, and with the completion of Pure Water Monterey's expansion coming later this year, the Peninsula's annual supply will be over 12,000 acre-feet, according to the Monterey Peninsula Water Management District's estimates.

How much supply there is, and how much demand there will be by 2050, are among the things still being debated regarding Cal Am's desal project (per a condition of approval from the California Coastal Commission). It was finally scheduled to be voted upon by the California Public Utilities Commission at a meeting in Sacramento tomorrow, June 12. Late yesterday, Commissioner Darcie Houck, who's presiding over the proceeding, pulled it from tomorrow's meeting and rescheduled it for June 26.

To circle back to what the CPUC is being asked to approve regarding the supply and demand: On May 9, after about a year of deliberation and analysis of public testimony, CPUC Administrative Law Judges Robert Haga and Jack Chang issued a [proposed decision](#) that largely [sides with Cal Am's estimates](#), and that puts the annual water demand for Cal Am's service area at 13,732 acre-feet in 2050 and the current supply at 11,204 acre-feet.

The Peninsula's demand in the last water year was shy of 9,000 acre-feet. If our current demand is at least 2,000 acre-feet less than our current supply, why build a desal project?

The judges, in their proposed decision, believe the Peninsula's annual water demand will grow nearly 5,000 acre-feet—from just under 9,000 acre-feet now—in the next 25 years. Plenty of observers are skeptical about that growth projection, including Public Water Now Managing Director Melodie Chrislock, who submitted testimony asking the commission to adopt a lower projected demand figure of 10,500 acre-feet.

"Growth happens slowly over decades," she wrote. "It is not realistic to expect that 49,400 people or 52-percent more population will be added to the 95,000 that currently live and work on the

Peninsula in the next 25 years. This simple observation should serve as a reality check on Cal Am's³ inflated 2050 demand forecast."

Watchdog groups are encouraging people to call in to the CPUC's meeting tomorrow—even though considering supply and demand has been moved to June 26—to speak up during general public comment to oppose the proposed decision's estimates (English: 1-800-857-1917, passcode: 9899501#; Spanish: 1-800-857-1917, passcode: 3799627#, queue starts at 10:30am).

The whole purpose behind these efforts has been to lift the state's cease-and-desist order that prohibits Cal Am from setting new water meters. But it's the State Water Control Board that decides that, and maybe the supply and demand proceeding will impact that somehow.

Who knows. I'll just say, that as someone who's covered this for so long, the layers of bureaucracy, and all the twists and turns, don't become less confusing over time, and it's perhaps even the



opposite.

-David Schmalz, staff writer, david@montereycountynow.com





Outlook

NYT on water in CA

From mwchrislock@redshift.com <mwchrislock@redshift.com>

Date Fri 6/27/2025 11:02 AM

To Alvin Edwards <alvinedwards420@gmail.com>; Amy Anderson <carmelcellogal@comcast.net>; George Riley <georgetriley@gmail.com>; Karen Paull <karenppaull@gmail.com>; Kate Daniels <daniels.kate@gmail.com>; Rebecca Lindor <bekkalindor@gmail.com>; Ian Oglesby <IOglesby@ci.seaside.ca.us>; Dave Stoldt <dstoldt@mpwmd.net>; Sara Reyes <Sara@mpwmd.net>; Mike McCullough <Mike@MPWMD.net>

New York Times
June 27, 2025

For the Future of Water Conservation, Look to ... Los Angeles?

“The current goal for Los Angeles County is that, by 2045, [80 percent](#) of its water will come from recycling, increased storm-water capture and conservation.”

<https://www.nytimes.com/2025/06/27/headway/water-conservation-los-angeles.html>

California should be looking to the Peninsula. We're way ahead on this! With the Pure Water Monterey Expansion approximately 64% of our water supply will come from recycled water.

Melodie Chrislock
Managing Director
PUBLIC WATER NOW
<http://www.publicwaternow.org>
mwchrislock@redshift.com

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of California-American Water Company (U210W) to Obtain Approval of the Amended and Restated Water Purchase Agreement for the Pure Water Monterey Groundwater Replenishment Project, Update Supply and Demand Estimates for the Monterey Peninsula Water Supply Project, and Cost Recovery.	Application 21-11-024 (Filed November 29, 2021)
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**LANDWATCH MONTEREY COUNTY'S NOTICE
OF EX PARTE COMMUNICATION**

JOHN H. FARROW
M.R. WOLFE & ASSOCIATES, P.C.
 580 California Street | Suite 1200
 San Francisco, CA 94104
 Telephone: 650 245 0509
 Email: jfarrow@mrwolfeassociates.com

ATTORNEYS FOR LANDWATCH MONTEREY COUNTY

July 1, 2025

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of California-American Water Company (U210W) to Obtain Approval of the Amended and Restated Water Purchase Agreement for the Pure Water Monterey Groundwater Replenishment Project, Update Supply and Demand Estimates for the Monterey Peninsula Water Supply Project, and Cost Recovery.	Application 21-11-024 (Filed November 29, 2021)
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**LANDWATCH MONTEREY COUNTY'S NOTICE
OF EX PARTE COMMUNICATION**

Pursuant to Rule 8.4 of the Commission's Rules of Practice and Procedure, LandWatch Monterey County ("LandWatch") hereby timely provides notice of ex parte communication with Commissioner Douglas' advisors Kourtney Vacarro and Cristina Lizarraga on Monday June 30, 2025 at 1:30 pm. The communication was oral and written and took place remotely by Webex provided by the Commission's office at 505 Van Ness Avenue, San Francisco, California 94102. The communication was for the purpose of discussing the Proposed Phase 2 Decision of Administrative Laws Robert Haga and Jack Chang Approving Demand and Supply Estimates for the Monterey Peninsula Water Supply Project ("MPWSP"), which was issued in A.21-11-024 on May 9, 2025 ("Phase 2 Proposed Decision"). The written material provided is appended and incorporated hereto as Attachment 1.

The communication was initiated by Michael D. DeLapa, Executive Director of LandWatch. Also present was John Farrow, attorney for LandWatch. In the communication, LandWatch challenged Cal Am's claims regarding future water demand. LandWatch pointed out that the Proposed Decision does not adequately reflect the facts that population growth has slowed and that per capita water demand has declined as a secular trend in response to increased water prices, conservation efforts, and customer education. LandWatch pointed out that the Proposed Decision mistakenly accepts Cal Am's double counting of

demand from lots of record, tourism bounceback, and the Pebble Beach entitlements because that demand was already included in the underlying AMBAG forecasts of population and economic activity. LandWatch pointed out that the demand projections made by Cal Am, a financially interested party, are counter to the demand projections made by experts for two local public water supply agencies and by the CPUC's Ratepayer Advocates. LandWatch urged that the Commission adopt a lower 2050 demand estimate of 11,200 AFY, consistent with the local public agencies and the Public Advocates office.

LandWatch pointed out that Cal Am also understates available supply by incorrectly denying that the Pure Water Monterey recycled water supply, for which Cal Am has contracted, will be fully available, contrary to the Commission's decision in Phase 1 of these proceedings.

LandWatch pointed out that the Commission need not act on the demand and supply determination immediately because no credible demand and supply projections demonstrate a need for additional supply in the near term.

LandWatch reminded the Advisors that any Commission decision finding that demand and supply projections justify proceeding with the desalination facility would require that the Commission revisit its approvals because the Commission's 2018 CPCN expressly rejected the 4.8 MGD facility Cal Am now proposes, finding it to be environmentally more damaging and economically infeasible,¹ and because Cal Am has not met the requirement in the 2018 CPCN to propose operating restrictions to avoid imposing excess capacity costs on ratepayers in the event Cal Am contracted for the Pure Water Monterey supplies while still proceeding with the desalination facility².

In further compliance with the Commission's Rules of Practice and Procedure and the instructions included in the Commissioners' Meeting Request forms, this notice of the ex

¹ CPUC Decision D.18-09-017, pp. 69-70, 128-130.

² Id., p. 44

parte communication has been electronically served on the A.21-11-024 service list and Administrative Law Judges; Kourtney Vaccaro (Kourtney.Vaccaro@cpuc.ca.gov), Cristina Lizarraga (Cristina.Lizarraga@cpuc.ca.gov); and on douglas_exparte@cpuc.ca.gov, as required by the Commissioners' meeting forms.

Respectfully submitted,

July 1, 2025 /s/ JOHN H. FARROW

John H. Farrow
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San Francisco, CA 94104
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ATTACHMENT 1

Presentation by LandWatch to Advisors June 30, 2025

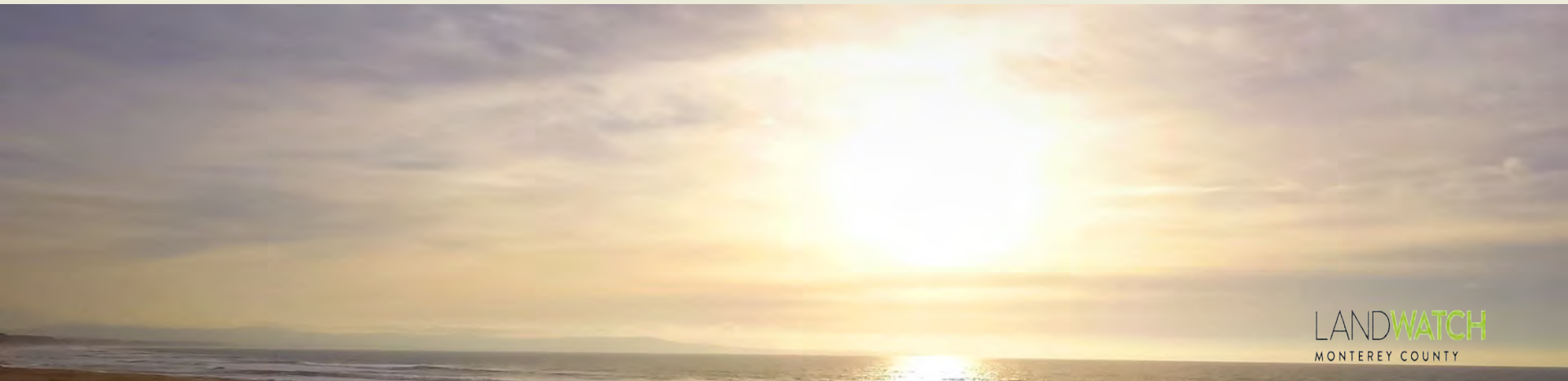
LandWatch Support for Revisions to CPUC Proposed Decision (A2111024)

Data Refutes Inflated Water Demand Estimates and Supply Underestimates

Michael DeLapa
Executive Director
LandWatch Monterey County

John Farrow
Legal Counsel to LandWatch

1. Introductions
2. About LandWatch
3. Factual errors in PD
 - Inflates water demand growth by a factor of 4x
 - Double-counts water demand growth
 - Underestimates supply
4. Additional background, issues and problems



- Mission: create a blueprint for sustainability, using Monterey County as a model.
- Founded in 1997
- Focus on land and water use, sustainable water supplies, climate, and affordable housing
- Deep bench in law, science, economics, business, public policy, and Monterey County



- There are **factual errors** in the PD
 - Population growth slowing
 - Water use declining
 - Demand growth double-counted
- Water demand = population growth x per capita water use - **both declining!**
- With correct data, the CPUC should **adopt a lower demand estimate** of 11,200 AFY
- Alternatively, the CPUC could **defer Phase II decision** until it has actual demand data
- **No urgency** to decide now and reward Cal Am at the expense of ratepayers
- CPUC should **inform the SWRCB** no risk of “trespass” again, which will lift the CDO and remove the moratorium

Proposed Decision is Factually Wrong

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- PD assumes unrealistic water demand
- Demand growth disconnected from AMBAG population growth forecasts
 - Population growth slowing
 - Per capita water use declining
 - Overall water use declining
- Counts demand growth twice
- Underestimates supply

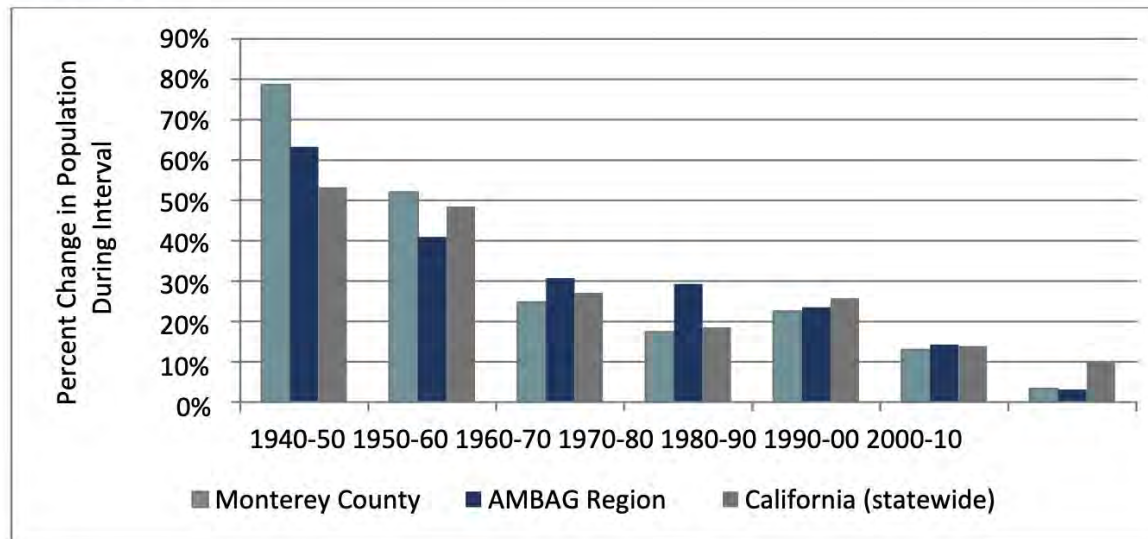


Population Growth Slowing

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- Population growth in Monterey County, the AMBAG region, and the state has slowed considerably since the 1940s
- Monterey County growth rates declined from over 50% in 1940-1950 to less than 5% in 2010-2020

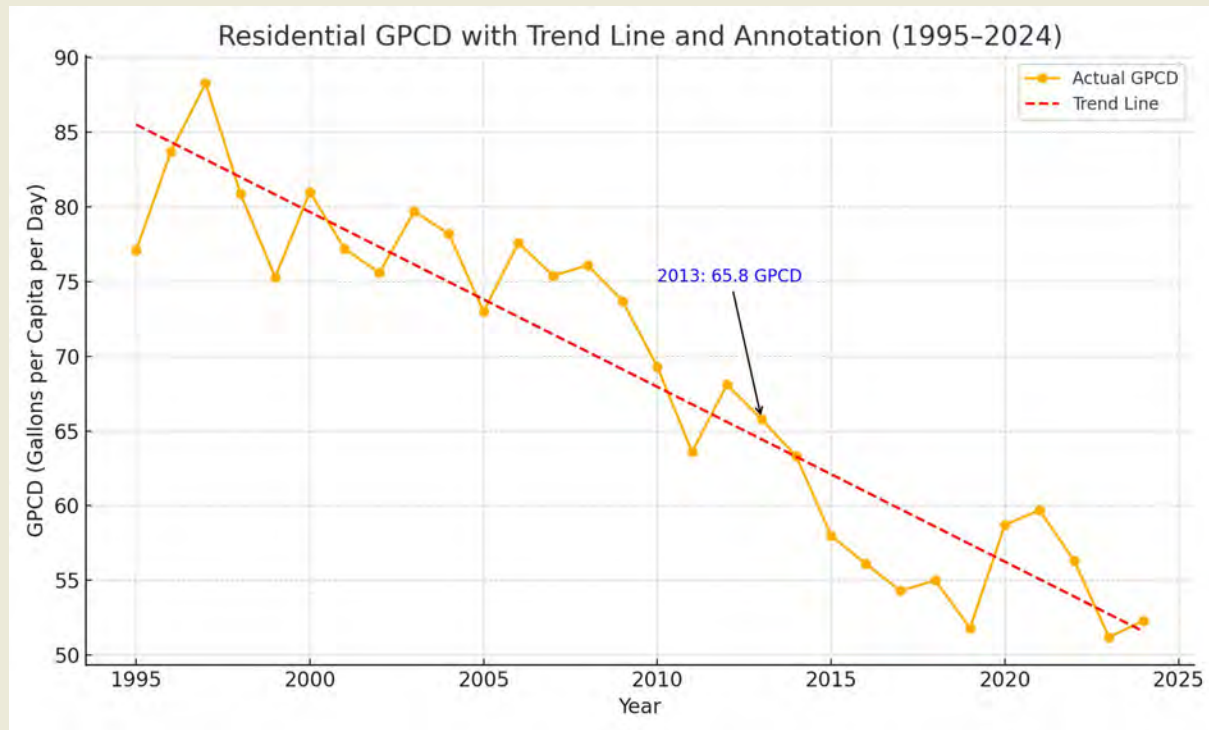
Figure 20: Population Growth Rate in Monterey County, AMBAG Region and California (statewide) 1940-2010



Source: California Department of Finance

Per Capita Water Use Declining in the District 18

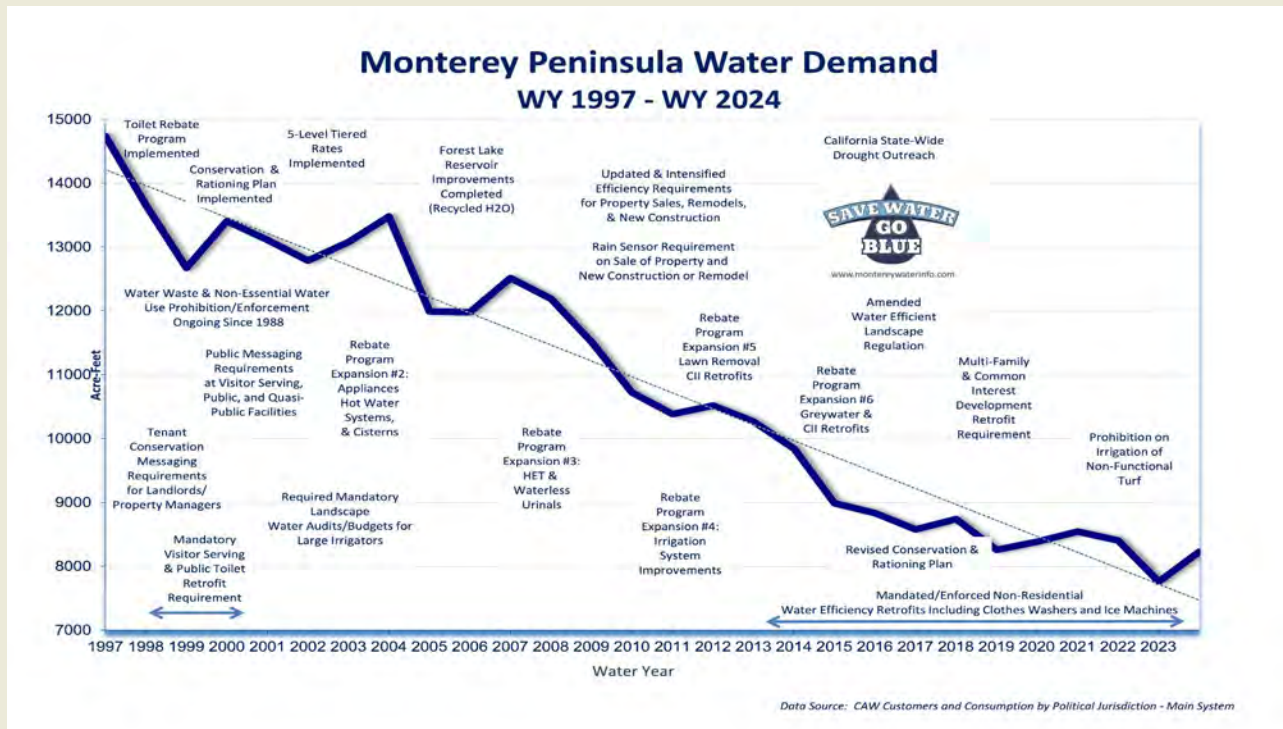
- PD water demand forecasts also ignores declining per capita water use
- Between 1995-2024 residential per capita water use (GPCD) declined by about 30%



Gross Water Use Declining in the District

19

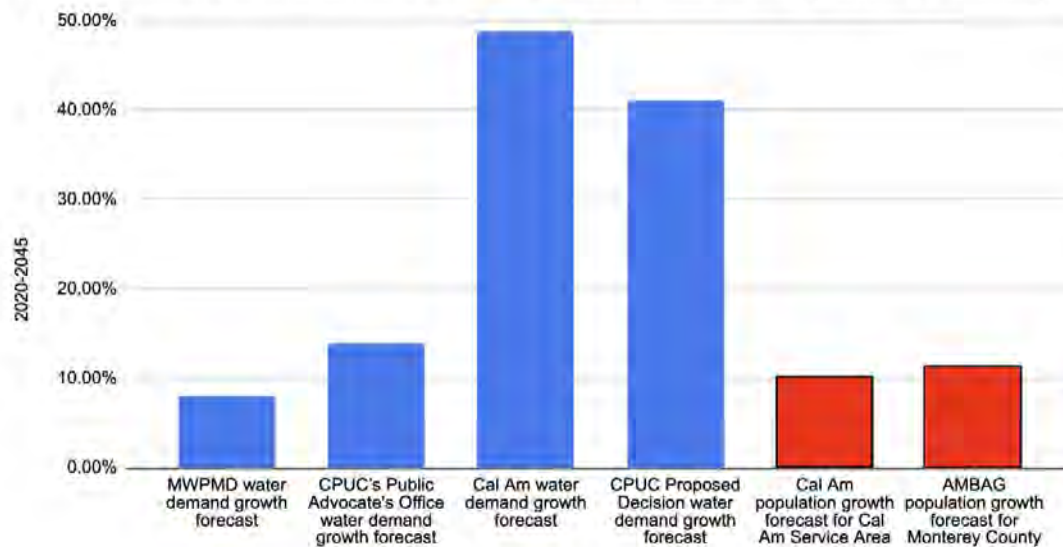
- Between 1997-2023 gross water use (residential + commercial) declined by about 50%
- As water prices increase and conservation measures continue, gross water use will continue to decline



PD Assumes Unrealistic Population Growth and Ignores Declining Water Use

- PD assumes the Peninsula will use about 50% more water by 2050, jumping from 9,000 to 13,732 AFY
- Unsupported by historic or projected population growth data
- Ignores declining per capita water use

Water Demand and Population Growth Forecasts 2020-2045 (Percent Increase)



Water Demand and Population Growth Forecasts

Cal Am demand forecast	CPUC PD demand forecast	AMBAG population growth forecast	Cal Am population growth forecast
~49%	~41%	~11%	~ 10%

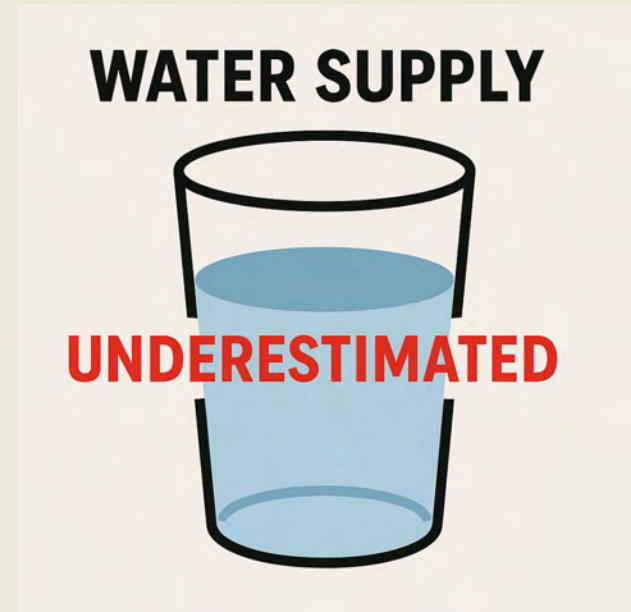
- The PD 13,732 AFY forecast is inflated by 2,005 AFY due to double-counting.
- PD double counts demand from legal lots of record, Pebble Beach entitlements, and “tourism rebound”
 - AMBAG forecasts already take into account development of legal lots of record and entitlements
 - “Tourism rebound” has already occurred.



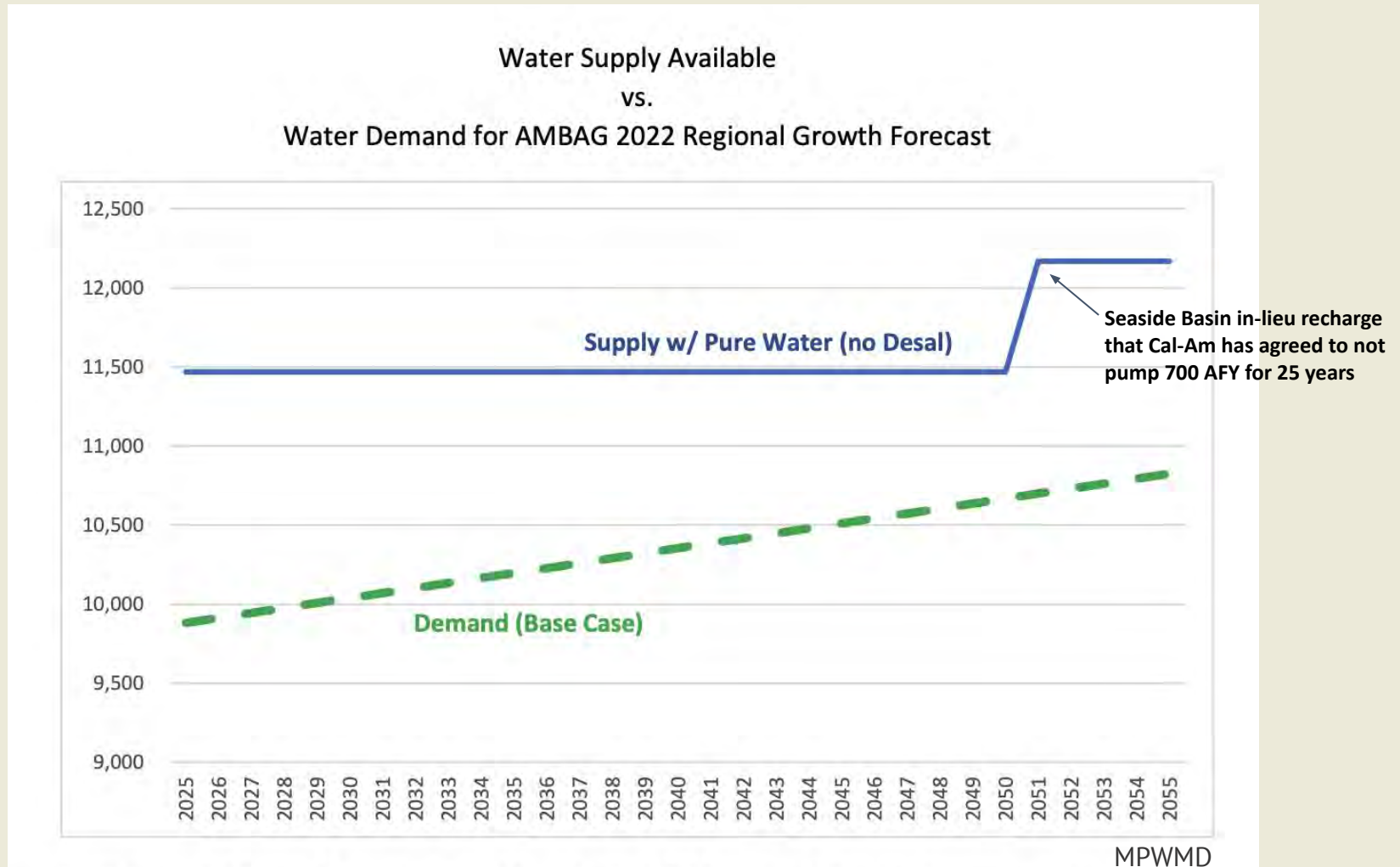
- There is consensus among three public agencies and the CPUC Public Advocate's Office that future demand ranges 10,599–11,203 AFY.
- These figures reflect permanent conservation and population-based forecasting—unlike Cal Am's unsupported assumptions.



- Pure Water Monterey Phase 1 and 2 provides 5750 AFY
- More than adequate supply even if all housing and commercial development that is projected to occur by 2050 actually occurs
- Pure Water Monterey will generate excess water for the next several decades
- Water stored in underground aquifers will provide even more water security if there is extraordinary demand



Water Supply Meets Demand Until at Least 2050²⁴



Water Supply Meets Demand Until at Least 2050

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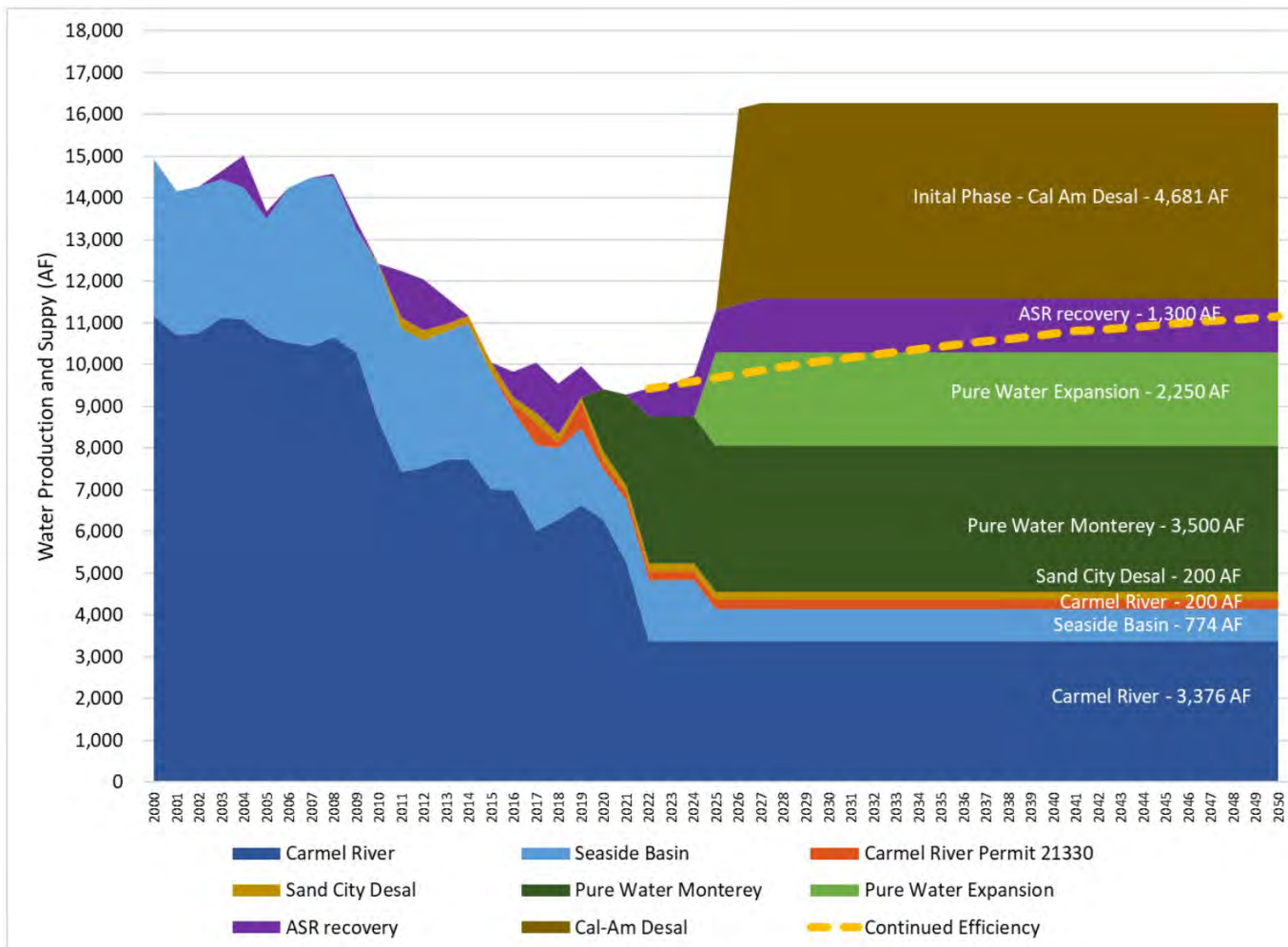
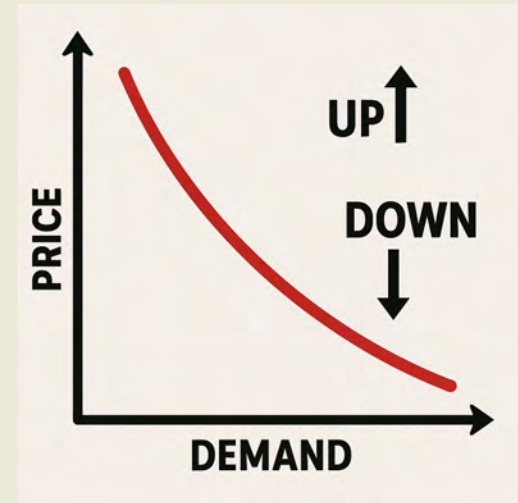


Figure 1: Cal-Am supply and demand 2000 – 2021, forecasted supply and demand 2022 – 2050

MCWD, Peter Mayer, P.E./WaterDM

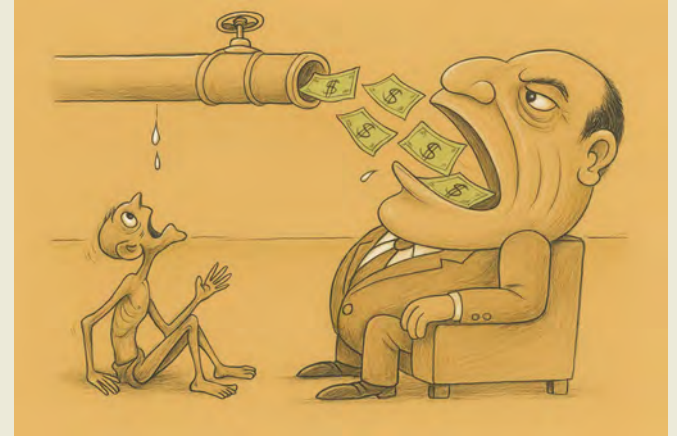
PD Ignores Fundamental Economic Principles ²⁶

- PD fails to account for price elasticity.
- As water becomes more expensive demand naturally declines.
- Cal Am desalinated water could cost 3-7x or more than recycled water, depending on excess capacity.



PD Ignores Financial Motive Behind Overestimates²⁷

- Inflated demand projections only serve Cal Am's shareholders' financial interest in constructing a desalination plant
- This expensive and unnecessary project would raise rates
- With desal water estimated at 3-7x cost of PWM, water rates will skyrocket
- Peninsula water rates already highest in the nation
- Affordable housing requires affordable water



- Future phases or new proceedings not set or scoped
- California Coastal Commission has conditionally approved only a 4.8 mgd project, only IF the CPUC agrees
- BUT the CPUC expressly rejected Cal Am's 4.8 mgd plant or a phased project
- Subsequent CEQA review of changed project and circumstances is required
- CPUC must determine new costs and who bears excess capacity risk

There's No Urgency to Decide Now

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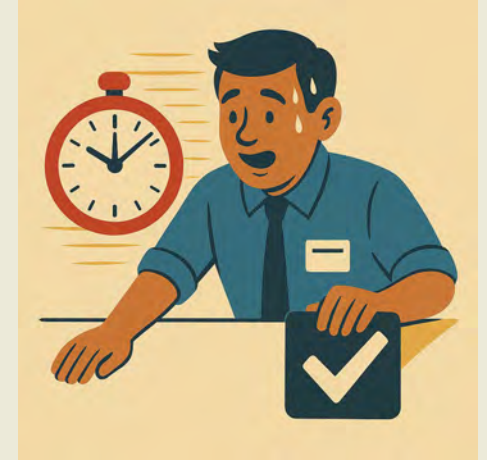
- Pure Water Monterey Phases 1 and 2 offer sufficient supply for decades
- No need to lock in inflated demand projections today
- If actual demand exceeds forecasts, the CPUC should revisit desal and other supply options, including further expansion of water recycling
- Cal Am claims it can build a desal plant within 3 years
- The CPUC should
 - Collect a minimum of 5-10 years of actual demand data before making irreversible and expensive decisions
 - Inform the SWRCB there is no risk of “trespass” again, which will lift the CDO and remove the moratorium



The Peninsula Had Made Great Progress: Then Versus Now

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- Since the SWRCB CDO in 2009, the CPUC has said there is an urgent need for an alternative water supply.
- In 2018 the CPUC said, “*time is of the essence.*”
- **Public agencies have responded!**



What	Then	Now
Carmel River	8310 AFY (2018)	3376 AFY (Legal Limit)
Seaside Groundwater Basin	3849 AFY (2018)	1474 AFY (Legal Limit)
Public Agency Water Supply Project	Pure Water Monterey (PWM) Authorized (2016)	3500 AFY (2020)
Public Agency Water Supply Project	PWM Expansion Authorized (2022)	2250 AFY (2025)

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Thank You

LANDWATCH
MONTEREY COUNTY