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

Monday, June 1, 2020, 4 pm, Virtual Meeting

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

Join the meeting at:

<https://mpwmd.webex.com/mpwmd/onstage/g.php?MTID=e4be3a3a59a8106cae3f37dd86792db3b>

Or access the meeting at mpwmd.webex.com.

Meeting number: 126 160 3214

Meeting password: WaterSupply

Participate by phone: 877-668-4493

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

Water Supply Planning Committee

Members:

*George Riley, Chair
Mary Adams
Molly Evans*

Alternate:

Alvin Edwards

Staff Contact

*David J. Stoldt,
General Manager*

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

Call to Order

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

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

1. Consider Development of a Recommendation to the Board to Send a Letter to the California Coastal Commission for Consideration of the Monterey Peninsula Water Supply Project

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

2. Requirements for Lifting of the Cease and Desist Order and Moratorium on New Service Connections

Presentations – *Public comment will be received. Please limit your comments to three (3) minutes per item.*

3. Update on ASR Project
4. Update on Pure Water Monterey Project
5. Pure Water Monterey Expansion – Next Steps
6. Suggest Items to be Placed on Future Agendas

Adjournment

Upon request, MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Submit requests by noon on Friday, May 29, 2020, to the Board Secretary, arlene@mpwmd.net or call 831-658-5652.

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

Instructions for Connecting to the WebEx Meeting

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

Begin: Within 10 minutes of the meeting start time from your computer click on this link <https://mpwmd.webex.com/mpwmd/onstage/g.php?MTID=e4be3a3a59a8106cae3f37dd86792db3b>, or go to: mpwmd.webex.com.

Under “Join a Meeting” enter the meeting number **126 160 3214**, hit the enter key and when prompted enter the meeting password **WaterSupply**, click “Next” and see the dropdown menu at the bottom of the screen “Use computer for audio” and select the method you will use to hear the meeting – see below.

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

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

Click “Join Meeting”

Once in the meeting, mute your microphone.

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

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

From the “Use computer for Audio” drop down list select “Call In”

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

Mute the microphone on your computer.

Disable computer speakers using the Settings menu.

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

Protocol for Meetings Conducted by Teleconference

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

Submit Oral or Written Comments

If you are unable to participate via telephone or computer to present oral comments, you may also submit your comments by e-mailing them to comments@mpwmd.net with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT – ORAL COMMUNICATIONS". Comments must be received by 12:00 p.m. on Monday, June 1, 2020. Comments submitted by noon will be provided to the Board of Directors and may be read into the record and will be compiled as part of the record.

WATER SUPPLY PLANNING COMMITTEE

ACTION ITEM

1. CONSIDER DEVELOPMENT OF A RECOMMENDATION TO THE BOARD TO SEND A LETTER TO THE CALIFORNIA COASTAL COMMISSION FOR CONSIDERATION OF THE MONTEREY PENINSULA WATER SUPPLY PROJECT

Meeting Date: June 1, 2020 **Budgeted:** N/A

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

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

General Counsel Approval: N/A
Committee Recommendation: N/A
CEQA Compliance: N/A

SUMMARY: The California Coastal Commission (Commission) is expected to conduct a public hearing regarding issuance of a Coastal Development Permit for the Monterey Peninsula Water Supply Project (MPWSP) at its August 2020 meeting. This item asks the Water Supply Planning Committee for its recommendation to the Board regarding sending a letter to the Commission in support of the following:

- The MPWSP as is,
- Pure Water Monterey expansion as a feasible alternative, with desalination reserved for future needs, or
- No letter.

Draft letters for Committee review will be made available to the committee members and public at, or in advance of, the meeting.

RECOMMENDATION: The Committee should consider development of a recommendation to the Board to send a letter to the California Coastal Commission for consideration of the MPWSP.

EXHIBIT

None

WATER SUPPLY PLANNING COMMITTEE

DISCUSSION ITEM

2. REQUIREMENTS FOR LIFTING OF THE CEASE AND DESIST ORDER AND MORATORIUM ON NEW SERVICE CONNECTIONS

Meeting Date: June 1, 2020 **Budgeted:** N/A

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

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

General Counsel Approval: N/A
Committee Recommendation: N/A
CEQA Compliance: N/A

SUMMARY: Last month, staff described how annual compliance with the Cease and Desist Order (CDO) Effective Diversion Limit (EDL) is calculated. This discussion item covers the mechanics for lifting the CDO, as well as the process for cancelling the moratorium on new service connections.

DISCUSSION:

Lifting the CDO: The CDO is issued by the State Water Resources Control Board (SWRCB) and is directed to California American Water Company (Cal-Am). Ordering paragraph 15 (p.27) states:

“15. The conditions of this Order, WR 2009-0060 and State Water Board Order 95-10 shall remain in effect until (a) Cal-Am certifies, with supporting documentation, that it has obtained a permanent supply of water that has been substituted for the water illegally diverted from the Carmel River and (b) the Deputy Director for Water Rights concurs, in writing, with the certification.”

Thus, the process of lifting the CDO starts with a discretionary action of Cal-Am and requires a response from the SWRCB. One can reasonably assume that Cal-Am could provide certification at, or shortly after, start-up of a new water supply. The SWRCB response could take 2-3 months. The worst case would be if the SWRCB desires to see performance of the new water supply over time.

How much water supply is needed to lift the CDO? There are two “tests” to examine. Test 1 would focus solely on replacing unlawful pumping. Using the five-year average pumping through Water Year 2019, the test would look like this:

Test 1 - Water for the River	AFA
5-Year Average of Pumping from the Carmel River:	6,553
Legal Right to Pump from the Carmel River:	<u>3,376</u>
Replacement Supply Needed:	3,177

This test would imply that Pure Water Monterey, at 3,500 AFA, would be sufficient to lift the CDO, however it is not. Test 2 examines water supply required to meet customer demand:

Test 2 - Water for Customer Demand	AFA
Carmel River Supply	3,376
Seaside Basin Supply	774
ASR Supply	1,300
Sand City Desal Supply	94
Pure Water Monterey Supply	<u>3,500</u>
Total Supply	9,044
5-Year Average Customer Demand	<u>9,825</u>
Additional Supplies Needed to Lift CDO	781

However, a new supply substantially in excess of this amount is needed to meet growth in demand. Because future growth in consumer demand for water will take time to materialize, the additional water supply to meet future growth is presently available to allow the banking of water for future needs. Additionally, for several years the actual available from Sand City desalination and Table 13 water rights would yield additional supplies. However, ASR could be lower until additional accumulation occurs. Finally, an additional 700 AF becomes available after 25 years of in-lieu recharge of the Seaside Basin is concluded.

How does the moratorium on the setting of new meters get cancelled? The moratorium was established by the California Public Utilities Commission (CPUC) in Decision 11-03-048 in March 2011. Ordering paragraph 5 of the Decision states:

“5. Upon the receipt by California-American Water Company of the written concurrence of the Deputy Director of Water Rights of the State Water Resources Control Board with California-American Water Company’s finding that a permanent supply of water is ready to serve as a replacement for the unlawful diversions of Carmel River water, California-American Water Company shall file a Tier 1 advice letter transmitting the written concurrence and removing from its tariffs the special condition contained in Ordering Paragraph 1 of this decision.”

Ordering paragraph 1 is the moratorium. The time for review of a Tier 1 advice letter by CPUC Division of Water and Audits staff is 30 days from the service date, hence if Cal-Am was ready in advance they could file the Tier 1 advice letter shortly after receipt of the SWRCB letter and the moratorium would be lifted 30 days later, if the advice letter is not challenged.

EXHIBIT

None