

This meeting has been noticed according to the Brown Act rules. The Board of Directors meets regularly on the third Monday of each month, except in January and February. The meetings begin at 6:00 PM.



**Agenda**  
**Special and Regular Meeting**  
**Board of Directors**  
**Monterey Peninsula Water Management District**  
\*\*\*\*\*

**Monday, March 15, 2021, 5:00 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 Zoom.

Join the meeting at this link:

<https://zoom.us/j/93819606190?pwd=NVQrbHIvakFaa1hSN2rTdnpouUFBzQT09>

Or join at: <https://zoom.us/>

Webinar ID: 938 1960 6190

Meeting password: 03152021

Participate by phone: (669) 900-9128

**For detailed instructions on how to connect to the meeting, please see page 4 of this agenda.**

You may also view the live webcast on AMP <https://accessmediaproductions.org/>  
scroll down to the bottom of the page and select the Peninsula Channel

Staff notes will be available on the District web site at

<http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/>  
by 5 PM on Friday, March 12, 2021

**Board of Directors**

Alvin Edwards, Chair – Division 1  
Karen Paull, Vice Chair – Division 4  
George Riley – Division 2  
Safwat Malek – Division 3  
Amy Anderson – Division 5  
Mary L. Adams, Monterey County  
Board of Supervisors Representative  
Clyde Roberson – Mayoral Representative

**General Manager**

David J. Stoldt

This agenda was posted at the District office at 5 Harris Court, Bldg. G Monterey on March 11, 2021. Staff reports regarding these agenda items will be available for public review on Thursday, March 11, 2021 at the District's website [www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/](http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/). After staff reports have been distributed, if additional documents are produced by the District and provided to a majority of the Board regarding any item on the agenda, they will be posted on the District website. Documents distributed on the afternoon of the meeting will be available upon request and posted to the web within five days of adjournment of the meeting. There will be a **special meeting** of the Board set for Friday, March 26, 2021 at 9 am and the next **regularly** scheduled Board meeting is set for Monday, April 19, 2021 at 6:00 pm

**CLOSED SESSION, 5:00 PM**

*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.*

**ADDITIONS AND CORRECTIONS FOR CLOSED SESSION BY DISTRICT COUNSEL-** *District Counsel will announce agenda corrections and proposed additions, which may be acted on by the Directors as provided in Sections 54954.2 of the California Government Code*

CS-1 Pursuant to Government Code §54956.9(c), the board will confer with district counsel to review one matter of potential/anticipated litigation.

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

**RECESS TO CLOSED SESSION**

**REGULAR SESSION, 6:00 PM**

**CALL TO ORDER / ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS AND CORRECTIONS TO 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.*

**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 Minutes from the January 25, 2021 Regular Meeting
2. Confirm Appointments to Ordinance No. 152 Oversight Panel
3. Consider Adoption of Treasurer's Report for January 2021
4. Consider Approval of Purchase of Annual Internet License for Water Wise Gardening in Monterey County

**GENERAL MANAGER'S REPORT**

5. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision
6. Update on Development of Water Supply Projects
7. Update on Water for Housing Initiative

**REPORT FROM DISTRICT COUNSEL-** *Read out by District Counsel will only occur if there is reportable action(s) from the 5:00 pm closed session agenda.*

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

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

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

9. Consider Adoption of April through June, 2021 Quarterly Water Supply Strategy and Budget  
*Recommended Action: The Board will consider approval of a proposed production strategy for the California American Water Distribution Systems for the three-month period of April through June, 2021. The strategy sets monthly goals for surface and groundwater production from various sources within the California American Water systems.*

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

10. Consider Adoption of Mid-Year Fiscal Year 2020-2021 Budget Adjustment  
*Recommended Action: The Board will consider adoption of the proposed mid-year budget adjustment for FY2020-2021*
11. Consider Approval of District Legislative Advocacy Plan for 2021  
*Recommended Action: The Board will consider approving the District’s Legislative Advocacy Plan for 2021.*
12. Consider Approval of Resolution 2021-02 for the Adoption of a Property Tax Transfer Agreement  
*Recommended Action: The Board will consider adopting Resolution 2021-02 to approve a zero property tax transfer for the District’s 2021 Sphere of Influence, Annexation, and Latent Power Activation Proposal.*
13. Consider Approval of Amendment 5 to the Pure Water Monterey Cost Sharing Agreement  
*Recommended Action: The Board will consider approving Amendment 5 to the Cost Sharing Agreement and the expenditure of up to \$181,125 (including a 5% contingency) in support of qualifying an expansion of Pure Water Monterey for CEQA SEIR approval and source water modeling*

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

14. Status Report on Measure J / Rule 19.8 Phase II Spending
15. Report on Activity / Progress on Contracts Over \$25,000
16. Letters Received
17. Committee Reports
18. Monthly Allocation Report
19. Water Conservation Program Report
20. Carmel River Fishery Report for February, 2021
21. Monthly Water Supply and California American Water Production Report

**ADJOURNMENT**

Board Meeting Schedule			
Friday, March 26, 2021	Special Meeting	9:00 am	Virtual - Zoom
Monday, April 19, 2021	Regular Meeting	6:00 pm	Virtual - Zoom
Monday, May 17, 2021	Regular Meeting	6:00 pm	Virtual – Zoom

Board Meeting Television and On-Line Broadcast Schedule View Live Webcast at <a href="https://accessmediaproductions.org/">https://accessmediaproductions.org/</a> scroll to the bottom of the page and select the Peninsula Channel	
Television Broadcast	Viewing Area
Comcast Ch. 25 (Monterey Channel), Mondays view live broadcast on meeting dates, and replays on Mondays, 7 pm through midnight	City of Monterey

Comcast Ch. 28, Mondays, replays only 7 pm	Throughout the Monterey County Government Television viewing area.
For Xfinity subscribers, go to <a href="https://www.xfinity.com/support/local-channel-lineup/">https://www.xfinity.com/support/local-channel-lineup/</a> or <a href="https://www.xfinity.com/stream/listings">https://www.xfinity.com/stream/listings</a> - enter your address for the listings and channels specific to your city.	Pacific Grove, Pebble Beach, Sand City, Seaside, Monterey
<b>Internet Broadcast</b>	
Replays – Mondays, 4 pm to midnight at <a href="https://accessmediaproductions.org/">https://accessmediaproductions.org/</a> scroll to Peninsula Channel	
Replays – Mondays, 7 pm and Saturdays, 9 am <a href="http://www.mgtvonline.com">www.mgtvonline.com</a>	
YouTube – available five days following meeting date - <a href="https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg">https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg</a>	

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 5 pm on Friday, March 12, 2021 to [joel@mpwmd.net](mailto:joel@mpwmd.net), or call (831) 658-5652.

### Instructions for Connecting to the **Zoom Meeting**

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

**Begin:** Within 10 minutes of the meeting start time from your computer click on this link: <https://zoom.us/j/93819606190?pwd=NVRbRHIvakFaa1hSN2tTdnpoUFBzQT09> or paste the link into your browser.

#### DETERMINE WHICH DEVICE YOU WILL BE USING (PROCEED WITH ONE OF THE FOLLOWING INSTRUCTIONS)

##### USING A DESKTOP COMPUTER OR LAPTOP

1. In a web browser, type: <https://www.zoom.us>
2. Hit the enter key
3. At the top right-hand corner, click on “Join a Meeting”
4. Where it says “Meeting ID”, type in the Meeting ID# above and click “Join Meeting”
5. Your computer will begin downloading the Zoom application. Once downloaded, click “Run” and the application should automatically pop up on your computer. (If you are having trouble downloading, alternatively you can connect through a web browser – the same steps below will apply).
6. You will then be asked to input your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
7. From there, you will be asked to choose either ONE of two audio options: Phone Call or Computer Audio:

##### COMPUTER AUDIO

1. If you have built in computer audio settings or external video settings – please click “Test Speaker and Microphone”.

- 2.The client will first ask “Do you hear a ringtone?” •If no, please select “Join Audio by Phone”.  
•If yes, proceed with the next question:

- 3.The client will then ask “Speak and pause, do you hear a replay?” •If no, please select “Join Audio by Phone”  
•If yes, please proceed by clicking “Join with Computer Audio”

### **PHONE CALL**

- 1.If you do not have built in computer audio settings or external video settings – please click “Phone Call”

- 2.Select a phone number based on your current location for better overall call quality.

+1 669-900-9128 (San Jose, CA)

+1 253-215-8782 (Houston, TX)

+1 346-248-7799 (Chicago, IL)

+1 301-715-8592 (New York, NY)

+1 312-626-6799 (Seattle, WA)

+1 646-558-8656 (Maryland)

- 3.Once connected, it will ask you to enter the Webinar ID No. and press the pound key
- 4.It will then ask you to enter your participant ID number and press the pound key.
- 5.You are now connected to the meeting.

### **USING AN APPLE/ANDROID MOBILE DEVICE OR SMART PHONE**

- 1.Download the Zoom application through the Apple Store or Google Play Store (the application is free).
- 2.Once download is complete, open the Zoom app.
- 3.Tap “Join a Meeting”
- 4.Enter the Meeting ID number
- 5.Enter your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
- 6.Tap “Join Meeting”
- 7.Tap “Join Audio” on the bottom left hand corner of your device
- 8.You may select either ONE of two options: “Call via Device Audio” or “Dial in”

### **DIAL IN**

- 1.If you select “Dial in”, you will be prompted to select a toll-free number to call into.
2. Select a phone number based on your current location for better overall call quality.

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+1 253-215-8782 (Houston, TX)

+1 346-248-7799 (Chicago, IL)

+1 301-715-8592 (New York, NY)

+1 312-626-6799 (Seattle, WA)

+1 646-558-8656 (Maryland)

- 3.The phone will automatically dial the number, and input the Webinar Meeting ID No. and your Password.
- 4.Do not hang up the call, and return to the Zoom app
- 5.You are now connected to the meeting.

### Presenting Public Comment

Receipt of Public Comment – the Chair will ask for comments from the public on all items. Limit your comment to 3 minutes but the Chair could decide to set the time for 2 minutes.

- (a) Computer Audio Connection: Select the “raised hand” icon. When you are called on to speak, please identify yourself.
- (b) Phone audio connection **with** computer to view meeting: Select the “raised hand” icon. When you are called on to speak, please identify yourself.
- (c) Phone audio connection only: Press \*9. Wait for the clerk to unmute your phone and then identify yourself and provide your comment. Press \*9 to end the call.

### Submit 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](mailto: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 March 15, 2021. Comments submitted by noon will be provided to the Board of Directors and compiled as part of the record of the meeting.

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**ITEM: CONSENT CALENDAR****1. CONSIDER ADOPTION OF MINUTES OF THE JANUARY 25, 2021 REGULAR MEETING OF THE BOARD OF DIRECTORS****Meeting Date: March 15, 2021** **Budgeted: N/A****From: David J. Stoldt,  
General Manager** **Program/  
Line Item No.: N/A****Prepared By: Joel G. Pablo** **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.**

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**SUMMARY:** Attached as **Exhibit 1-A** are draft minutes of the January 25, 2021 Regular Meeting of the Board of Directors.**RECOMMENDATION:** District staff recommends approval of the minutes with adoption of the Consent Calendar.**EXHIBIT****1-A** Draft Minutes of the January 25, 2021 Regular Meeting of the Board of Directors

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## **EXHIBIT 1-A**

### **DRAFT MINUTES Regular Meeting Board of Directors**

#### **Monterey Peninsula Water Management District**

*Monday, January 25, 2021*

*Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20,  
the meeting was conducted with virtual participation via Zoom.*

The meeting was called to order at 6:01 pm by Chair Edwards.

#### **CALL TO ORDER**

*Directors Present via Zoom:*

Alvin Edwards, - Chair, Division 1

Karen Paull, - Vice-Chair, Division 4

George Riley, Division 2

*Vacant*, Division 3

Amy Anderson, Division 5

Mary Adams – Monterey County Board of Supervisors Rep.

Clyde Roberson – Mayoral Representative

#### **ROLL CALL**

*Directors Absent:* None

*General Manager present:* David J. Stoldt

*District Counsel present:* David Laredo

The assembly recited the Pledge of Allegiance.

#### **PLEDGE OF ALLEGIANCE**

No changes

#### **ADDITIONS AND CORRECTIONS TO AGENDA**

General Manager Stoldt presented a plaque to outgoing Director Dave Potter for two years of exceptional service as the mayoral representative to the board. The General Manager, the Directors and District Counsel thanked Mayor Potter for his years of service to the board and as a public servant within the community. Dave Potter thanked everyone for their professionalism, friendship and wished the district well.

#### **RECOGNITION OF OUTGOING DIRECTOR DAVE POTTER**

The following comments were directed to the Board during Oral Communications.

#### **ORAL COMMUNICATIONS**

(a) **Susan Schiavone**, thanked Mayor Potter for his work to the community, the board and as Mayor of Carmel. She noted and congratulated the Board and Monterey One Water (M1W) on securing a \$15.5 million grant from the U.S. Department of Interior, Bureau of Reclamation for Pure Water Monterey. In addition, she thanked Chair Edwards for appointing her to the Ordinance No. 152 Oversight Panel.

No further comments were received by the board under oral communications.

A motion was made by Director Riley and second by Director Adams to adopt the Consent Calendar except for Item No. 3 which was pulled for discussion and voted upon separately. Director Roberson abstained from voting on Item No. 1.

(a) The motion was carried by and approved unanimously on a vote of 6 – 0 by Director Riley, Paull, Anderson, Adams, Roberson and Edwards to approve Consent Calendar Items No. 2, 4, 5, 6 and 7.

(b) Consent Calendar Item No. 1 was approved on a vote of 5 – 1 by Director Riley, Paull, Anderson, Adams and Edwards approving for and Director Roberson abstaining.

No public comment was received and provided to the board prior to approval of the consent calendar.

Adopted.

Adopted

Director Edwards acknowledge Susan Schiavone for her continued service to the Ordinance No. 152 Oversight Panel and the entire Ordinance No. 152 Oversight Panel on their efforts and contributions.

A motion was made by Director Edwards and second by Director Roberson to approve Item No. 3. The motion was carried by and approved on a vote of 6 – 0 by Director Riley, Paull, Anderson, Adams, Roberson and Edwards.

No public comment was received for this item.

Received

Approved the General Manager to enter into a contract amendment with Martin Feeney for \$2,970 to compensate the neutralization step completed during the commissioning of PWM Well 1.

Reviewed and Adopted

Adopted

**CONSENT CALENDAR**

- 1. Consider Adoption of Minutes of the December 14, 2020 Regular and December 23, 2020 Special Meetings of the Board of Directors**
- 2. Ratify Board Committee Assignments for Calendar Year 2021**
- 3. Ratify Appointments to Ordinance No. 152 Oversight Panel**
- 4. Review Annual Disclosure Statement of Employee/Board Reimbursements for Fiscal Year 2019-2020**
- 5. Consider Authorizing a Contract Amendment with Martin Feeney for Performing Project Management for the Final Conditioning of the Pure Water Monterey Injection Well Field**
- 6. Consider Approval of Annual Update on Investment Policy**
- 7. Consider Adoption of Treasurer's Report for October 2020**

David J. Stoldt, General Manager presented and discussed his MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

Stoldt reported out on actual versus target production for Water Year (WY) 2021 for MPWRS and Water Projects and Rights, noting that the Carmel River is within target and on Pure Water Monterey actuals vs targets numbers are now being reported. On Monthly Production from All Sources for Customer demand, specifically measuring for customer demand; Mr. Stoldt highlighted the total for WY2021 is slightly less than WY2020 and summarized daily rainfall recorded at San Clemente Rain Gage.

David J. Stoldt, General Manager presented and discussed his MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

David Stoldt provided an update on water supply projects. For Pure Water Monterey (PWM), Stoldt reported that all wells have received their final conditioning, reported out on numbers at Deep Injection Wells (DIW) and Vadose Zone Well (VZW), 755 Acre Feet (AF) injected for customer use (thru last Wednesday), injecting approximately 10 AF per day. In addition, provided the board with an update on the new injection wells and explained the location of various DIWs at PWM. Stoldt has no update for the board on the desalination plant and will connect with Cal-Am for further status updates, if any. Stoldt reviewed and discussed with the board the Aquifer Storage & Recovery (ASR) construction contract expenditures and board authorized expenditure charts. GM praised Maureen Hamilton for her project management abilities as it relates to the ASR. Stoldt reviewed the: Drought Monitor images/graphs for the Western States and California and Reservoir Conditions in California. Stoldt gave an overview of the Water Year Classification by recorded rainfall (data from 1992 to present) noting the CY2021 is in line with Water Year 1924 – as the “Lowest Rainfall Total on Record.” In addition, the unimpaired streamflow (data from 1902 to present) charts at the San Clemente Dam is in line with another critically dry year. Stoldt provided a high-level overview of the historical graph covering the ten (10) worst first months rainfall AND a 3 to 4 week & three (3) month precipitation prediction.

David J. Stoldt, General Manager (GM) presented and discussed his MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

GM Stoldt reviewed the District’s Ad Week for the **Week of January 11, 2021**. Stoldt provided an overview of 2020

## GENERAL MANAGER’S REPORT

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

**9. Update on Development of Water Supply Projects**

**10. Report to the Board on Fish Rescues for 2020**

Fish Rescues from the Main River and Tributaries and rescues from the last twenty (20) years.

District Counsel Laredo reported out on the closed session matter from the MPWMD Regular Board Meeting on December 14, 2021, Item No. 28 on a lawsuit filed by California American Water Company against the district. Laredo reported that this was a CEQA challenge on the district's certification of the Environmental Impact Report (EIR) for the potential acquisition of the Monterey water system and the boundary adjustment that is going before LAFCO of Monterey County. Laredo provided a status report during Closed Session and provided direction to the Board and staff to vigorously defend the District's Certification of the EIR.

**Director Riley:** Attended the Special District's meeting with Guest Speaker CA State Assemblymember Mark Stone who presented on a number of state-wide issues from COVID-19, the Economic Disruption due to COVID-19 and Fires. Riley was able to provide a presentation on Public Banking at the same meeting.

**Director Adams:** Attended the Special District's meeting and was happy to see and hear Director Riley's presentation on Public Banking.

Stephanie Locke, Water Demand Manager presented and discussed her MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

A motion was made by Director Riley and seconded by Director Roberson to receive public comment, approve the first reading of draft Ordinance No. 187 and directed staff to return in four (4) months for the 2nd hearing. The motion was carried by and approved unanimously on a vote of 6 – 0 by Director Riley, Paull, Anderson, Adams, Roberson and Edwards.

The following comments were directed to the Board during the public comment period on this item:

- (a) **Colonel Varman Chhoeung**, Garrison Commander with the Presidio of Monterey, acknowledged staff and the board for their efforts in considering the action item. He expressed the need for the board to move forward on this matter to allow for a twenty (20) year extension of water use credits to allow for future construction projects.
- (b) **Captain Paul Dale**, expressed appreciation of the

## REPORT FROM DISTRICT COUNSEL

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

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

### PUBLIC HEARINGS

12. **Consider First Reading of Ordinance 187 – (1) Establishing the Department of Defense as a Jurisdiction and adding a Water Use Credit Process Specific to the Department of Defense, and (2) Authorizing the General Manager to Extend Water Use Credits for One Year for Justifiable Cause.**

district's efforts for water conservation, however the Navy was not consulted and would like an opportunity to work with district staff to make necessary amendments to assist the water credits and water allocation needs of the Navy and recommended a six (6) month postponement.

David Stoldt, General Manager presented and summarized the Staff Report.

A motion was made by Director Adams and second by Director Paull to place the Senior Water Resources Engineer Position on the District's current salary schedule. The motion was carried by and approved unanimously on a vote of 6 – 0 by Director Riley, Paull, Anderson, Adams, Roberson and Edwards.

No public comment was received for this action item.

David J. Stoldt, General Manager and Jonathan Lear, Water Resources Manager presented and discussed the MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

**Motion No. 1:** A motion was made by Director Adams to postpone consideration of adoption of staff recommendation from a month from now. Motion fails due to a lack of a second.

**Motion No. 2:** A motion was made by Director Riley to deny the project and second by Director Edwards. The motion was carried by and approved on a vote of 5 – 1 by Director Riley, Paull, Anderson, Roberson and Edwards voting for and Director Adams voting no.

The following comments were directed to the Board during the public comment period on this item:

(a) **Michael Baer** inquired about the costs involved and expressed a need for an image of the project at hand to better gain a better understanding of the project and how to make it more efficient. Mr. Baer asked for an explanation as to why the District is paying for the project. He believes it should be paid by Monterey One Water (M1W) as it is their project and problem.

(b) **Chris Cook** stated that he will work with Jon Lear to create simplified graphs to assist all in better understanding of the project at hand.

(c) **Anna Thompson** acknowledged and echoed some of Mr. Baer's concerns and questions pertaining to costs and cost effectiveness. She noted a number of unresolved questions, to include: who will pay for the project, who is responsible party in building the project, how long it will take to build the pipeline and why is it pressing/urgent to move this project along.

(d) **Susan Schiavone** supports Director Adams in her desire

#### ACTION ITEMS

**13. Consider Placing the Senior Water Resources Engineer Position on the District's Current Salary Scale**

**14. Consider Adoption of an Addendum to the District's Prior ASR Environmental Impact Report for Construction of a Bypass Pipeline to Allow Simultaneous Pure Water Monterey Recovery and ASR Injection (Subject to CEQA Review per CEQA Guideline Sections 15162 and 15164)**

to delay action and wait for M1W to decide and discuss the undecided SEIR for expansion. She would like to know about the potential costs and how long it will take to build the project.

(e) **John Tilley**, Co-Chair of Peninsula Businesses supports the approval of the pipeline as a back-up to water supply and suggested to use a ten (10) year average for water flows.

David J. Stoldt, General Manager presented and summarized the staff report and e-mail received from the County Elections Department on the costs on conducting a consolidated election, stand alone mail ballot election and stand-alone (includes poll places and vote by mail) election and what the process entails. In addition, discussed the timeline and the alternative which is to appoint an applicant to the vacant Division 3 seat.

The following comments were directed to the Board during the public comment period on this item:

- (a) **Marc Eisenhart**, inquired, as an applicant if there will be an opportunity to meet and speak with the Directors.
- (b) **Michael Baer** is unclear and sought clarification as to why there must be a district-wide election when the vacancy is specific only to the Division 3 vacancy on the board.
- (c) **Anna Thompson** asked the board to make an appointment as opposed to conducting an election.

The following comments were directed to the Board during the public comment period on this item.

David J. Stoldt, General Manager presented and discussed his MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

Mr. Stoldt provided an update, progress made by the district and various timelines associated with the district's application to the Monterey County Local Agency Formation Commission, review process, hearing and next steps the district will need to take.

The following comments were directed to the Board during the public comment period on this item:

- (a) **Michael Baer** asked how the public can be involved, what the process really looks like and if the process will be conducted in closed session or vetted out in public.

There was no discussion of these items.

## DISCUSSION ITEMS

### 15. Options for Election of Director Division 3

### 16. Timeline on Future Decision Points - Feasibility of Public Ownership of California American Water Monterey Water System

## INFORMATIONAL ITEMS/STAFF REPORTS

- 17. Report on Activity/Progress on Contracts Over \$25,000
- 18. Status on Measure J/Rule 19.8 Spending
- 19. Monthly Progress Report – Santa Margarita Water Treatment Facility

20. **Letters Received**
21. **Committee Reports**
22. **Monthly Allocation Report**
23. **Water Conservation Program Report**
24. **Carmel River Fishery Report for  
December 2019**
25. **Monthly Water Supply and California  
American Water Production Report**
26. **Quarterly Carmel River Riparian  
Corridor Management Program  
Report**
27. **Semi-Annual Groundwater Quality  
Monitoring Report**

The meeting was adjourned at approximately 9:07 pm.

**ADJOURNMENT**

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Joel G. Pablo, Deputy District Secretary

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**ITEM: CONSENT CALENDAR****2. CONFIRM APPOINTMENTS TO ORDINANCE NO. 152 OVERSIGHT PANEL****Meeting Date: March 15, 2021 Budgeted: N/A****From: David Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Joel G. Pablo 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.**

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**SUMMARY:** Ordinance No. 152 created a nine-member Ordinance No. 152 Citizen's Oversight Panel as an advisory group to the Board of Directors on expenditures from the Connection Charge adopted in June 2012. Each Director appoints one (1) person to participate on the panel. In addition, the Monterey Peninsula Taxpayers Association (MPTA) and the Monterey County Association of Realtors (MCAR) each appoint a member to the Panel.

Director Safwat Malek (Division 3) has appointed Melodie Chrislock to the Ordinance No. 152 Oversight Panel.

**RECOMMENDATION:** Ratify the appointment of Melodie Chrislock to serve a two-year term on the Ordinance No. 152 Oversight Panel.

<b>Appointing Director</b>	<b>Appointee</b>
Division 3, Safwat Malek	Melodie Chrislock

**EXHIBIT**

None



**ITEM: CONSENT CALENDAR****3. CONSIDER ADOPTION OF TREASURER'S REPORT FOR JANUARY 2021****Meeting Date: March 15, 2021 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Suresh Prasad Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: There was no Administrative Committee meeting in March.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

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**SUMMARY:** Exhibit 3-A comprises the Treasurer's Report for January 2021. Exhibit 3-B and Exhibit 3-C are listings of check disbursements for the period January 1-31, 2021. Check Nos. 38315 through 38554, the direct deposits of employee's paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$1,133,756.68. This amount included \$67,666.49 for conservation rebates paid out during the current period. Exhibit 3-D reflects the unaudited version of the financial statements for the month ending January 31, 2021.

**RECOMMENDATION:** District staff recommends adoption of the January 2021 Treasurer's Report and financial statements, and ratification of the disbursements made during the month.

**EXHIBITS**

- 3-A** Treasurer's Report
- 3-B** Listing of Cash Disbursements-Regular
- 3-C** Listing of Cash Disbursements-Payroll
- 3-D** Financial Statements



**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
TREASURER'S REPORT FOR JANUARY 2021**

<u>Description</u>	<u>Checking</u>	<u>MPWMD Money Market</u>	<u>L.A.I.F.</u>	<u>Multi-Bank Securities</u>	<u>MPWMD Total</u>	<u>PB Reclamation Money Market</u>
<b>Beginning Balance</b>	\$134,970.18	\$3,504,855.29	\$10,589,906.05	\$2,865,084.84	\$17,094,816.36	\$249,762.41
Fee Deposits		102,963.93			102,963.93	865,789.07
MoCo Tax & WS Chg Installment Pymt					0.00	
Interest Received			17,279.08	9,610.96	26,890.04	
Transfer - Checking/LAIF					0.00	
Transfer - Money Market/LAIF					0.00	
Transfer - Money Market/Checking	700,000.00	(700,000.00)			0.00	
Transfer - Money Market/Multi-Bank					0.00	
Transfer to CAWD					0.00	(850,000.00)
Voided Checks					0.00	
Bank Corrections/Reversals/Errors					0.00	
Bank Charges/Other	(495.65)				(495.65)	
Credit Card Fees	(852.69)				(852.69)	
Returned Deposits	-				0.00	
Payroll Tax/Benefit Deposits	(119,195.23)				(119,195.23)	
Payroll Checks/Direct Deposits	(143,297.09)				(143,297.09)	
General Checks	(809,078.34)				(809,078.34)	
Bank Draft Payments	(60,837.68)				(60,837.68)	
<b>Ending Balance</b>	<b>(\$298,786.50)</b>	<b>\$2,907,819.22</b>	<b>\$10,607,185.13</b>	<b>\$2,874,695.80</b>	<b>\$16,090,913.65</b>	<b>\$265,551.48</b>



**Check Report**

By Check Number

Date Range: 01/01/2021 - 01/31/2021



Monterey Peninsula Water Management Dist

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: APBNK -Bank of America Checking</b>						
<b>Payment Type: Regular</b>						
00249	A.G. Davi, LTD	01/11/2021	Regular	0.00	395.00	38434
15399	Accela Inc.	01/11/2021	Regular	0.00	34,029.45	38435
00763	ACWA-JPIA	01/11/2021	Regular	0.00	329.10	38436
01188	Alhambra	01/11/2021	Regular	0.00	67.20	38437
00252	Cal-Am Water	01/11/2021	Regular	0.00	172.71	38438
04043	Campbell Scientific, Inc.	01/11/2021	Regular	0.00	436.00	38439
12601	Carmel Valley Ace Hardware	01/11/2021	Regular	0.00	78.44	38440
00046	De Lay & Laredo	01/11/2021	Regular	0.00	28,373.05	38441
18734	DeVeera Inc.	01/11/2021	Regular	0.00	6,947.00	38442
00758	FedEx	01/11/2021	Regular	0.00	123.60	38443
00094	John Arriaga	01/11/2021	Regular	0.00	2,500.00	38444
19764	Katrina Herrmann	01/11/2021	Regular	0.00	51.75	38445
07622	KISTERS North America, Inc.	01/11/2021	Regular	0.00	5,183.00	38446
00222	M.J. Murphy	01/11/2021	Regular	0.00	79.70	38447
00259	Marina Coast Water District	01/11/2021	Regular	0.00	1,236.81	38448
00259	Marina Coast Water District	01/11/2021	Regular	0.00	1,066.61	38449
00120	Martin B. Feeney, PG, CHG	01/11/2021	Regular	0.00	13,745.00	38450
00118	Monterey Bay Carpet & Janitorial Svc	01/11/2021	Regular	0.00	1,260.00	38451
00274	Monterey One Water	01/11/2021	Regular	0.00	544,553.55	38452
13396	Navia Benefit Solutions, Inc.	01/11/2021	Regular	0.00	100.00	38453
00154	Peninsula Messenger Service	01/11/2021	Regular	0.00	588.00	38454
00755	Peninsula Welding Supply, Inc.	01/11/2021	Regular	0.00	64.50	38455
04736	Pitney Bowes Global Financial Svc, LLC	01/11/2021	Regular	0.00	392.41	38456
18544	Psomas	01/11/2021	Regular	0.00	7,375.00	38457
00159	Pueblo Water Resources, Inc.	01/11/2021	Regular	0.00	2,310.00	38458
00262	Pure H2O	01/11/2021	Regular	0.00	65.54	38459
13394	Regional Government Services	01/11/2021	Regular	0.00	1,465.80	38460
04709	Sherron Forsgren	01/11/2021	Regular	0.00	961.19	38461
02838	Solinst Canada Ltd	01/11/2021	Regular	0.00	91.31	38462
09351	Tetra Tech, Inc.	01/11/2021	Regular	0.00	248.82	38463
09425	The Ferguson Group LLC	01/11/2021	Regular	0.00	8,000.00	38464
17965	The Maynard Group	01/11/2021	Regular	0.00	1,529.21	38465
18737	U.S. Bank Equipment Finance	01/11/2021	Regular	0.00	951.61	38466
06009	yourservicesolution.com	01/11/2021	Regular	0.00	4,952.00	38467
20230	Zoom Video Communications Inc	01/11/2021	Regular	0.00	387.50	38468
00760	Andy Bell	01/15/2021	Regular	0.00	711.00	38469
00253	AT&T	01/15/2021	Regular	0.00	813.22	38470
20295	Chris A. Miller & Debra Ann Miller	01/15/2021	Regular	0.00	198.36	38471
00224	City of Monterey	01/15/2021	Regular	0.00	517.75	38472
06268	Comcast	01/15/2021	Regular	0.00	34.95	38473
00046	De Lay & Laredo	01/15/2021	Regular	0.00	24,626.00	38474
00986	Henrietta Stern	01/15/2021	Regular	0.00	1,293.21	38475
00277	Home Depot Credit Services	01/15/2021	Regular	0.00	246.71	38476
05830	Larry Hampson	01/15/2021	Regular	0.00	837.20	38477
00222	M.J. Murphy	01/15/2021	Regular	0.00	25.82	38478
04729	Monterey Commercial Property Owners Associati	01/15/2021	Regular	0.00	400.00	38479
13396	Navia Benefit Solutions, Inc.	01/15/2021	Regular	0.00	715.42	38480
00282	PG&E	01/15/2021	Regular	0.00	45.87	38481
18544	Psomas	01/15/2021	Regular	0.00	20,161.38	38482
00251	Rick Dickhaut	01/15/2021	Regular	0.00	638.00	38483
01020	Sara Reyes - Petty Cash Custodian	01/15/2021	Regular	0.00	256.34	38484
09989	Star Sanitation Services	01/15/2021	Regular	0.00	90.71	38485
00269	U.S. Bank	01/15/2021	Regular	0.00	1,713.08	38486

**EXHIBIT 3-B**

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## Check Report

Date Range: 01/01/2021 - 01/31/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00271	UPEC, Local 792	01/15/2021	Regular	0.00	855.00	38487
00767	AFLAC	01/22/2021	Regular	0.00	910.69	38488
00252	Cal-Am Water	01/22/2021	Regular	0.00	121.74	38489
00252	Cal-Am Water	01/22/2021	Regular	0.00	79.65	38490
01195	California Dept. of Fish & Wildlife	01/22/2021	Regular	0.00	1,572.50	38491
12601	Carmel Valley Ace Hardware	01/22/2021	Regular	0.00	144.98	38492
01001	CDW Government	01/22/2021	Regular	0.00	125.00	38493
20084	Cotterman Company	01/22/2021	Regular	0.00	3,002.92	38494
00277	Home Depot Credit Services	01/22/2021	Regular	0.00	157.17	38495
03857	Joe Oliver	01/22/2021	Regular	0.00	1,293.21	38496
19764	Katrina Herrmann	01/22/2021	Regular	0.00	48.72	38497
00222	M.J. Murphy	01/22/2021	Regular	0.00	161.61	38498
19448	Monroe Stone Insurance Solutions, Inc.	01/22/2021	Regular	0.00	32.64	38499
01002	Monterey County Clerk	01/22/2021	Regular	0.00	50.00	38500
01002	Monterey County Clerk	01/22/2021	Regular	0.00	50.00	38501
01199	Monterey Signs, Inc.	01/22/2021	Regular	0.00	557.18	38502
04032	Normandeau Associates, Inc.	01/22/2021	Regular	0.00	910.00	38503
00755	Peninsula Welding Supply, Inc.	01/22/2021	Regular	0.00	65.86	38504
13394	Regional Government Services	01/22/2021	Regular	0.00	3,825.10	38505
17964	SWRCB	01/22/2021	Regular	0.00	1,736.00	38506
17964	SWRCB	01/22/2021	Regular	0.00	1,736.00	38507
08105	Yolanda Munoz	01/22/2021	Regular	0.00	540.00	38508
<b>Total Regular:</b>				<b>0.00</b>	<b>741,411.85</b>	



**EXHIBIT 3-B**

Check Report

Date Range: 01/01/2021 - 01/31/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Payment Type: Bank Draft</b>						
00282	PG&E	01/04/2021	Bank Draft	0.00	1,751.61	DFT0001811
00282	PG&E	01/04/2021	Bank Draft	0.00	28,953.15	DFT0001812
00221	Verizon Wireless	01/04/2021	Bank Draft	0.00	1,336.06	DFT0001813
18163	Wex Bank	01/04/2021	Bank Draft	0.00	106.38	DFT0001814
00766	Standard Insurance Company	01/08/2021	Bank Draft	0.00	1,299.64	DFT0001820
00266	I.R.S.	01/15/2021	Bank Draft	0.00	26,146.81	DFT0001824
00266	I.R.S.	01/15/2021	Bank Draft	0.00	3,628.58	DFT0001825
00267	Employment Development Dept.	01/15/2021	Bank Draft	0.00	9,989.72	DFT0001826
00266	I.R.S.	01/15/2021	Bank Draft	0.00	491.96	DFT0001827
00282	PG&E	01/11/2021	Bank Draft	0.00	9.53	DFT0001830
18163	Wex Bank	01/11/2021	Bank Draft	0.00	558.78	DFT0001831
00282	PG&E	01/25/2021	Bank Draft	0.00	14.78	DFT0001834
00282	PG&E	01/25/2021	Bank Draft	0.00	26,781.12	DFT0001835
00282	PG&E	01/25/2021	Bank Draft	0.00	26.63	DFT0001836
00266	I.R.S.	01/29/2021	Bank Draft	0.00	12,403.04	DFT0001839
00266	I.R.S.	01/29/2021	Bank Draft	0.00	2,503.20	DFT0001840
00267	Employment Development Dept.	01/29/2021	Bank Draft	0.00	5,046.26	DFT0001841
00266	I.R.S.	01/29/2021	Bank Draft	0.00	645.96	DFT0001842
00256	PERS Retirement	01/12/2021	Bank Draft	0.00	15,445.74	DFT0001846
00769	Laborers Trust Fund of Northern CA	01/12/2021	Bank Draft	0.00	25,540.00	DFT0001847
00768	ICMA	01/19/2021	Bank Draft	0.00	2,450.09	DFT0001849
00256	PERS Retirement	01/25/2021	Bank Draft	0.00	14,903.87	DFT0001864
<b>Total Bank Draft:</b>				<b>0.00</b>	<b>180,032.91</b>	

Payment Type	Bank Code APBNK		Summary	
	Payable Count	Payment Count	Discount	Payment
Regular Checks	98	75	0.00	741,411.85
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	31	22	0.00	180,032.91
EFT's	0	0	0.00	0.00
	<b>129</b>	<b>97</b>	<b>0.00</b>	<b>921,444.76</b>

**EXHIBIT 3-B**

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## Check Report

Date Range: 01/01/2021 - 01/31/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: REBATES-02-Rebates: Use Only For Rebates						
Payment Type: Regular						
20042	Allen Holmes	01/08/2021	Regular	0.00	500.00	38315
20024	Anita Hood	01/08/2021	Regular	0.00	150.00	38316
20070	Ankit Africawala	01/08/2021	Regular	0.00	500.00	38317
20054	Ann Pennington	01/08/2021	Regular	0.00	500.00	38318
20032	Annette Bruni	01/08/2021	Regular	0.00	125.00	38319
20020	Anthony M. Helm	01/08/2021	Regular	0.00	75.00	38320
20069	Anthony Rappa	01/08/2021	Regular	0.00	500.00	38321
20019	Antoinette Fleming	01/08/2021	Regular	0.00	150.00	38322
20053	Argelia Rodriguez	01/08/2021	Regular	0.00	500.00	38323
20060	Beatrice Cunningham	01/08/2021	Regular	0.00	500.00	38324
20039	Bernard F. Czata	01/08/2021	Regular	0.00	125.00	38325
20043	Candace Trosky	01/08/2021	Regular	0.00	500.00	38326
20018	Carolyn Anne Garrison	01/08/2021	Regular	0.00	800.00	38327
20041	Cathy Bargaquast	01/08/2021	Regular	0.00	500.00	38328
20074	Cathy Nuovo	01/08/2021	Regular	0.00	200.00	38329
20035	Charity George	01/08/2021	Regular	0.00	125.00	38330
20077	Charles Howard	01/08/2021	Regular	0.00	500.00	38331
20052	Charles Krpata	01/08/2021	Regular	0.00	500.00	38332
20040	Charles Stees	01/08/2021	Regular	0.00	125.00	38333
19726	Christopher Brophy	01/08/2021	Regular	0.00	575.00	38334
20068	Constance Weilenmann	01/08/2021	Regular	0.00	500.00	38335
20045	Daniel Cochran	01/08/2021	Regular	0.00	500.00	38336
20030	David Finkbeiner	01/08/2021	Regular	0.00	125.00	38337
20027	David P. Hawley	01/08/2021	Regular	0.00	225.00	38338
20075	Ed Waggoner	01/08/2021	Regular	0.00	100.00	38339
20033	Ethel Jose	01/08/2021	Regular	0.00	125.00	38340
20079	George Churilla	01/08/2021	Regular	0.00	500.00	38341
19458	Glenn Tozier	01/08/2021	Regular	0.00	375.00	38342
20051	Grace Thomson	01/08/2021	Regular	0.00	500.00	38343
20031	Guy Lassabatere	01/08/2021	Regular	0.00	125.00	38344
20066	Hulbert Do	01/08/2021	Regular	0.00	500.00	38345
20021	Jacqueline Kennedy	01/08/2021	Regular	0.00	75.00	38346
20063	Jacqueline Stewart	01/08/2021	Regular	0.00	500.00	38347
19924	Jay Spingarn	01/08/2021	Regular	0.00	500.00	38348
20081	Jennifer Kaylor	01/08/2021	Regular	0.00	500.00	38349
20029	Jennifer Kemmerly	01/08/2021	Regular	0.00	125.00	38350
20065	Jessica Corres	01/08/2021	Regular	0.00	500.00	38351
20025	Joan Parkinson	01/08/2021	Regular	0.00	75.00	38352
20047	Joan Schiffer	01/08/2021	Regular	0.00	500.00	38353
20067	John Foster	01/08/2021	Regular	0.00	500.00	38354
20064	Jonathan Brandt	01/08/2021	Regular	0.00	500.00	38355
20055	Juan Carlos Velis	01/08/2021	Regular	0.00	500.00	38356
19441	Kari Brown	01/08/2021	Regular	0.00	125.00	38357
20038	Karl Ogden	01/08/2021	Regular	0.00	125.00	38358
20022	Karla R. Cristi	01/08/2021	Regular	0.00	150.00	38359
20049	Lauretta Dirickson	01/08/2021	Regular	0.00	500.00	38360
20028	Laurie F. Lee	01/08/2021	Regular	0.00	225.00	38361
20058	Lizania Sumano	01/08/2021	Regular	0.00	500.00	38362
20026	Luz Aguirre	01/08/2021	Regular	0.00	75.00	38363
20048	Michelle Handel	01/08/2021	Regular	0.00	500.00	38364
20080	Monica Killoran	01/08/2021	Regular	0.00	494.99	38365
20034	Monica Mitchell	01/08/2021	Regular	0.00	125.00	38366
20076	Peter D. Church	01/08/2021	Regular	0.00	250.00	38367
20046	Randy Bookwalter	01/08/2021	Regular	0.00	500.00	38368
20036	Roger Newton	01/08/2021	Regular	0.00	125.00	38369
20044	Rose M. Riso	01/08/2021	Regular	0.00	500.00	38370
20023	Sarah H. Cording	01/08/2021	Regular	0.00	150.00	38371
20073	Scott Seaman	01/08/2021	Regular	0.00	100.00	38372
20059	Sharon Runde	01/08/2021	Regular	0.00	450.00	38373

**EXHIBIT 3-B**

## Check Report

Date Range: 01/01/2021 - 01/31/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
20056	Stephen Morange	01/08/2021	Regular	0.00	500.00	38374
20037	Stuart Wells	01/08/2021	Regular	0.00	125.00	38375
20071	Taylor Moulton	01/08/2021	Regular	0.00	500.00	38376
20072	Thomas P. Cutino	01/08/2021	Regular	0.00	500.00	38377
20078	WEBER MARY F	01/08/2021	Regular	0.00	75.00	38378
20061	Wiley Griffin	01/08/2021	Regular	0.00	500.00	38379
20050	William J. Rose	01/08/2021	Regular	0.00	500.00	38380
20062	William Scudder Gookin Jr.	01/08/2021	Regular	0.00	500.00	38381
20139	Alicia Assini	01/11/2021	Regular	0.00	500.00	38382
20136	Anchor Oaks Community Assn	01/11/2021	Regular	0.00	2,344.00	38383
20148	Andra Aeslyn	01/11/2021	Regular	0.00	500.00	38384
20152	Andrew Aguiniga	01/11/2021	Regular	0.00	500.00	38385
20174	Ann Harper	01/11/2021	Regular	0.00	125.00	38386
20184	Bradley Schoch	01/11/2021	Regular	0.00	250.00	38387
20162	Brian J Balcom	01/11/2021	Regular	0.00	500.00	38388
20161	Camille D'Avenes	01/11/2021	Regular	0.00	500.00	38389
20147	Carlyn Matera	01/11/2021	Regular	0.00	500.00	38390
20154	Carol Lee Holaday	01/11/2021	Regular	0.00	500.00	38391
20167	Christine Stone	01/11/2021	Regular	0.00	500.00	38392
20169	Connie Bell	01/11/2021	Regular	0.00	125.00	38393
20157	Daniel Padilla	01/11/2021	Regular	0.00	500.00	38394
20143	David Brunton	01/11/2021	Regular	0.00	500.00	38395
20173	David Lawton	01/11/2021	Regular	0.00	125.00	38396
20155	Elaine Taylor	01/11/2021	Regular	0.00	500.00	38397
20176	Ernest Lostrom	01/11/2021	Regular	0.00	100.00	38398
20171	Forest M. Paul	01/11/2021	Regular	0.00	125.00	38399
20151	Harvey Warr	01/11/2021	Regular	0.00	500.00	38400
20180	Heath Mcorist	01/11/2021	Regular	0.00	225.00	38401
20166	Henry Plain	01/11/2021	Regular	0.00	500.00	38402
20146	Jack English	01/11/2021	Regular	0.00	500.00	38403
20140	James McCready	01/11/2021	Regular	0.00	500.00	38404
20159	Janet Hawley	01/11/2021	Regular	0.00	500.00	38405
20178	Jean Killacky	01/11/2021	Regular	0.00	75.00	38406
20138	Jesse Thompson	01/11/2021	Regular	0.00	500.00	38407
20153	Jillian Medina	01/11/2021	Regular	0.00	500.00	38408
20158	Joyce McAllister	01/11/2021	Regular	0.00	500.00	38409
20179	Judy Kreger	01/11/2021	Regular	0.00	75.00	38410
20057	Julee Peterson	01/11/2021	Regular	0.00	500.00	38411
19913	Justin Bell	01/11/2021	Regular	0.00	500.00	38412
20160	Ken Dean	01/11/2021	Regular	0.00	500.00	38413
20149	Laura Brown	01/11/2021	Regular	0.00	500.00	38414
20141	Mariya Cavazos	01/11/2021	Regular	0.00	500.00	38415
20170	Martha Michaels	01/11/2021	Regular	0.00	125.00	38416
20144	Matt Andrews	01/11/2021	Regular	0.00	500.00	38417
20163	Matt Borek	01/11/2021	Regular	0.00	500.00	38418
20150	Matthew Prill	01/11/2021	Regular	0.00	500.00	38419
20156	Naomi Estolas	01/11/2021	Regular	0.00	625.00	38420
20165	Peter Schurb	01/11/2021	Regular	0.00	575.00	38421
20164	Petra Jakobskrueger	01/11/2021	Regular	0.00	500.00	38422
20168	Rachelle Parks	01/11/2021	Regular	0.00	125.00	38423
20137	Randy and Carolyn Staehle	01/11/2021	Regular	0.00	2,500.00	38424
20175	Robert Burke	01/11/2021	Regular	0.00	125.00	38425
20145	Rohit Sundar	01/11/2021	Regular	0.00	500.00	38426
20183	Sima Barnyard LLC	01/11/2021	Regular	0.00	250.00	38427
20177	St. Marys By The Sea Episcopal Church	01/11/2021	Regular	0.00	300.00	38428
20182	Susan Elliger	01/11/2021	Regular	0.00	75.00	38429
20135	Tammy Richardson	01/11/2021	Regular	0.00	2,175.00	38430
20172	Warren Ruhl	01/11/2021	Regular	0.00	125.00	38431
20142	William Kucher	01/11/2021	Regular	0.00	500.00	38432
20181	Yoko Yoneya	01/11/2021	Regular	0.00	75.00	38433
20203	Angela Marseguerra	01/22/2021	Regular	0.00	500.00	38509

**EXHIBIT 3-B**

Check Report

Date Range: 01/01/2021 - 01/31/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
20191	Barbara L Mitchell	01/22/2021	Regular	0.00	500.00	38510
20197	Brian Blood	01/22/2021	Regular	0.00	500.00	38511
20212	Brian Brogan	01/22/2021	Regular	0.00	500.00	38512
20215	Calvin Fahey	01/22/2021	Regular	0.00	125.00	38513
20219	Deuk S. Hyun	01/22/2021	Regular	0.00	150.00	38514
20205	Dino Cocalis	01/22/2021	Regular	0.00	500.00	38515
20207	Donna M. Bailey	01/22/2021	Regular	0.00	500.00	38516
20195	Eric Simon	01/22/2021	Regular	0.00	500.00	38517
20214	Florene Newton	01/22/2021	Regular	0.00	125.00	38518
20187	Fred Rubin	01/22/2021	Regular	0.00	1,350.00	38519
20204	Gloria Marcos	01/22/2021	Regular	0.00	500.00	38520
20227	Helen M. Corbett	01/22/2021	Regular	0.00	250.00	38521
20222	Hilary Williams	01/22/2021	Regular	0.00	150.00	38522
20193	Hong Hong Zhang	01/22/2021	Regular	0.00	500.00	38523
20192	Jose Salas	01/22/2021	Regular	0.00	500.00	38524
20202	Kaitlin Moore Ford	01/22/2021	Regular	0.00	500.00	38525
20218	Ken Rohde	01/22/2021	Regular	0.00	190.00	38526
20217	Kenneth Rohde	01/22/2021	Regular	0.00	200.00	38527
20194	Kyle Strom	01/22/2021	Regular	0.00	500.00	38528
20189	Maria Taylor	01/22/2021	Regular	0.00	500.00	38529
20216	Marieta A. Aranda	01/22/2021	Regular	0.00	200.00	38530
20210	Mason Gordon	01/22/2021	Regular	0.00	500.00	38531
20201	Matthew D. Ross	01/22/2021	Regular	0.00	625.00	38532
20200	Melissa Sadowski	01/22/2021	Regular	0.00	500.00	38533
19432	Nancy Selfridge	01/22/2021	Regular	0.00	875.00	38534
20221	Neal V Owens	01/22/2021	Regular	0.00	75.00	38535
20208	Oleksii Klymenko	01/22/2021	Regular	0.00	500.00	38536
20209	Oscar Santana	01/22/2021	Regular	0.00	500.00	38537
20228	Patrick Miller	01/22/2021	Regular	0.00	500.00	38538
20211	Rob Haworth	01/22/2021	Regular	0.00	500.00	38539
19617	Roger Stodola	01/22/2021	Regular	0.00	75.00	38540
20190	Roshi Lawrence	01/22/2021	Regular	0.00	500.00	38541
19846	Sal Dimaggio	01/22/2021	Regular	0.00	125.00	38542
20226	Sally Jones	01/22/2021	Regular	0.00	250.00	38543
20223	Sally Maggio	01/22/2021	Regular	0.00	150.00	38544
20199	Sharon Paul	01/22/2021	Regular	0.00	500.00	38545
20224	Susan Nilmeier	01/22/2021	Regular	0.00	75.00	38546
20186	Tammie Timmion	01/22/2021	Regular	0.00	987.50	38547
20196	Tammy Gannon	01/22/2021	Regular	0.00	500.00	38548
20206	Taven Kinison Brown	01/22/2021	Regular	0.00	500.00	38549
20225	Timothy Cadigan	01/22/2021	Regular	0.00	125.00	38550
20213	Tracy Stevens	01/22/2021	Regular	0.00	125.00	38551
20198	Tranquis LLC	01/22/2021	Regular	0.00	500.00	38552
20188	TTNTT Alliance	01/22/2021	Regular	0.00	250.00	38553
20220	Viet Chau	01/22/2021	Regular	0.00	150.00	38554
<b>Total Regular:</b>				<b>0.00</b>	<b>67,666.49</b>	

Bank Code REBATES-02 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	165	165	0.00	67,666.49
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>165</b>	<b>165</b>	<b>0.00</b>	<b>67,666.49</b>

**All Bank Codes Check Summary**

<b>Payment Type</b>	<b>Payable Count</b>	<b>Payment Count</b>	<b>Discount</b>	<b>Payment</b>
Regular Checks	263	240	0.00	809,078.34
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	31	22	0.00	180,032.91
EFT's	0	0	0.00	0.00
	<b>294</b>	<b>262</b>	<b>0.00</b>	<b>989,111.25</b>

**Fund Summary**

<b>Fund</b>	<b>Name</b>	<b>Period</b>	<b>Amount</b>
99	POOL CASH FUND	1/2021	989,111.25
			<b>989,111.25</b>



**EXHIBIT 3-C**



Monterey Peninsula Water Management Dist

**Payroll Bank Transaction Report**

By Payment Number

Date: 1/1/2021 - 1/31/2021

Payroll Set: 01 - Monterey Peninsula Water Management District

Payment Number	Payment Date	Payment Type	Employee Number	Employee Name	Check Amount	Direct Deposit Amount	Total Payment
5560	01/15/2021	Regular	1024	Stoldt, David J	0.00	6,006.01	6,006.01
5561	01/15/2021	Regular	1025	Tavani, Arlene M	0.00	22,878.75	22,878.75
5562	01/15/2021	Regular	6075	Tavani, Arlene	0.00	1,194.27	1,194.27
5563	01/15/2021	Regular	1044	Bennett, Corryn D	0.00	2,028.67	2,028.67
5564	01/15/2021	Regular	1018	Prasad, Suresh	0.00	4,000.42	4,000.42
5565	01/15/2021	Regular	1019	Reyes, Sara C	0.00	1,867.51	1,867.51
5566	01/15/2021	Regular	1042	Hamilton, Maureen C.	0.00	2,655.36	2,655.36
5567	01/15/2021	Regular	6063	Hampson, Larry M	0.00	1,885.68	1,885.68
5568	01/15/2021	Regular	1009	James, Gregory W	0.00	3,269.20	3,269.20
5569	01/15/2021	Regular	1011	Lear, Jonathan P	0.00	4,228.91	4,228.91
5570	01/15/2021	Regular	1012	Lindberg, Thomas L	0.00	2,667.47	2,667.47
5571	01/15/2021	Regular	1045	Atkins, Daniel N	0.00	2,010.52	2,010.52
5572	01/15/2021	Regular	1004	Chaney, Beverly M	0.00	2,670.99	2,670.99
5573	01/15/2021	Regular	1005	Christensen, Thomas T	0.00	3,687.51	3,687.51
5574	01/15/2021	Regular	1007	Hamilton, Cory R	0.00	2,375.16	2,375.16
5575	01/15/2021	Regular	6069	Herrmann, Katrina F	0.00	265.63	265.63
5576	01/15/2021	Regular	1048	Lumas, Eric M	0.00	1,784.87	1,784.87
5577	01/15/2021	Regular	1001	Bravo, Gabriela D	0.00	2,610.06	2,610.06
5578	01/15/2021	Regular	1076	Jakic, Tricia	0.00	2,558.07	2,558.07
5579	01/15/2021	Regular	1010	Kister, Stephanie L	0.00	2,705.46	2,705.46
5580	01/15/2021	Regular	1017	Locke, Stephanie L	0.00	3,486.31	3,486.31
5581	01/15/2021	Regular	1040	Smith, Kyle	0.00	2,391.88	2,391.88
5582	01/15/2021	Regular	1047	Timmer, Christopher	0.00	2,288.17	2,288.17
5583	01/29/2021	Regular	1077	Pablo, Joel G	0.00	2,063.08	2,063.08
5584	01/29/2021	Regular	1024	Stoldt, David J	0.00	6,017.68	6,017.68
5585	01/29/2021	Regular	6075	Tavani, Arlene	0.00	2,033.98	2,033.98
5586	01/29/2021	Regular	1044	Bennett, Corryn D	0.00	2,030.18	2,030.18
5587	01/29/2021	Regular	1018	Prasad, Suresh	0.00	4,004.06	4,004.06
5588	01/29/2021	Regular	1019	Reyes, Sara C	0.00	1,869.02	1,869.02
5589	01/29/2021	Regular	1042	Hamilton, Maureen C.	0.00	2,661.11	2,661.11
5590	01/29/2021	Regular	6063	Hampson, Larry M	0.00	1,802.68	1,802.68
5591	01/29/2021	Regular	1009	James, Gregory W	0.00	3,274.94	3,274.94
5592	01/29/2021	Regular	1011	Lear, Jonathan P	0.00	4,234.65	4,234.65
5593	01/29/2021	Regular	1012	Lindberg, Thomas L	0.00	2,671.11	2,671.11
5594	01/29/2021	Regular	1045	Atkins, Daniel N	0.00	2,013.39	2,013.39
5595	01/29/2021	Regular	1004	Chaney, Beverly M	0.00	2,672.49	2,672.49
5596	01/29/2021	Regular	1005	Christensen, Thomas T	0.00	3,693.25	3,693.25
5597	01/29/2021	Regular	1007	Hamilton, Cory R	0.00	2,378.03	2,378.03
5598	01/29/2021	Regular	6069	Herrmann, Katrina F	0.00	518.94	518.94
5599	01/29/2021	Regular	1048	Lumas, Eric M	0.00	1,787.75	1,787.75
5600	01/29/2021	Regular	1001	Bravo, Gabriela D	0.00	2,611.57	2,611.57
5601	01/29/2021	Regular	1076	Jakic, Tricia	0.00	2,559.59	2,559.59
5602	01/29/2021	Regular	1010	Kister, Stephanie L	0.00	2,706.96	2,706.96
5603	01/29/2021	Regular	1017	Locke, Stephanie L	0.00	3,489.96	3,489.96
5604	01/29/2021	Regular	1040	Smith, Kyle	0.00	2,394.75	2,394.75
5605	01/29/2021	Regular	1047	Timmer, Christopher	0.00	2,291.04	2,291.04
<b>Total:</b>					<b>0.00</b>	<b>143,297.09</b>	<b>143,297.09</b>







**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT**  
**STATEMENT OF REVENUES AND EXPENDITURES**  
**FOR THE MONTH JANUARY 31, 2021**

	Mitigation	Conservation	Water Supply	Current Period Activity	FY 2020/2021 Year-to-Date Actual	FY 2020/2021 Annual Budget	Prior FY Year-to-Date Actual
<b>REVENUES</b>							
Property taxes	\$ -	\$ -	\$ -	\$ -	\$ 1,236,027	\$ 2,050,000	\$ 1,139,505
Water supply charge			-	-	2,028,469	3,300,000	1,951,463
User fees	2,206	1,399	1,776	5,381	2,783,694	4,250,000	2,646,110
Mitigation revenue	-			-	-	-	-
Capacity fees			16,269	16,269	252,626	400,000	399,015
Permit fees	-	11,095		11,095	101,135	198,000	128,704
Investment income	9,597	8,775	8,518	26,890	11,600	200,000	142,991
Miscellaneous	80	51	64	195	9,862	15,000	5,913
<b>Sub-total district revenues</b>	<b>11,883</b>	<b>21,320</b>	<b>26,627</b>	<b>59,829</b>	<b>6,423,414</b>	<b>10,413,000</b>	<b>6,413,701</b>
Project reimbursements	-	29,525	725,394	754,919	2,904,881	2,436,000	1,038,431
Legal fee reimbursements		406		406	1,306	16,000	450
Grants	-	-	-	-	7,274	2,495,400	260,078
Recording fees		2,415		2,415	22,655	6,000	20,740
<b>Sub-total reimbursements</b>	<b>-</b>	<b>32,346</b>	<b>725,394</b>	<b>757,740</b>	<b>2,936,116</b>	<b>4,953,400</b>	<b>1,319,699</b>
From Reserves	-	-	-	-	-	9,055,400	-
<b>Total revenues</b>	<b>11,883</b>	<b>53,666</b>	<b>752,021</b>	<b>817,570</b>	<b>9,359,530</b>	<b>24,421,800</b>	<b>7,733,400</b>
<b>EXPENDITURES</b>							
<b>Personnel:</b>							
Salaries	73,065	51,580	96,251	220,896	1,433,063	2,651,200	1,530,919
Retirement	5,945	3,822	7,181	16,948	533,284	647,400	477,158
Unemployment Compensation	-	-	-	-	2,584	3,000	3,417
Auto Allowance	92	92	277	462	3,416	6,000	3,462
Deferred Compensation	151	151	454	757	5,436	9,400	5,357
Temporary Personnel	-	-	-	-	-	50,000	52,875
Workers Comp. Ins.	2,659	263	1,930	4,852	34,762	85,000	50,639
Employee Insurance	13,536	8,779	12,530	34,844	262,540	505,700	261,792
Medicare & FICA Taxes	1,379	874	1,609	3,862	27,550	46,800	28,977
Personnel Recruitment	-	-	-	-	-	3,000	550
Other benefits	319	202	257	778	1,378	1,500	1,176
Staff Development	-	125	-	125	2,226	29,700	8,486
<b>Sub-total personnel costs</b>	<b>97,145</b>	<b>65,890</b>	<b>120,489</b>	<b>283,524</b>	<b>2,306,238</b>	<b>4,038,700</b>	<b>2,424,809</b>
<b>Services &amp; Supplies:</b>							
Board Member Comp	980	980	1,010	2,970	23,085	33,900	15,390
Board Expenses	128	81	103	313	3,662	10,000	3,394
Rent	985	230	915	2,130	14,910	23,200	13,660
Utilities	1,023	630	830	2,483	16,273	33,200	18,352
Telephone	1,665	1,127	1,167	3,959	30,808	46,500	23,830
Facility Maintenance	1,529	970	1,231	3,729	26,316	56,300	33,088
Bank Charges	554	351	446	1,350	10,003	15,100	11,757
Office Supplies	632	401	509	1,543	8,578	17,700	9,134
Courier Expense	53	34	43	129	2,557	6,100	3,841
Postage & Shipping	285	181	229	695	1,870	6,800	2,717
Equipment Lease	748	474	602	1,823	7,409	13,900	7,403
Equip. Repairs & Maintenance	-	-	-	-	1,113	7,000	4,377
Photocopy Expense				-			
Printing/Duplicating/Binding	-	-	-	-	59	500	-
IT Supplies/Services	3,465	2,197	2,801	8,463	167,238	220,000	154,194
Operating Supplies	77	180	13	271	1,663	16,100	7,958
Legal Services	15,677	11,161	13,260	40,098	151,192	400,000	103,876



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
STATEMENT OF REVENUES AND EXPENDITURES  
FOR THE MONTH JANUARY 31, 2021

	Mitigation	Conservation	Water Supply	Current Period Activity	FY 2020/2021 Year-to-Date Actual	FY 2020/2021 Annual Budget	Prior FY Year-to-Date Actual
Professional Fees	21,951	13,920	17,668	53,538	197,928	360,200	196,328
Transportation	1,478	54	73	1,606	12,357	34,000	20,532
Travel	162	-	-	162	3,005	26,100	9,210
Meeting Expenses	-	-	-	-	7,000	6,700	7,209
Insurance	-	-	-	-	-	98,000	41,028
Legal Notices	-	-	-	-	-	3,100	-
Membership Dues	-	75	-	75	28,397	38,300	31,219
Public Outreach	-	-	-	-	250	3,900	2,616
Assessors Administration Fee	-	-	-	-	-	20,000	-
Miscellaneous	-	-	-	-	386	3,000	379
<b>Sub-total services &amp; supplies costs</b>	<b>51,393</b>	<b>33,046</b>	<b>40,898</b>	<b>125,337</b>	<b>716,059</b>	<b>1,499,600</b>	<b>721,491</b>
Project expenditures	45,349	16,006	826,091	887,447	6,468,785	16,639,100	2,824,032
Fixed assets	-	-	-	-	34,270	220,000	25,482
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	-	200,000	-
Debt service: Principal	-	-	-	-	-	-	-
Debt service: Interest	-	-	(78)	(78)	62,231	230,000	63,748
Flood drought reserve	-	-	-	-	-	-	-
Capital equipment reserve	-	-	-	-	-	324,400	-
General fund balance	-	-	-	-	-	1,000,000	-
Pension reserve	-	-	-	-	-	100,000	-
OPEB reserve	-	-	-	-	-	100,000	-
Other	-	-	-	-	-	-	-
<b>Sub-total other</b>	<b>45,349</b>	<b>16,006</b>	<b>826,013</b>	<b>887,369</b>	<b>6,565,286</b>	<b>18,883,500</b>	<b>2,913,263</b>
<b>Total expenditures</b>	<b>193,887</b>	<b>114,942</b>	<b>987,400</b>	<b>1,296,230</b>	<b>9,587,583</b>	<b>24,421,800</b>	<b>6,059,563</b>
<b>Excess (Deficiency) of revenues over expenditures</b>	<b>\$ (182,004)</b>	<b>\$ (61,276)</b>	<b>\$ (235,379)</b>	<b>\$ (478,660)</b>	<b>\$ (228,052)</b>	<b>\$ -</b>	<b>\$ 1,673,837</b>

## CONSENT CALENDAR

### 4. CONSIDER APPROVAL OF PURCHASE OF ANNUAL INTERNET LICENSE FOR WATER WISE GARDENING IN MONTEREY COUNTY

<b>Meeting Date:</b>	<b>March 15, 2021</b>	<b>Budgeted:</b>	<b>Yes</b>
<b>From:</b>	<b>David J. Stoldt, General Manager</b>	<b>Program/ Line Item No.:</b>	<b>Conservation Program 4-2-2 J</b>
<b>Prepared By:</b>	<b>Stephanie Locke</b>	<b>Cost Estimate:</b>	<b>\$5,000</b>

**General Counsel Approval:** N/A

**Committee Recommendation:** There was no Administrative Committee meeting in March.  
**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

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**SUMMARY:** The District provides a web link for Monterey County Water Wise Landscaping to assist homeowners and professionals with landscape planning and design. Since landscape irrigation tends to generate the largest water usage on residential properties, the information provided by the software helps property owners be “garden smart” by providing information and photographs of water efficient plants and by allowing the user to create a landscape “shopping list.” The software is accessed by approximately 2,000 unique visitors each year.

District staff is requesting authorization to renew its one-year license to continue use of the Monterey County Water Wise Landscaping software on the District’s conservation program website. The license also allows unlimited links to the host website. The Water Awareness Committee (WAC) of Monterey County (the District is a founding member) links to MPWMD’s website.

**RECOMMENDATION:** Staff recommends the General Manager be authorized to renew the annual internet license with GardenSoft for the Monterey County Water Wise Landscaping software at the budgeted cost of \$5,000.

**IMPACT TO STAFF/RESOURCES:** Funds for this expenditure are available in items 4-2-2-J in the Fiscal Year 2020-2021 budget.

### EXHIBIT

None



## GENERAL MANAGER'S REPORT

### 7. UPDATE ON WATER FOR HOUSING INITIATIVE

**Meeting Date:** March 15, 2021                      **Budgeted:** N/A

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

**Prepared By:** David J. Stoldt                      **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

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**SUMMARY:** On March 9, 2021 District staff submitted an Application to the State Water Board for relief from Condition 2 of the Cease and Desist Order for purposes of facilitating housing construction in the near-term, attached as **Exhibit 7-A**. A cover letter is attached as **Exhibit 7-B**.

Staff have also produced a 1-page description of the problem statement and potential solution to be used in meetings or correspondence with supporters and/or potential influencers. This is a call for letters of support. These materials have been submitted to the local jurisdictions and three local non-governmental housing advocates.

An example of the potential power of this limited request is shown in the example, **Exhibit 7-C**.

The District will be working with JEA & Associates on additional Sacramento outreach.

#### EXHIBITS

**7-A** Application to State Water Board

**7-B** Cover Letter for State Water Board Application

**7-C** 1-Page Flyer on the Potential Benefits



**EXHIBIT 7-A**

DE LAY & LAREDO  
David C. Laredo (State Bar No. 66532)  
606 Forest Avenue  
Pacific Grove, CA 93950  
Telephone: (831) 646-1502

Attorneys for MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD

In the Matter of the Unauthorized Diversion  
and Use of Water by the California American  
Water Company; Cease and Desist Order WR  
2016-0016

APPLICATION FOR ORDER MODIFYING  
STATE WATER BOARD ORDER WR  
2016-0016 and WR 2009-0060 (CEASE AND  
DESIST ORDER)

## **I. Introduction**

The Monterey Peninsula aspires to make progress on its Regional Housing Needs Allocation (RHNA) and housing requirements set by the California Department of Housing and Community Development (HCD or Department) as mandated by the Housing Element Law, but is restricted by the State Water Resources Control Board (SWRCB) Cease and Desist Order (CDO) limiting setting of new meters or increasing water use at existing sites. Such restrictions are likely to remain in place up to several more years, until a new permanent replacement water supply is available. These two co-equal State priorities appear in conflict, hence the District seeks relief from certain provisions of the CDO as discussed further below.

The Housing Crisis Act of 2019 (SB 330) set forth the following:

- California is experiencing a housing supply and affordability crisis of historic proportion;
- Long commutes increase risk to life and health problems;
- Lack of affordable housing is a public health & safety issue;
- It is the policy of the State that a local government not reject or make infeasible housing development projects; and
- Local governments are restrained from imposing a moratorium or similar restriction or limitation on housing development.

On behalf of the Monterey Peninsula communities, the Monterey Peninsula Water Management District (District) hereby submits this application to the SWRCB seeking relief from the CDO specifically on health and safety reasons<sup>1</sup> related to the need for housing.

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<sup>1</sup> Applicant reserves all rights and remedies to protect the water supply necessary to maintain health and safety of the Monterey Peninsula, and does not intend with this Application to waive any rights or remedies necessary to protect



## **II. Relief Requested**

Pursuant to Water Code section 1832, the District (Applicant), which was one of the “Applicants” as defined in Order WR 2016-0016<sup>2</sup>, hereby applies to the SWRCB for an order modifying certain of the ordering provisions enforced upon California American Water (Cal-Am) in Order WR 2016-0016 (referred to herein as “Order” or “CDO”) and which amended WR 2009-0060.<sup>3</sup> In Order WR 2016-0016, the SWRCB required Cal-Am to comply with Condition 2 of SWRCB Order WR 2009-0060 limiting new service connections and increases of use at existing connections.

Specifically, WR 2016-0016 states “This Order shall supersede the requirements in State Water Board Orders WR 2009-0060, 95-10 and any other State Water Board orders affecting Cal-Am’s diversions from the Carmel River, to the extent stated herein, or to the extent that there is an irreconcilable conflict between the requirements here and those orders. All other requirements in State Water Board orders affecting Cal-Am’s diversions from the Carmel River remain in effect until terminated by operation of law or action of the State Water Board.”<sup>4</sup> Because WRO 2016-0016 did not directly alter or address Condition 2 of WR 2009-0060, said prior Condition 2 provision remains in effect.

Condition 2 of WR 2009-0060 states “Cal-Am shall not divert water from the Carmel River for new service connections or for any increased use of water at existing service addresses resulting from a change in zoning or use. Cal-Am may supply water from the river for new service connections or for any increased use at existing service addresses resulting

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an adequate water supply for the public welfare of the Monterey Peninsula.

<sup>2</sup> See footnote 16 of Order WR 2016-0016, page 20.

<sup>3</sup> Applicant understands that, as of its effective date, the requested Order would supersede the ordering provisions of State Water Board WRO 2016-0016 and WRO 2009-0060. All other provisions of State Water Board orders concerning CAW’s diversions from the Carmel River would remain in effect until terminated by law or action of the State Water Board.

<sup>4</sup> WRO 2016-0016 Ordering paragraph 1.

from a change in zoning or use after October 20, 2009, provided that any such service had obtained all necessary written approvals required for project construction and connection to Cal-Am's water system prior to that date."

Condition 2 has the practical effect of constraining additional housing construction due to both the restriction on an increase in use at an existing service address, as well as due to the prohibition on new service connections. We ask that the SWRCB consider approval, via staff interpretive letter or Board action, the following modifications to this provision:

- Allow a modest increment<sup>5</sup> of increased use at existing or new service addresses for projects that enable moderate-, low-, or very-low income housing. 100% market rate projects would be excluded;
- Allow projects that may result from a change in zoning or a change in use;
- Use the District's water factors and fixture unit count methodology to determine pre-project and post-project capacity for water use, to apply against the suggested 75 AF;
- Allow new meters to be set for projects that have a moderate-, low-, or very-low income housing element;
- The suggested 75 AF would be an aggregate quantity available for use over time until a permanent water supply is built<sup>6</sup>; and

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<sup>5</sup> The District requests 75 acre-feet, an amount that was determined through several months of discussion with Monterey Peninsula jurisdictions. On July 2, 2020 the allocation of near-term housing needs for each jurisdiction was presented at the District's Water Demand Committee. It was presented and discussed with each jurisdiction at the August 4, 2020 Policy Advisory Committee meeting. In a presentation to the District Board on August 17, 2020 this amount of water was discussed as a reasonable estimate of potential use for housing in the next several years while continuing to progress on a permanent replacement water supply.

<sup>6</sup> Even if a new permanent supply is not delivered on the expected timeline, the 75 AF is the total request for relief, regardless of the number of service connections required.

- Maintain that the Effective Diversion Limit (EDL) under the CDO will not change and would remain Cal-Am's legal limit beginning January 1, 2022, and each water year thereafter.

The Monterey Peninsula communities have reduced consumption of water by over 3,000 AF since issuance of WR 2009-0060 in October 2009. This success has been due to aggressive conservation practices through District ordinances and incentives, and the steeply-tiered Cal-Am local rate structure. In addition, the Pure Water Monterey project has been brought online, which promises to offset unlawful diversions by 3,500 AF per year. Allowing 75 AF "back into the system" for near-term housing needs would not constitute an increase from 'conditions that existed at the time of the Order,'<sup>7</sup> rather instead appears to be an urgently needed "fix" to help meet two co-equal high priority Statewide goals.

Fortunately, two permanent water supply replacement project alternatives are in hand, the Monterey Peninsula Water Supply Project (desalination) and Pure Water Monterey expansion, ensuring that a project will get built, but final approvals and completion will likely take several years. Accordingly, Applicant hereby requests that the SWRCB issue a new interpretive letter or a new order modifying and restating certain of the ordering provisions as they may relate to the housing mandate.

The Applicant would also like to acknowledge the significant efforts by staff of the SWRCB in following this issue, including correspondence and attendance of some the District's committee and Board meetings. SWRCB staff have professionally and cooperatively worked with the District to provide feedback, cite SWRCB precedents, and manage expectations. We hope the Board recognizes the efforts and professionalism of its staff members in communication regarding this Application.

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<sup>7</sup> April 9, 2012 Letter from Barbara Evoy, Deputy Director, Division of Water Rights, SWRCB to Tim Miller Cal-Am, top of page 3: "The intent of Condition 2 is to limit an increase in water consumption from the Carmel River that may be caused by regional or local zoning and land use changes to the conditions that existed at the time of the Order."

### **III. The SWRCB has Authority to Modify the CDO for Health and Safety Reasons**

The SWRCB has broad discretion to modify a CDO and to revise a schedule of compliance contained in a CDO. *See* Order WR 2010-0002. The District makes this Application pursuant to Water Code section 1832, which states, in relevant part: “The board may, after notice and opportunity for hearing, upon its own motion or upon receipt of an application from an aggrieved person, modify, revoke, or stay in whole or in part any cease and desist order issued pursuant to this chapter.”

Further, under the heading titled "8.1 Considerations Mitigating Against the Use of Punitive Enforcement Options," Order 95-10 found that "[t]he people and businesses on the Monterey Peninsula must continue to be served water from the Carmel River to protect public health and safety." The order did not constrain future SWRCB discretion as to the quantity of water necessary for public health and safety in Cal-Am's service area. Accordingly, the SWRCB can and should exercise that discretion now.

A 2012 SWRCB letter to Cal-Am<sup>8</sup> identified that California Public Utilities Commission Decision 11-03-048 imposed obligations on Cal-Am with respect to implementing a moratorium on the setting of new meters. In the letter and in response to the Decision, Cal-Am proposed to the SWRCB that upon the MPWMD finding that an institutional project presents a demonstrated and compelling public health and safety need that warrants an exception to Condition No. 2, Cal-Am will cooperate with the interested institution and MPWMD staff to meet with State Water Board staff and request that the State Water Board issue an exception from Condition 2. SWRCB's response was “the State Water Board generally agrees with the proposed procedure of requesting an exception from Condition 2 for public health and safety needs, provided: (1) the procedure allows adequate time for State Water Board staff to review the proposed exception; and (2) expanded water service is not provided prior to the State Water Board granting such an exception. Prior to

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<sup>8</sup> April 9, 2012 Letter from Barbara Evoy, Deputy Director, Division of Water Rights, SWRCB to Tim Miller Cal-Am

approving any exception to Condition 2, Cal-Am must be able to demonstrate that the Carmel River is the only available and viable water supply to meet the public health and safety need.”<sup>9</sup>

Finally, Order condition 3.c. of WR 2016-0016 says, among other things, “Either Cal-Am or the District may petition the Deputy Director for Water Rights for relief from reductions imposed under this Order.” including “a showing is made that public health and safety will be threatened if relief is not granted. Any relief granted shall remain in effect only as long as a prohibition on new service connections remains in effect, and compliance with applicable conservation standards and requirements remains in effect. This section supersedes ordering paragraph 3.b. of State Water Board Order WR 2009-0060.” This condition supports Applicant’s contention that (a) the Deputy Director may grant certain relief, and (b) health and safety is a priority. This construction is consistent with Barbara Evoy’s 2012 letter that clarifies “expanded water service is not provided *prior to the State Water Board granting such an exception.*”<sup>10</sup> Further, we believe the reference to “reductions” goes to all aspects of the CDO that create constraints on use, including the moratorium on new service connections. As stated, the 2012 SWRCB letter bolsters this interpretation and affirms the authority of the Deputy Director to provide relief.

#### **IV. It is Reasonable and in the Public Interest to Modify the CDO as Requested**

##### **A. The Public Interest is at Issue.**

Health and safety concerns place the housing crisis squarely in the public interest to modify the CDO. Senate Bill 330 findings and the HDC requirements stated in the AMBAG RHNA plan, provide by example, that “The Department determined AMBAG's

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<sup>9</sup> April 9, 2012 Letter from Barbara Evoy, Deputy Director, Division of Water Rights, SWRCB to Tim Miller Cal-Am

<sup>10</sup> Condition 3.c further addresses the circumstances that relief from this limit may be provided and clarifies that such relief “shall remain in effect only as long as a [general] prohibition on new service connections remains in effect...” This provision allows the relief to apply prospectively. That is, the moratorium needs to have been maintained until relief is requested, but the relief can include a limited, prospective abatement of the moratorium.

regional housing need to be 10,430 for the 10-year projection period, from January 1, 2014 to December 31, 2023. In assessing AMBAG's regional housing need, the Department considered the critical role housing plays in developing sustainable communities and supporting employment growth.” If unmet, local public health and safety will be impaired.

**B. Applicant has Diligently and Aggressively Implemented  
Measures to Comply with the CDO.**

**1. Efficiency and Conservation Measures**

Prior to and since the issuance of the CDO, Applicant and Cal-Am have dedicated tremendous resources to implement efficiency and conservation measures to control and reduce customer demand and system losses within Cal-Am’s Monterey district, such that the community is currently outperforming the Carmel River diversion reduction targets set forth in the CDO. Over 3,000 acre-feet of annual consumption has been demonstrated.

**2. Applicant and Cal-Am are Diligently Pursuing Development of an  
Alternative Water Supply**

As directed by Order 95-10 and the Order, Cal-Am has diligently pursued the Monterey Peninsula Water Supply Project desalination component, and the District and its partner Monterey One Water have shown the Pure Water Monterey expansion to be a lower cost, less environmentally intrusive alternative, either of which will produce the replacement water supply necessary to eliminate unauthorized diversions from the Carmel River.

**V. Conclusion**

For the reasons stated herein, the District respectfully requests modification of Order WR 2016-0016 as set forth above.

By: \_\_\_\_\_

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

**EXHIBIT 7-B**

March 9, 2021

Mr. Erik Ekdahl  
Deputy Director  
Division of Water Rights  
State Water Resources Control Board  
PO Box 100  
Sacramento, CA 95812

*Via Email* [Erik.Ekdahl@waterboards.ca.gov](mailto:Erik.Ekdahl@waterboards.ca.gov)

Subject: Relief from Condition 2 of WR 2009-0060 and WR 2016-0016 Cease and Desist Order (CDO) for Health and Safety Needs Related to Housing

Dear Mr. Ekdahl:

The State Water Board's protection and enforcement of water rights on the Carmel River and the State Department of Housing and Community Development's statewide housing mandates are co-equal high-level State priorities. However, they appear to be in conflict.

As you know, a permanent replacement water supply for the Monterey Peninsula has been identified, yet remains at least three years away. In the interim, there is increasing pressure from the State for our local jurisdictions to meet their Regional Housing Needs Allocation (RHNA), especially in the affordable housing area. As written and as interpreted to date, Condition 2 of WR 2016-0016 is a barrier to timely construction of housing at the local level.

Condition 2 of WR 2009-0060 states "Cal-Am shall not divert water from the Carmel River for new service connections or for any increased use of water at existing service addresses resulting from a change in zoning or use. Cal-Am may supply water from the river for new service connections or for any increased use at existing service addresses resulting from a change in zoning or use after October 20, 2009, provided that any such service had obtained all necessary written approvals required for project construction and connection to Cal-Am's water system prior to that date."

This has the practical effect of constraining additional housing construction due to both the restriction on an increase in use at an existing service address, as well as due to the prohibition on new service connections.

The Housing Crisis Act of 2019 (SB 330) set forth that California is experiencing a housing supply and affordability crisis of historic proportion and is a public health and safety issue. The

Mr. Erik Ekdahl  
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 March 9, 2021

Monterey Peninsula RHNA goals are shown below, and are likely to be revised upward later this year.

Estimated Water Required to Meet RHNA Goals on the Monterey Peninsula

	TOTAL RHNA GOAL	Water Required (AFY) <sup>1</sup>	Factor Used (AFY)
Very Low (24.1%)	307	37	0.12 (multi-family)
Low (15.7%)	200	24	0.12 (multi-family)
Moderate (18.2%)	233	37	0.16 (half single family/half multi-family)
Above Moderate (42%)	531	92	0.173 (2/3 single family/1/3 multi-family)
<b>Total Allocation/Water Required</b>	<b>1,271</b>	<b>190</b>	

Obviously, the State housing crisis was not identified at the time of the initial CDO in 2009, nor during its extension hearing in 2016. The request for an additional 75 acre-feet of relief from the prohibition of Condition 2, while keeping intact the overall Effective Diversion Limit under the CDO, will go a long way at alleviating near-term housing needs here locally, while continuing to work on a permanent water supply solution.

Pursuant to Condition 3.c of WR 2016-0016 we are petitioning you, as Deputy Director for Water Rights, for relief from Condition 2 as it relates to housing projects, as described in our application attached hereto.

As always, we very much appreciate your commitment of time and your cooperation on this matter. Please contact me to discuss next steps and questions, if any, that you may have.

Sincerely,



David Stoldt  
 General Manager  
 Monterey Peninsula Water Management District

CC: [via email]

E. Joaquin Esquivel  
[joaquin.esquivel@waterboards.ca.gov](mailto:joaquin.esquivel@waterboards.ca.gov)

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<sup>1</sup> Calculated based on the RHNA goals for the six cities in the Monterey Peninsula and MPWMD's water use factors for single family units (0.2 AFA) and multi-family units (0.12 AFA).



Mr. Erik Ekdahl  
Page 3 of 3  
March 9, 2021

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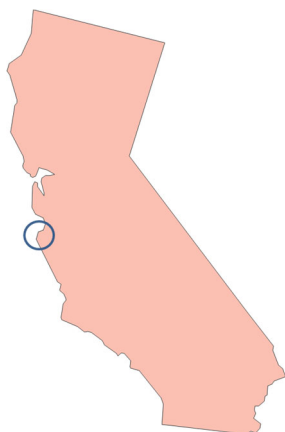
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EXHIBIT 7-C

The Monterey Peninsula includes 6 cities and unincorporated County:



- Carmel-by-the-Sea
- Del Rey Oaks
- Monterey
- Pacific Grove
- Sand City
- Seaside
- Carmel Valley

*The Monterey Peninsula's RHNA (Regional Housing Needs Allocation) for the current cycle is 1,271 new units, 740 of which are moderate, low, or very-low income units.*

As an example, just one of these cities has identified 13 ready-to-go projects, ranging in size from 13 to 93 units, for a total of 573 total housing units. These projects would yield 381 affordable housing units. A limited waiver of the State Water Board's Cease and Desist Order's (CDO) Condition 2 would allow some of these projects to move forward without violation of the CDO's Effective Diversion Limit.

**Such relief would meet the co-equal high-priority objectives of two State agencies. A powerful "WIN-WIN" for the environment, housing, and economic vitality.**



**ITEM: PUBLIC HEARING****9. CONSIDER ADOPTION OF APRIL THROUGH JUNE 2021 QUARTERLY WATER SUPPLY STRATEGY AND BUDGET**

<b>Meeting Date:</b>	<b>March 15, 2021</b>	<b>Budgeted:</b>	<b>N/A</b>
<b>From:</b>	<b>Dave Stoldt, General Manager</b>	<b>Program/ Line Item No.:</b>	<b>N/A</b>
<b>Prepared By:</b>	<b>Jonathan Lear</b>	<b>Cost Estimate:</b>	<b>N/A</b>

**General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: Notice of Exemption, CEQA, Article 19, Section 15301 (Class 1)****ESA Compliance: Consistent with the September 2001 and February 2009 Conservation Agreements between the National Marine Fisheries Service and California American Water to minimize take of listed steelhead in the Carmel River and Consistent with SWRCB WR Order Nos. 95-10, 98-04, 2002-0002, and 2016-0016.**

**SUMMARY:** The Board will accept public comment and take action on the **April through June 2021** Quarterly Water Supply Strategy and Budget for California American Water's (CalAm's) Main and Satellite Water Distribution Systems (WDS), which are within the Monterey Peninsula Water Resources System (MPWRS). The proposed budget, which is included as **Exhibit 9-A**, outline monthly production by source of supply that will be required to meet projected customer demand in CalAm's Main and Laguna Seca Subarea systems, i.e., Ryan Ranch, Bishop, and Hidden Hills, during the **April through June 2021** period. The proposed strategy and budget is designed to maximize the long-term production potential and protect the environmental quality of the Seaside Groundwater and Carmel River Basins.

**Exhibit 9-A** shows the anticipated production by CalAm's Main system for each production source and the actual production values for the water year to date through the end of **February 2021**. Cal-Am's annual Main system production for Water Year (WY) 2021 will not exceed 8,784 acre-feet (AF). Sources available to meet customer demand are 1,474 AF from the Coastal Subareas of the Seaside Groundwater Basin as set by the Seaside Basin Adjudication Decision and 7,310 AF from the Carmel River as set by WRO 2016-16. Additional water projects and water rights available are an estimated 900 AF of Pure Water Monterey Injection over this quarter, an estimated 1,100 AF from ASR Phase 1 and 2 storage remaining from WY 2020, an estimated 150 AF from the Sand City Desalination Plant, and an estimated 100 AF from CalAm's Table 13 water rights. Under Table 13 water rights, CalAm is allowed to produce water for in-basin uses when bypass flows are in excess of permit conditions. This water budget proposes to produce 950 AF of Pure Water Monterey, so 50 AF will be removed from storage for this quarter. The schedule of production from the Carmel Valley Alluvial Aquifer is consistent with State Water Resources Control Board (SWRCB) Order Nos. 95-10, 98-04, 2002-0002, and 2016-0016. In compliance with WRO 2016-0016, any water diverted under these rights must be used to reduce unlawful diversion from the Carmel River Basin.

According to the Seaside Basin Adjudication Decision, CalAm's production has been reduced to 0 AF. It is recognized that CalAm will need to produce water to serve its customers in the Hidden Hills Distribution System and production in Laguna Seca will be tracked as a ministerial component of tracking production against the Adjudication Decision. CalAm has completed an intertie between the Monterey Main System and the Bishop and Ryan Ranch Systems that allows for transfer of water between the systems.

**RECOMMENDATION:** The Board should receive public input, close the Public Hearing, and discuss the proposed quarterly water supply budget. District staff recommends adoption of the proposed budget. The budget is described in greater detail in **Exhibit 9-B**, Quarterly Water Supply Strategy Report: **April – June 2021**.

**BACKGROUND:** The Water Supply Strategy and Budget prescribes production within CalAm's Main and Laguna Seca Subarea systems and is developed on a quarterly schedule. Staff from the District, CalAm, the National Marine Fisheries Services (NMFS), State Water Resources Control Board's Division of Water Rights (SWRCB-DWR), and the California Department of Fish and Wildlife (CDFW) cooperatively develop this strategy to comply with regulatory requirements and maximize the environmental health of the resource system while meeting customer demand. To the greatest extent pumping in the Carmel Valley is minimized in the summer months and the Seaside wells are used to meet demand by recovering native water and banked Carmel River water. Also, it was agreed that CalAm will operate its wells in the Lower Carmel Valley in a downstream to upstream order.

If flows exceed 20 cfs at the District's Don Juan Gage, CalAm is allowed to produce from its Upper Carmel Valley Wells, which are used to supply water for injection into the Seaside Groundwater Basin. The permitted diversion season for ASR is between December 1 and May 31. Diversions to storage for ASR will be initiated whenever flows in the river are above permit threshold values. For planning purposes, the QWB group schedules diversions to ASR storage based on operational days that would occur in an average streamflow year. CalAm may also divert under Table 13 Water Rights for in-basin use within Carmel Valley when flows are adequate. This schedule is estimated with average year streamflow conditions and daily demand for Carmel Valley. CalAm will schedule the recovery of Pure Water Monterey water stored in the Seaside Basin with the goal of removing all water injected over the operational reserve for WY 2021. There is also a projected goal of producing 25 AF of treated brackish groundwater from the Sand City Desalination Plant in each of these three months.

Rule 101, Section B of the District Rules and Regulations requires that a Public Hearing be held at the time of determination of the District water supply management strategy. Adoption of the quarterly water supply strategy and budget is categorically exempt from the California Environmental Quality Act (CEQA) requirements as per Article 19, Section 15301 (Class 1). A Notice of Exemption will be filed with the Monterey County Clerk's office, pending Board action on this item.

## **EXHIBITS**

**9-A** Quarterly Water Supply Strategy and Budget for Cal-Am Main System: April - June 2021

**9-B** Quarterly Water Supply Strategy and Budget Report: April - June 2021

**California American Water Main Distribution System**  
**Quarterly Water Supply Strategy and Budget: April - June 2021**  
**Proposed Production Targets by Source and Projected Use in Acre-Feet**

SOURCE/USE	MONTH			YEAR-TO-DATE		
	Apr-21	May-21	Jun-21	Oct-20 to Feb-21	% of YTD	% of Annual Budget
<b>Source</b>						
	Low Flow Trigger					
<b>Carmel Valley Aquifer</b>						
Upper Subunits	0	0	0	108		
Lower Subunits	422	518	266	1,714	120%	42%
ASR Diversion	100	50	0	66		
Table 13 Diversion (Service)	0	0	0	17		
<b>Total</b>	<b>522</b>	<b>568</b>	<b>266</b>	<b>1,905</b>		
<b>Seaside Groundwater Basin</b>						
Coastal Subareas	0	0	50	808	105%	55%
ASR Recovery	0	0	0	0		
Sand City Desalination	25	25	25	49	39%	16%
Pure Water Monterey	250	250	450	902		
<b>Total</b>	<b>275</b>	<b>275</b>	<b>525</b>	<b>857</b>		
<b>Use</b>						
Customer Service	697	793	791	2,679	81%	31%
Table 13 In Basin use	0	0	0			
ASR Injection	100	50	0	66		
<b>Total</b>	<b>797</b>	<b>843</b>	<b>791</b>			

## Notes:

- The annual budget period corresponds to the Water Year, which begins on October 1 and ends on September 30 of the following Calendar Year.
- Total monthly production for "Customer Service" in CAW's main system was calculated by multiplying total annual production (8,784 AF) times the average percentage of annual production for April, May, and June (8.2%, 9.0%, and 8.9%, respectively). According to District Rule 160, the annual production total was based on the assumption that production from the Coastal Subareas of the Seaside Groundwater Basin would not exceed 1,474 AF and production from Carmel River sources, without adjustments for water produced from water resources projects, would not exceed 7,310 AF in WY 2021. The average production percentages were based on monthly data for customer service from WY 2013 to 2015.
- Maximum daily diversion values for ASR are based on an average diversion rate of approximately 18.5 AF per day from CAW's sources in the Carmel River Basin. Total monthly production is estimated by multiplying the maximum daily production by operational days per month for "Below Average" flow conditions at the Sleepy Hollow Weir.
- The production targets for CAW's wells in the Seaside Coastal Subareas are based on the assumption that sufficient flow will occur in the Carmel River at the targeted levels, to support ASR injection. It is planned that Coastal Subarea pumping will not occur, or will be proportionally reduced, if ASR injection does not occur at targeted levels.
- The production targets for CAW's wells in the Seaside Coastal Subareas are based on the need for CAW to produce its full Standard Allocation to be in compliance with SWRCB WRO No. 2016-0016.
- It should be noted that monthly totals for Carmel Valley Aquifer sources may be different than those shown in MPWMD Rule 160, Table XV-3. These differences result from monthly target adjustments needed to be consistent with SWRCB WRO 98-04, which describes how Cal-Am Seaside Wellfield is to be used to offset production in Carmel Valley during low-flow periods. Adjustments are also made to the Quarterly Budgets to ensure that compliance is achieved on an annual basis with MPWMD Rule 160 totals.
- Table 13 values reflect source/use estimates based on SWRCB Permit 21330, which allows diversions from the CVA for "In Basin use" (3.25 AFD) when flows in the River exceed threshold values. In accordance with Water Rights Permits 21330 and CDO2009-0060, water produced and consumed under this right is subtracted from the CVA annual base amount. Actual values will be dependant on the number of days flows exceed minimum daily instream flow requirements.





**Quarterly Water Supply Strategy and Budget  
Report California American Water  
Main Water Distribution System: April – June 2021**

1. Management Objectives

The Monterey Peninsula Water Management District (District) desires to maximize the long-term production potential and protect the environmental quality of the Carmel River and Seaside Groundwater Basins. In addition, the District desires to maximize the amount of water that can be diverted from the Carmel River Basin and injected into the Seaside Groundwater Basin while complying with the instream flow requirements recommended by the National Marine Fisheries Service (NMFS) to protect the Carmel River steelhead population. To accomplish these goals, a water supply strategy and budget for production within California American Water's (CalAm's) Main and Laguna Seca Subarea water distribution systems is reviewed quarterly to determine the optimal strategy for operations, given the current hydrologic and system conditions, and legal constraints on the sources and amounts of water to be produced.

2. Quarterly Water Supply Strategy: April - June 2021

On March 5, 2021 the Quarterly Water Budget Group including staff from the District, CalAm, the National Marine Fisheries Services (NMFS), State Water Resources Control Board's Division of Water Rights (SWRCB-DWR), and the California Department of Fish and Wildlife (CDFW) met and discussed the proposed water supply strategy and related topics for upcoming quarter.

**Carmel River Basin** CalAm will operate its wells in the Lower Carmel Valley in a downstream to upstream sequence, as needed to meet customer demand. It was recognized by the group that WY 2021 began as if it was going to be a dry year, and the storms in later January - early February did not result in large sustainable flows on that Carmel River that would trigger sustained ASR Operations or Table 13 Diversions. The River dropped below flow triggers for diversion of ASR and Table 13 on February 3rd and with the dry forecast additional ASR injection will likely not occur in large volumes. For this quarterly water budget, it was agreed that CalAm would plan to produce water from the wells in the Upper Carmel Valley to support system demand will only occur when the river is not in the "Low Flow" regime. It was assumed that the low flow trigger would be met at some point during this quarter and without knowing if more rainfall would push the trigger into June, the group decided to assume the trigger would happen in May 2021. The group will be watching streamflow and when the low flow trigger occurs, to the maximum extent, pumping will be shifted away from the river wells and the Seaside well field will be used to meet system demand in the summer months. Any new sources of water reduce the water available to be pumped from the river on a one to one basis consistent with SBO 2016-0016.

**Seaside Groundwater Basin** Because flows in the Carmel River have fallen below values required for ASR diversions, CalAm has shut down wells in the Seaside basin to save Native Seaside Groundwater and Pure Water Monterey Recovery for summer months. Some of the Seaside wells are run during ASR diversions to maintain pressures and meet some Seaside demand allowing for larger daily injection totals for ASR injection. CalAm will continue to save Seaside Native Water until the low flow trigger occurs. At that time, the Seaside wells

will be utilized to recover Seaside Native Groundwater and stored Pure Water Monterey water for this quarter of the water year. There is also a goal to produce 25 AF of treated brackish groundwater from the Sand City Desalination Plant in each of these three months.

It is recognized that, based on recent historical use, CalAm's production from the Laguna Seca Subarea during this period cannot be reduced to zero, as is set by CalAm's allocation specified in the Seaside Basin Adjudication Decision. In this context, the production targets represent the maximum monthly production that should occur so that CalAm remains within its adjudicated allocation for the Laguna Seca Subarea. Under the amended Seaside Basin Decision, CalAm is allowed to use production savings in the Coastal Subareas to offset over-production in the Laguna Seca Subarea. However, the quarterly budget was developed so that CalAm would produce all native groundwater in the Coastal Subareas and Laguna Seca production would be over the Adjudication allotment. On February 5, 2020 the Seaside Groundwater Basin Watermaster Board voted to allow CalAm to claim carryover credits to cover the pumping over the Laguna Seca allotment in the interim prior to establishing a physical solution. Because of this decision, the Quarterly Water Budget Group decided that the table presenting the Laguna Seca allotment of zero would no longer be necessary as the Watermaster is now planning to handle the pumping over allotment with a different mechanism.

**ITEM: ACTION ITEM****10. CONSIDER ADOPTION OF MID-YEAR FISCAL YEAR 2020-2021 BUDGET ADJUSTMENT**

<b>Meeting Date:</b>	<b>March 15, 2021</b>	<b>Budgeted:</b>	<b>N/A</b>
<b>From:</b>	<b>David J. Stoldt, General Manager</b>	<b>Program/ Line Item No.:</b>	<b>N/A</b>
<b>Prepared By:</b>	<b>Suresh Prasad</b>	<b>Cost Estimate:</b>	<b>N/A</b>

**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.**

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**SUMMARY:** Annually, the District considers its financial position after the end of the first 7-8 months of the fiscal year (FY). District staff has reviewed income and spending patterns from July 1, 2020 through the end of January 31, 2021 and determined that adjustments to the FY 2020-2021 Budget is required. The FY 2020-2021 Budget was adopted on June 15, 2020. Included in the budget adjustment process was a review of staffing levels, supplies, outside services, project expenditures, current work assignments and other factors affecting the current budget. The table below summarizes the proposed changes to the budget:

**Monterey Peninsula Water Management District  
2020-2021  
Mid-Year Budget Adjustment-Summary**

<u>Revenue</u>	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
Property Tax	\$2,050,000	\$0	\$2,050,000
Permit Fees - WDD	150,000	0	150,000
Permit Fees - WDS	48,000	0	48,000
Capacity Fee	400,000	0	400,000
User Fees	4,250,000	750,000	5,000,000
Water Supply Charge	3,300,000	0	3,300,000
PWM Water Sales	0	4,800,000	4,800,000
Interest	200,000	0	200,000
Other	15,000	0	15,000
Subtotal District Revenues	10,413,000	5,550,000	15,963,000
Reimbursements - CAW	1,754,700	0	1,754,700
Reimbursements - Reclamation Tank	500,000	0	500,000
Reimbursements - Watermaster	35,000	0	35,000
Reimbursements - Reclamation	20,000	0	20,000
Reimbursements - Other	126,300	0	126,300
Reimbursements - Recording Fees	6,000	0	6,000
Reimbursements - Legal Fees	16,000	0	16,000

Grants	2,495,400	0	2,495,400
Subtotal Reimbursements	\$4,953,400	\$0	\$4,953,400
Carry Forward/Use of Reserves	7,058,100	0	7,058,100
From Capital Equipment Reserve	57,900	9,000	66,900
From Fund Balance	1,939,400	(1,412,700)	526,700
Total Revenues	<u>\$24,421,800</u>	<u>\$4,146,300</u>	<u>\$28,568,100</u>
<u>Expenditures</u>	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
Personnel	\$4,038,700	(\$40,000)	\$3,998,700
Supplies & Services	1,499,600	(34,300)	1,465,300
Project Expenditures	16,639,100	4,211,600	20,850,700
Fixed Assets	220,000	9,000	229,000
Debt Service	230,000	0	230,000
Capital Equip. Reserve	324,400	0	324,400
General Fund Balance	500,000	0	500,000
Pension Reserve	100,000	0	100,000
OPEB Reserve	100,000	0	100,000
Mechanics Bank Reserve	500,000	0	500,000
Election Expense	200,000	0	200,000
Contingency	70,000	0	70,000
Total	<u>\$24,421,800</u>	<u>\$4,146,300</u>	<u>\$28,568,100</u>

As the table above indicates, most of the change is attributed to increase in User Fee revenue and Pure Water Monterey (PWM) Water Sales revenue. The off-set on the expenditure side is increase in project expenditures related to PWM water purchase. Additionally, a reduction in use of reserves which was adopted with the original budget. Detailed information regarding all other proposed changes, as well as their effect on reserves, is detailed in the background section of this report.

**RECOMMENDATION:** Following a presentation by District staff and a public hearing, staff recommends adoption of the proposed mid-year budget adjustment for FY 2020-2021.

**BACKGROUND:** The Board of Directors adopted the original FY 2020-2021 budget on June 15, 2020. The paragraphs below summarize the original budget, proposed mid-year adjustments to the budget and projected reserves accounts.

### Revenues

The 2020-2021 adopted budget anticipated revenue sources in the amount of \$24,421,800. Through January 31, 2021, actual revenue collections totaled \$9,359,530 or about 38% of the budgeted amount. District staff has analyzed the revenue activity for the first seven months of the FY, as well as activities scheduled for the remainder of the FY, and recommends various adjustments to the revenue portion of the budget as shown in **Exhibit 10-A** and discussed below:

- Increase of \$750,000 in user fee based on actual collections through the first half of the FY. Original budget had assumed reduction in revenue due to COVID-19. Actual collections for the first seven months did not have anticipated reduction in revenue.
- Increase of \$4,800,000 in PWM water sales revenue. Original budget did not include this line item since the timing of water sales was unknown at the time. This is a net zero effect to District's budget since the project expenditures line item has exactly same amount as an off-set.
- Decrease of \$1,412,700 in Fund Balance use of reserves. Since revenues have increased and a reduction in project expenditures, originally proposed use of reserves is reduced.

The cumulative effect of these revenue adjustments is an increase of \$4,146,300 in projected revenues for FY 2020-2021.

### Expenditures

The original budget envisioned expenditures of \$24,421,800 in the fiscal year ending June 30, 2021. Through January 31, 2021, actual expenditures totaled \$9,587,583, or approximately 39% of the budgeted amount. The spending pattern at mid-way point of the fiscal year is not unusual because most of the project expenditures for the first half of each fiscal year are low. District staff has analyzed the expenditure activity for the first seven months of the fiscal year, as well as activities scheduled for the remainder of the fiscal year, and recommends various adjustments to the expenditure portion of the budget as discussed below:

- The personnel services portion of the budget decreased by \$40,000 as shown on **Exhibit 10-B**.
- The supplies and services portion of the budget decreased by \$34,300 as shown on **Exhibit 10-C**.
- The fixed assets portion of the budget increased by \$9,000 as shown on **Exhibit 10-D**.
- As presented on **Exhibit 10-E**, project expenditures increased by a net amount of \$4,211,600. Some of the larger adjustments are as follows:
  1. Increase of \$95,000 for Alternative Analysis and Sediment Management Los Padres Long Term Plan.
  2. Reduction of \$550,000 for PWM expansion project as the work will not be completed in this FY.
  3. Increase of \$4,800,000 for PWM water purchase. This is off-set to the revenue line with an exact same amount.
  4. Other adjustments to the project expenditures as noted in the exhibit.

The cumulative effect of the adjustments to the expenditure side of the budget is a net increase of \$4,146,300. Use of reserve in the amount of \$526,700 is need to balance the mid-year budget. Original budget had anticipated use of reserve in the amount of \$1,939,400.

## Reserves

The District's reserve balance is projected to be as follows:

### **Monterey Peninsula Water Management District Analysis of Reserves 2020-2021**

Reserves	Projected Balance 6/30/2020	Actual Balance 6/30/2020	FY 2020-2021 Budget	Est. Balance 06/30/2021
Litigation/Insurance Reserve	250,000	250,000	0	\$250,000
Capital Equipment Reserve	553,000	581,500	257,500	\$839,000
Flood/Drought Reserve	328,944	328,944	0	\$328,944
Debt Reserve	222,098	222,524	0	\$222,524
Pension Reserve	200,000	200,000	100,000	\$300,000
OPEB Reserve	200,000	200,000	100,000	\$300,000
Mechanics Bank Reserve	0	0	500,000	\$500,000
General Operating Reserve	9,677,197	16,308,941	(7,084,800)	\$9,224,141
Totals	<u>\$11,431,239</u>	<u>\$18,091,909</u>	<u>(\$6,127,300)</u>	<u>\$11,964,609</u>

The above adjustments will result in an estimated reserve balance of 11,964,609 at June 30, 2021 as shown on **Exhibit 10-F**. This amount meets the minimum 5% of the operating budget established by the Board during the 2005-06 budget process. The original adopted budget had a projected reserve balance of \$10,958,339 for the FY.

## **EXHIBITS**

- 10-A** Revenues
- 10-B** Personnel Costs
- 10-C** Supplies & Services Costs
- 10-D** Capital Assets
- 10-E** Project Expenditures
- 10-F** Reserves Analysis

**EXHIBIT 10-A**

**Monterey Peninsula Water Management District  
Mid-Year Budget Adjustment  
Revenues  
2020-2021**

<u>Description</u>	<u>Original Budget</u>	<u>Adjustment</u>	<u>Amended Budget</u>
User Fee	4,250,000	750,000	5,000,000
PWM Water Sales	0	4,800,000	4,800,000
From Capital Equipment Reserve	57,900	9,000	66,900
From Fund Balance	1,939,400	(1,412,700)	526,700
 Total	 <u>6,247,300</u>	 <u>4,146,300</u>	 <u>10,393,600</u>





**EXHIBIT 10-B**

**Monterey Peninsula Water Management District  
 Mid-Year Budget Adjustment  
 Personnel Costs  
 2020-2021**

<u>Description</u>	<u>Original Budget</u>	<u>Adjustment</u>	<u>Amended Budget</u>
Temporary Personnel	50,000	(40,000)	10,000
			0
Total	<u>\$50,000</u>	<u>(\$40,000)</u>	<u>\$10,000</u>



**EXHIBIT 10-C**

**Monterey Peninsula Water Management District  
Mid-Year Budget Adjustment  
Supplies & Services  
2020-2021**

<u>Division</u>	<u>Description</u>	<u>Original Budget</u>	<u>Adjustment</u>	<u>Amended Budget</u>
ASD	Travel	6,100	(5,100)	1,000
ASD	Staff Development	5,500	(4,500)	1,000
ASD	Meeting Expense	3,900	12,100	16,000
GMO	Staff Development	7,300	(5,500)	1,800
GMO	Office Supplies	600	600	1,200
GMO	Travel	10,000	(9,000)	1,000
GMO	Meeting Expense	2,500	(2,000)	500
GMO	Public Outreach	3,900	(2,000)	1,900
ERD	Staff Development	5,400	(4,400)	1,000
ERD	Travel	3,000	1,000	4,000
ERD	Transportation	14,000	(1,000)	13,000
WDD	Staff Development	7,300	(6,300)	1,000
WDD	Travel	5,000	(4,000)	1,000
WRD	Staff Development	4,200	(3,200)	1,000
WRD	Travel	2,000	(1,000)	1,000
	Total	<u>\$80,700</u>	<u>(\$34,300)</u>	<u>\$46,400</u>



**EXHIBIT 10-D**

**Monterey Peninsula Water Management District  
Mid-Year Budget Adjustment-Capital Assets/Other  
2020-2021**

<u>Division</u>	<u>Description</u>	<u>Original Budget</u>	<u>Adjustment</u>	<u>Amended Budget</u>
ERD	Ford F150 4x4 Truck (Weir Program)	25,000	9,000	34,000
	Total	<u>\$25,000</u>	<u>\$9,000</u>	<u>\$34,000</u>



**EXHIBIT 10-E****Monterey Peninsula Water Management District  
Mid-Year Budget Adjustment-Project Expenditures  
2020-2021**

<u>Division</u>	<u>Description</u>	<u>Original Budget</u>	<u>Adjustment</u>	<u>Amended Budget</u>
GMO	1-9-1 Cal-Am Desal Project	50,000	(50,000)	0
GMO	1-15-1 Water Allocation Process	30,000	(30,000)	0
ERD	1-1-2 B. Alternatives Analysis and Sediment Management	210,000	95,000	305,000
ERD	2-1-4 Address Vegetation Hazards and Remove Trash	15,000	(7,000)	8,000
ERD	2-3-1 A. General operations and maintenance	45,000	25,500	70,500
ERD	2-3-1 B. Power	35,000	12,000	47,000
ERD	2-3-1 H. Consultant for Repair & Maintenance	5,000	10,000	15,000
ERD	2-3-1 J. WRA's & FA's NMFS Fall Juvenile SH Population Surveys (CDO mandate)	26,900	(16,900)	10,000
ERD	2-3-1 K. FBA's & WRA's NMFS Winter/Spring LPD Studies (CDO mandate)	28,600	(25,600)	3,000
ERD	2-3-1 L. Supplies/Expenses NMFS Winter/Spring LPD Studies (CDO mandate)	8,800	(4,000)	4,800
ERD	2-3-2 B. Water Resources Assistant	11,900	(11,900)	0
ERD	2-3-4 D. Fishereis Aides - 7-day Weir Operations	34,000	(34,000)	0
ERD	2-3-4 E. Wier Surveillance Camera	13,500	(13,500)	0
ERD	2-3-4 F. Wier Maintenance	0	10,000	10,000
ERD	2-3-6 Contracted Aquatic Invertebrate Identification & Retraining	3,000	8,000	11,000
WRD	1-5-1 F. Expansion	750,000	(550,000)	200,000
WRD	1-5-1 G. PWM Well Rehab Project	0	57,000	57,000
WRD	1-5-1 G. PWM Water Purchase	0	4,800,000	4,800,000
WDD	4-0-3 County Fees - CEQA Posting and Recording	6,000	(3,000)	3,000
WDD	4-1-1 A. Deed Restriction recording	15,000	10,000	25,000
WDD	4-2-1 D. Sponsorship/Support Community Events	7,500	(5,000)	2,500
WDD	4-2-2 E. Conservation & efficiency workshops/training	10,000	(5,000)	5,000
WDD	4-2-2 O. Rain Barrel Giveaway Program	5,000	(5,000)	0
WDD	4-2-3 C. Non-CAW (MPWMD funded)	25,000	(10,000)	15,000
WDD	4-2-3 D. DAC Direct Install Grant	45,000	(45,000)	0
	Total	\$1,380,200	\$4,211,600	\$5,591,800





**EXHIBIT 10-F**

**Monterey Peninsula Water Management District  
Analysis of Reserves  
2020-2021**

Reserves	Projected Balance 6/30/2020	Actual Balance 6/30/2020	FY 2020-2021 Budget	Est. Balance 06/30/2021
Litigation/Insurance Reserve	250,000	250,000	0	\$250,000
Capital Equipment Reserve	553,000	581,500	257,500	\$839,000
Flood/Drought Reserve	328,944	328,944	0	\$328,944
Debt Reserve	222,098	222,524	0	\$222,524
Pension Reserve	200,000	200,000	100,000	\$300,000
OPEB Reserve	200,000	200,000	100,000	\$300,000
Mechanics Bank Reserve	0	0	500,000	\$500,000
General Operating Reserve	9,677,197	16,308,941	(7,084,800)	\$9,224,141
Totals	<u>\$11,431,239</u>	<u>\$18,091,909</u>	<u>(\$6,127,300)</u>	<u>\$11,964,609</u>
Current Fiscal Year Use of Reserves			\$ (526,700)	
Current Fiscal Year Excess Revenue			\$ 500,000	
Carry Forward Projects from Prior Year			(7,058,100)	
Net General Reserve for Current Fiscal Year			<u>\$ (7,084,800)</u>	



**ITEM: ACTION ITEM****11. CONSIDER APPROVAL OF DISTRICT LEGISLATIVE ADVOCACY PLAN FOR 2021****Meeting Date: March 15, 2021 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 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.**

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**SUMMARY:** The attached **Exhibit 11-A** shows the proposed legislative advocacy plan for 2021. It was reviewed and discussed by the Legislative Advocacy Committee during its meeting February 22, 2021.

**RECOMMENDATION:** It is recommended the Board approve the legislative advocacy plan for 2021.

**EXHIBIT****11-A Proposed Legislative Advocacy Plan for 2021**





## 2021 Legislative Advocacy Plan

This plan establishes the Monterey Peninsula Water Management District legislative and government affairs priorities for 2021.

### Federal Strategy

#### 1) Continue relationship and services with The Ferguson Group

- Identifying legislation or proposed regulatory changes that may impact the District.
- Track additional Title XVI and WIIN Act funding for Pure Water Monterey
- Track Biden Administration budget actions and Infrastructure Funding/Financing Proposals
- Consult with staff to develop positions on relevant legislation.
- Advocate the District's position on bills and matters of interest.
- Identify funding opportunities and notify of timing, requirements, and advocate on behalf of District or District's partners (e.g. WaterSMART) for, but not limited to:
  - ✓ Fisheries and watersheds
  - ✓ Pure Water Monterey Expansion
  - ✓ CSIP Annexations
  - ✓ Desalination (if proceeding)
- Prepare materials for briefing – talking points, briefing books, letters, as necessary
- Coordinate with other water district lobbyists and organizations
- Maintain close relationships with Monterey legislative delegation

#### 2) Maintain Washington DC profile:

- Work with The Ferguson Group to organize timely trips as needed, but at least once a year separate from ACWA trip (Covid-19 dependent)
- Both Congressional delegation and regulatory departments related to water, including but not limited to BLM, NOAA (NMFS), USBR, USDA, and EPA.
- Develop relationships with new legislative staff.
- Attend ACWA trip each year or every other year
- Direct contact with associations including ACWA, WateReuse, etc.

#### 3) Provide support for relevant legislation.

- 4) Perform on existing federal grants:
  - Salinas and Carmel Rivers Basin Study (\$900,000 USBR to be completed in 2021)

### **State of California Strategy**

- 1) Monitor and pursue grant opportunities:
  - Fisheries Restoration Grant Program (FRGP): Position the District for a 2021 application for Monitoring Watershed Restoration (MO) for Carmel River in the aftermath of the San Clemente dam removal.
  - IRWM: Updated IRWM Plan was accepted by the State in February. Will maintain our lobbying effort to retain the funding agreement to ensure we receive over \$3 million in the next IRWM rounds of Prop 1 moneys
- 2) Maintain Sacramento profile:
  - Work with JEA Associates to organize timely trips as needed, but at least once a year separate from needs-based visits.
  - Submit “Water for Housing” application to SWRCB and develop and execute advocacy plan.
  - Meet Governor Newsom’s appointee’s in relevant key positions
  - Meet with legislative team locally
  - Attend CSDA, ACWA, and/or WateReuse legislative days
- 3) Provide support/opposition for relevant legislation.
  - Maintain JEA bill-tracking
  - Provide letters of support or opposition on legislation and regulations that affect the water industry. Current effort on proposed SWRCB permanent conservation regulations.
- 4) Develop helpful relationships: ACWA, WateReuse, others

### **Local Strategy**

- 1) Maintain District role in regional water issues related to:
  - Pure Water Monterey – CSIP expansion and expansion for MCWD
  - Los Padres Dam and Reservoir studies
  - Manage local IRWM effort
  - Groundwater Sustainability
  - Regionalism in water, generally
- 2) Encourage information flow and public participation in Rule 19.8/Measure J feasibility analysis where possible.

- 3) Participate in County-wide efforts (CEQA, OES, Water planning, Carmel River/Lagoon)
- 4) Maintain outreach to local associations government affairs committees (Chambers, MCAR, MCHA, Coalition of Peninsula Businesses, jurisdictions' mayors and councils);  
Meet new councilmembers and board members.
- 5) Better articulate CPUC activities to local ratepayer groups





**ITEM: ACTION ITEM****12. CONSIDER APPROVAL OF RESOLUTION NO. 2021-02 FOR THE ADOPTION OF A PROPERTY TAX TRANSFER AGREEMENT**

**Meeting Date: March 15, 2021** **Budgeted: No**

**From: David J. Stoldt** **Program/**  
**General Manager** **Line Item No.: 35-03-786010**

**David J. Stoldt** **Cost Estimate: None**

**General Counsel Approval: N/A****Committee Recommendation: N/A****CEQA Compliance: Action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

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**SUMMARY:** The Monterey Local Agency Formation Commission (LAFCO) has received a from the District its 2021 Sphere of Influence, Annexation, and Latent Power Activation Proposal. A Recommended zero property tax transfer must be approved prior to LAFCO determining the application complete. The District first adopts a resolution in the form attached as **Exhibit 12-A** and then the County must also do so. Also attached is a description of the affected parcels for annexation (**Exhibit 12-B**).

**RECOMMENDATION:** It is recommended that the Board adopt Resolution 2021-02 to approve a zero property tax transfer for the District's 2021 Sphere of Influence, Annexation, and Latent Power Activation Proposal.

**DISCUSSION:** Section 102 of the District Law established its territorial boundaries. The District's boundaries were thought to contain all of Cal-Am's Main System, as well as its Ryan Ranch, Bishop, and Hidden Hills systems. Instead, several parcels near Yankee Point to the south are within Cal-Am's Main System and several parcels east of Laureles Grade are within Cal-Am's Hidden Hills system, but in both cases not within the District's boundary. In order for the District to acquire the distribution network serving the parcels and to provide the retail water service, pursuant to Measure J, it is desirable by the District to annex them into its jurisdiction. The parcels are summarized below and are described in detail in **Exhibit 12-B**.

## Summary of Parcels for Annexation

Location	Parcels	Use of Property
Yankee Point	38	33 Single Family, 1 Garage, 4 Vacant Lot
Hidden Hills	20	8 Single Family, 1 Mobile Home, 11 Vacant Lot
Total	58	

Revenue and Taxation Code Section 99 requires a county Board of Supervisors to determine an appropriate tax transfer for all jurisdictional changes of organizations within the County which could affect the service responsibility of any special district. Pursuant to Revenue and Taxation Code Section 99(b)(6) the Executive Officer of LAFCO shall not issue a Certificate of Filing (Government Code Section 56828) for a change of organization until an exchange of property tax revenue is negotiated.

On April 29, 1980 the Monterey County Board of Supervisors approved and adopted a formula and policies for determining property tax transfer resulting from jurisdictional changes involving special districts (Resolution No. 80-249). These policies provide that no property tax transfers are to occur for annexations to service and utility-type districts such as the Monterey Peninsula Water Management District.

## **EXHIBITS**

**12-A** Resolution No. 2021-02

**12-B** Maps of Parcels for Annexation

**EXHIBIT 12-A****RESOLUTION NO. 2021-02**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
APPROVING A ZERO PROPERTY TAX TRANSFER FOR THE PROPOSAL TO SEEK  
AUTHORIZATION TO ACTIVATE LATENT DISTRICT POWERS  
AND TO ADOPT A SPHERE OF INFLUENCE AMENDMENT AND ANNEXATION**

**WHEREAS**, 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”).

**WHEREAS**, Pursuant to Section 325 of the District Law, and except as otherwise limited by the District Law, the District has the power to do any and every lawful act necessary in order that sufficient water may be available for any present or future beneficial use or uses of the lands or inhabitants within the District, including, but not limited to, irrigation, domestic, fire protection, municipal, commercial, industrial, recreational, and all other beneficial uses and purposes.

**WHEREAS**, Pursuant to Section 328 of the District Law, the District has the power, among other things, (a) to acquire public or private water systems necessary or proper to carry out the purposes of the District Law; (b) to store water in surface or underground reservoirs within or outside of the District for the common benefit of the District; (c) To conserve and reclaim water for present and future use within the District; (d) To appropriate and acquire water and water rights, and import water into the District and to conserve and utilize, within or outside of the District, water for any purpose useful to the District.

**WHEREAS**, the Monterey County Local Agency Formation Commission (LAFCO) has received a proposal involving a sphere of influence amendment and annexation of various parcels to the Monterey Peninsula Water Management District.

**WHEREAS**, Revenue and Taxation Code Section 99 requires a county Board of Supervisors to determine an appropriate tax transfer for all jurisdictional changes of organization occurring within

**EXHIBIT 12-A**

a county which could affect the service responsibility of any special district.

**WHEREAS**, pursuant to Revenue and Taxation Code Section 99(b)(6), the Executive Officer of LAFCO shall not issue a Certificate of Filing (Government Code Section 56828) for a change of organization until an exchange of property tax revenue is negotiated; and

**WHEREAS**, the Monterey County Board of Supervisors approved and adopted a formula and policies for determining property tax transfer resulting from jurisdictional changes involving special districts (Resolution No. 80-249).

**NOW, THEREFORE, BE IT RESOLVED**, as follows: The Board of the District does hereby resolve, determine, and order a Zero Property Tax Transfer involving the proposed sphere of influence amendment and annexation of various parcels to the Monterey Peninsula Water Management District in accordance with District Resolution No. 2020-12.

On motion of Director \_\_\_\_\_, and second by Director \_\_\_\_\_, the foregoing resolution is duly adopted this 15<sup>th</sup> day of March 2021 by the following votes:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 15<sup>th</sup> day of March 2021.

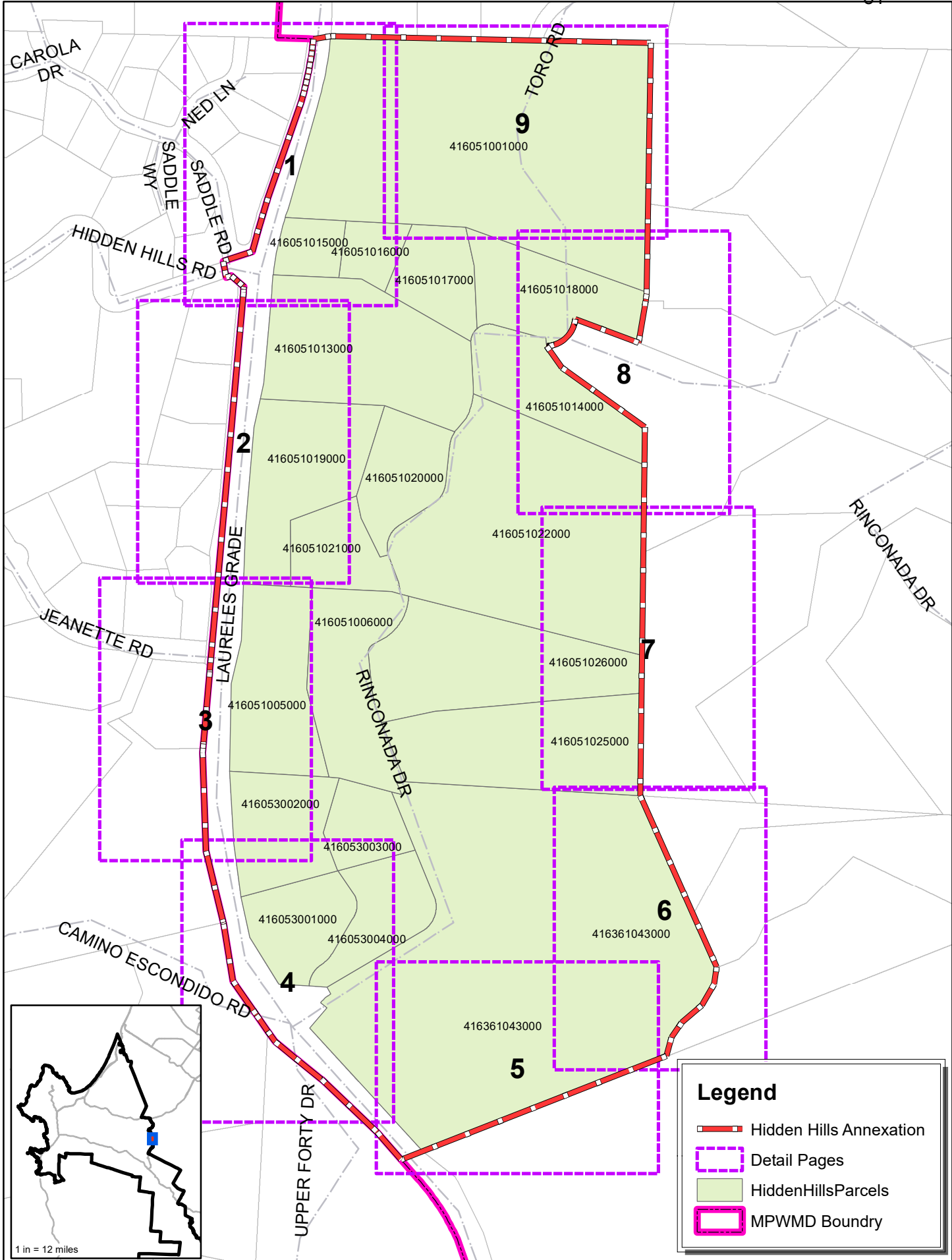
Witness my hand and seal of the Board of Directors this \_\_\_\_ day of March 2021.

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David J. Stoldt,  
Secretary to the Board

Hidden Hills Annexation Parcel Maps and Description





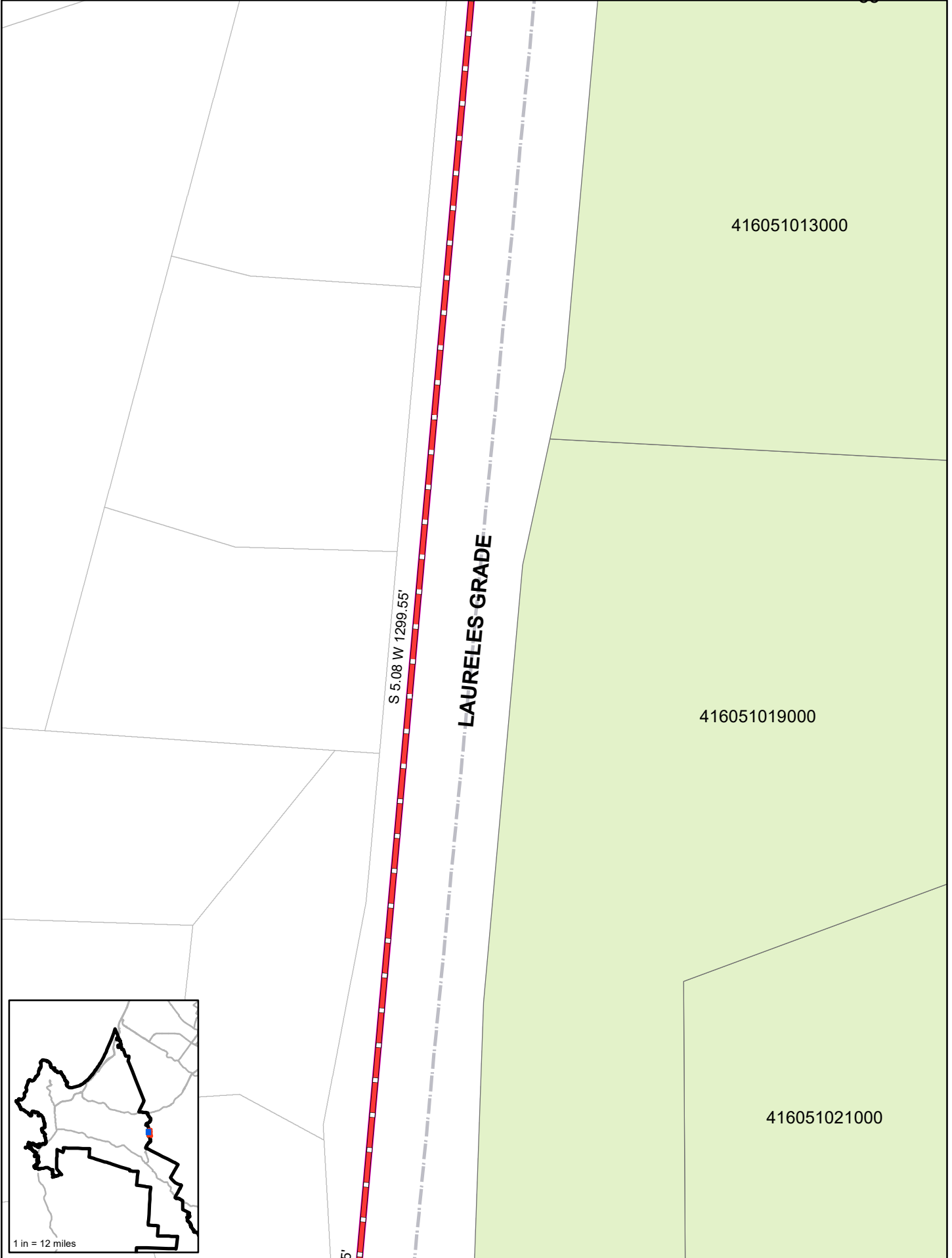
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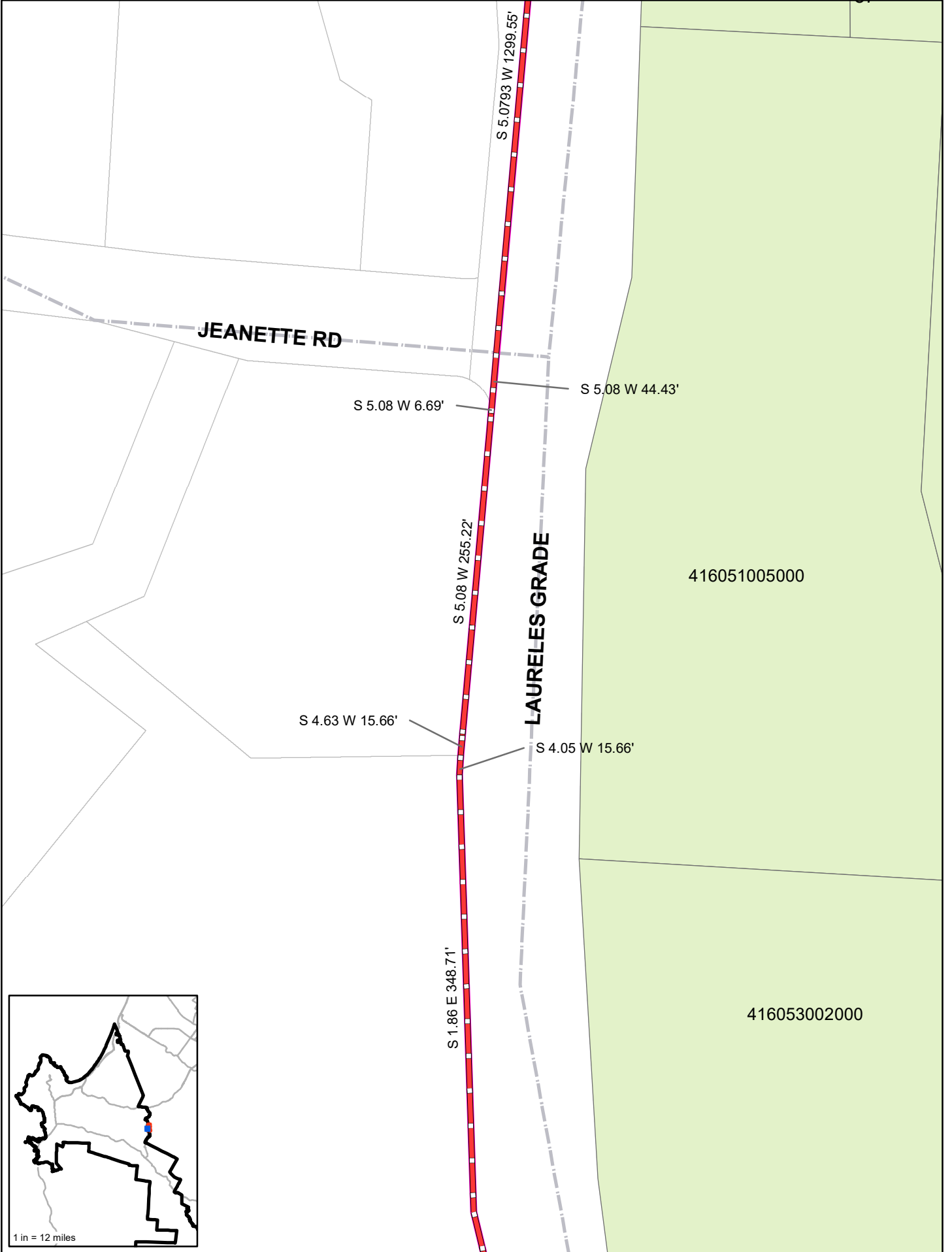




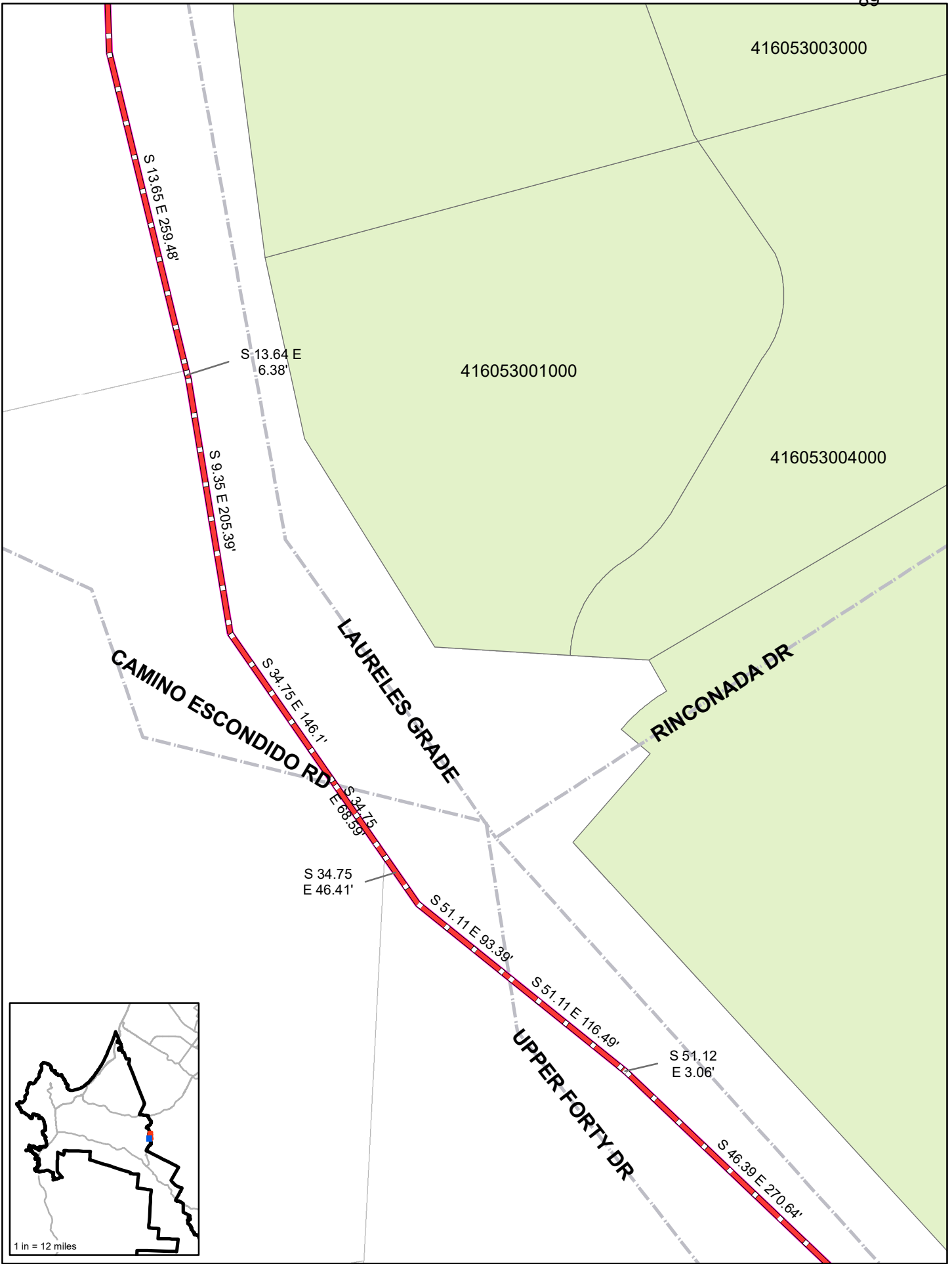
















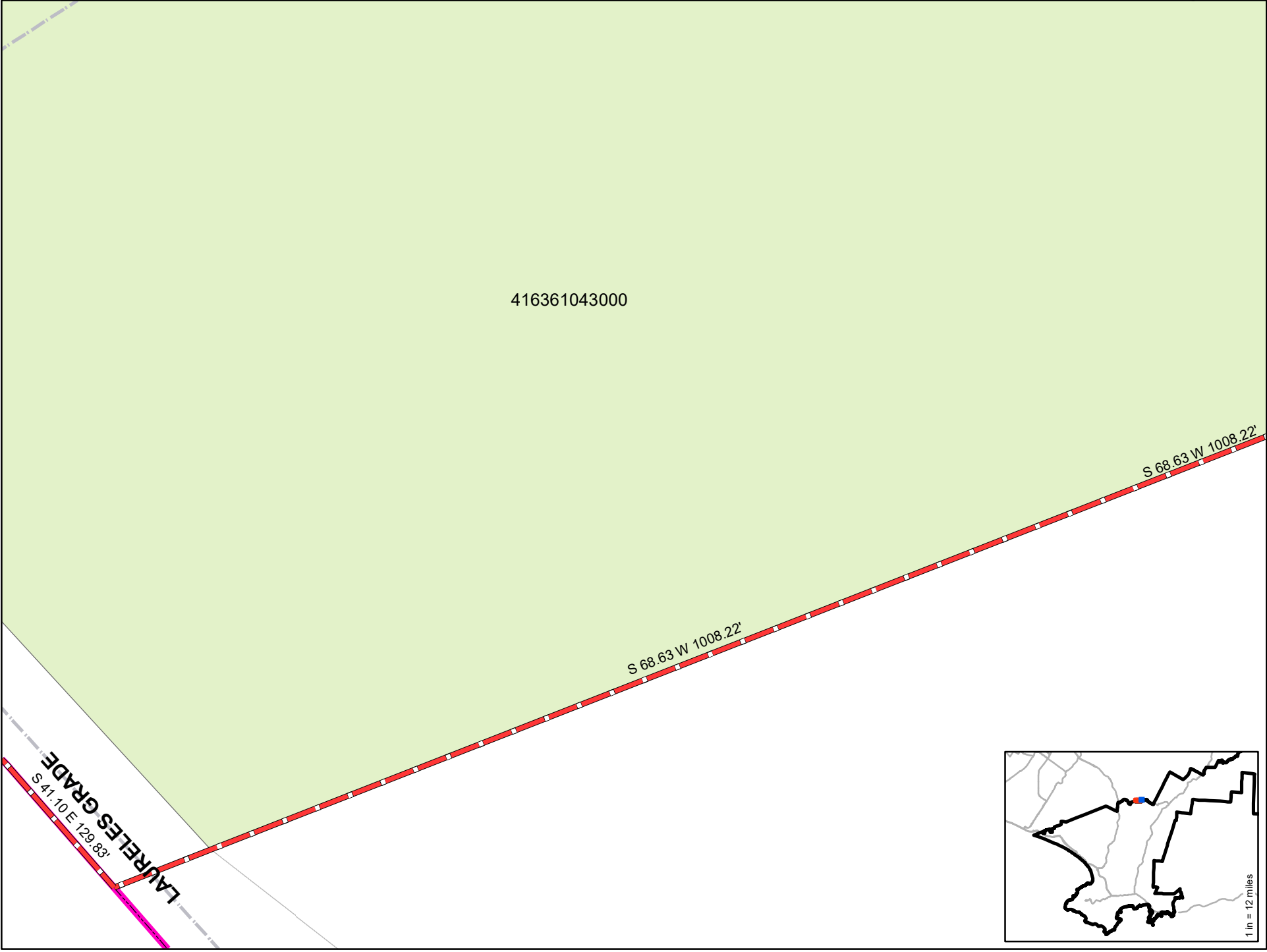
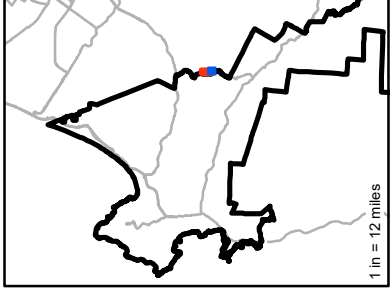
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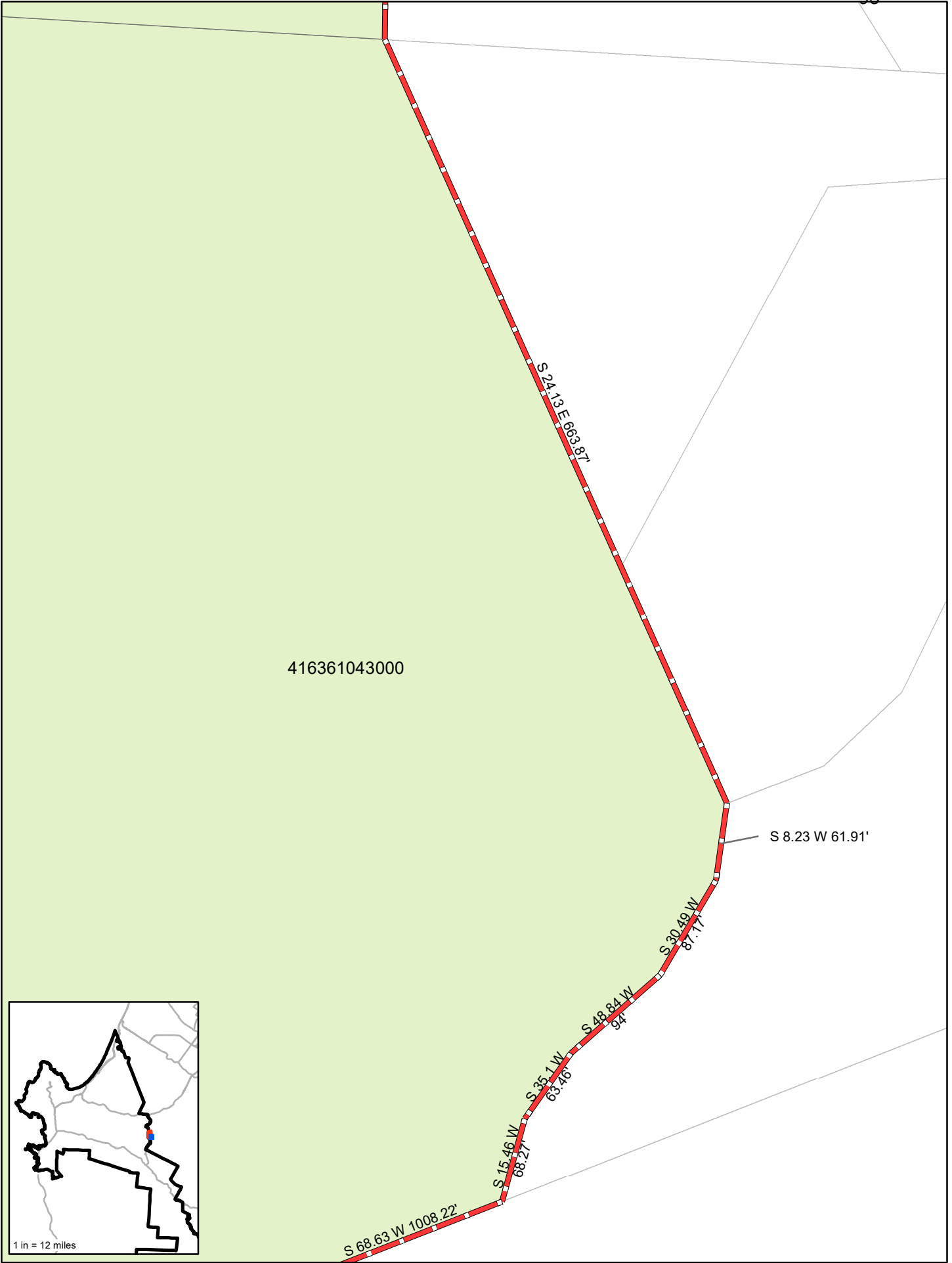
S 68.63 W 1008.22'

S 68.63 W 1008.22'

LAURELES GRADE  
S 41.10 E 129.83'







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S 8.23 W 61.91'

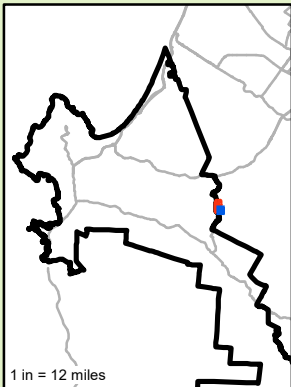
S 30.49 W  
87.11'

S 48.84 W  
94'

S 35.1 W  
63.46'

S 15.46 W  
68.27'

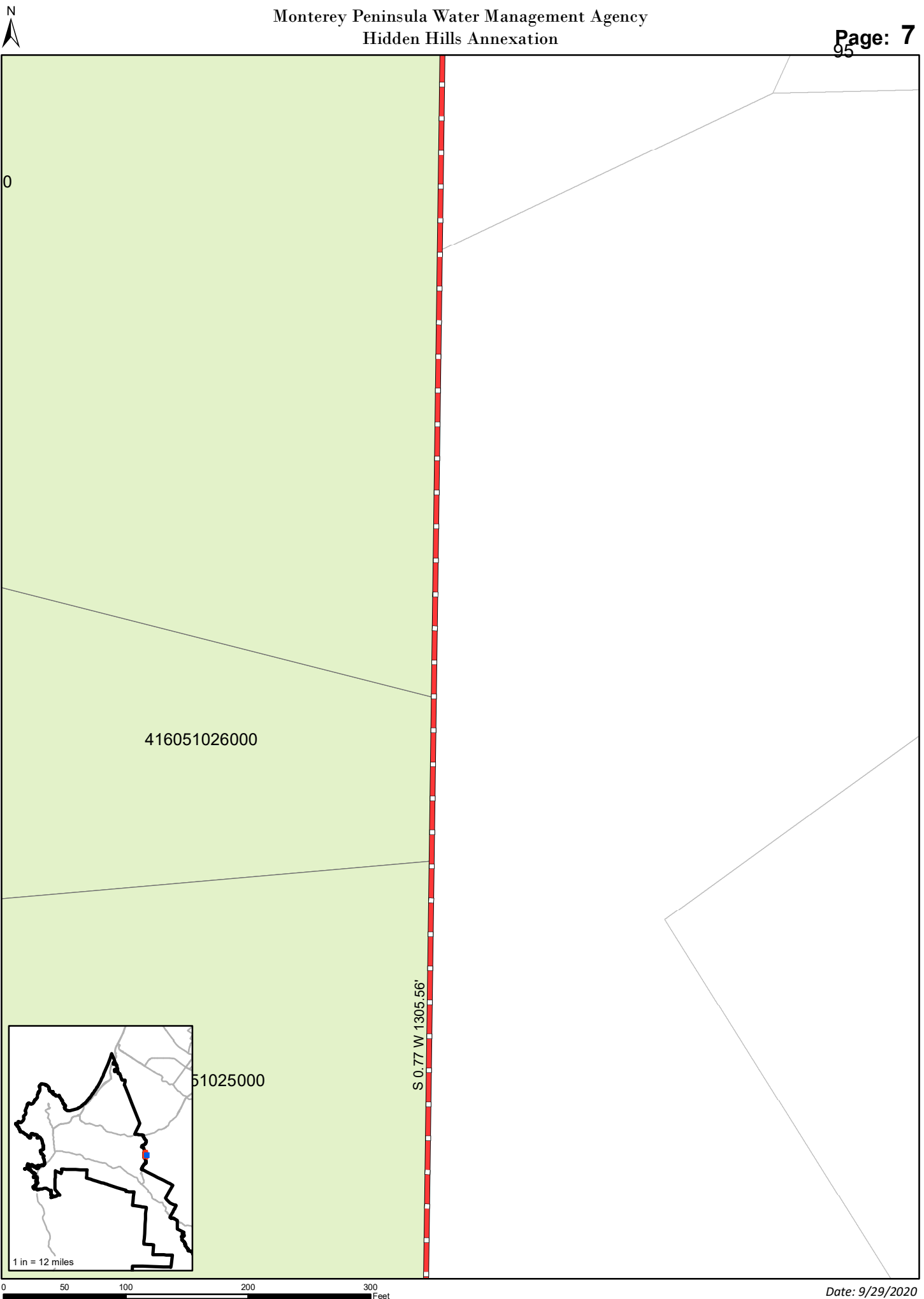
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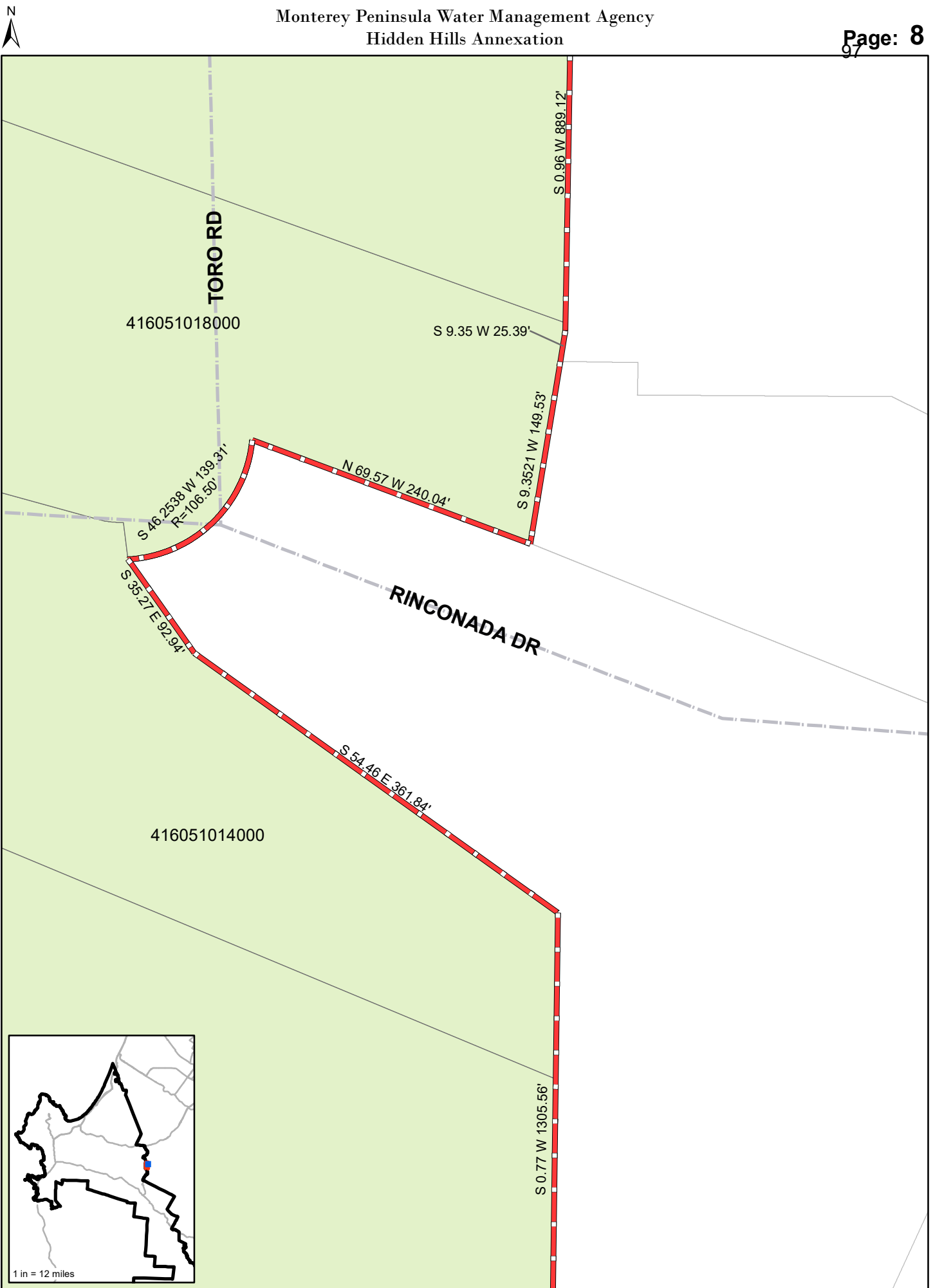
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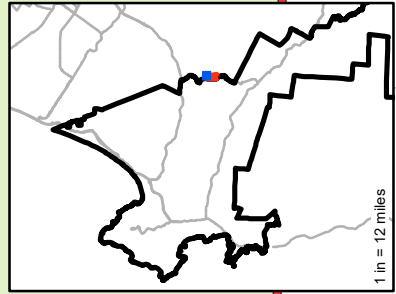
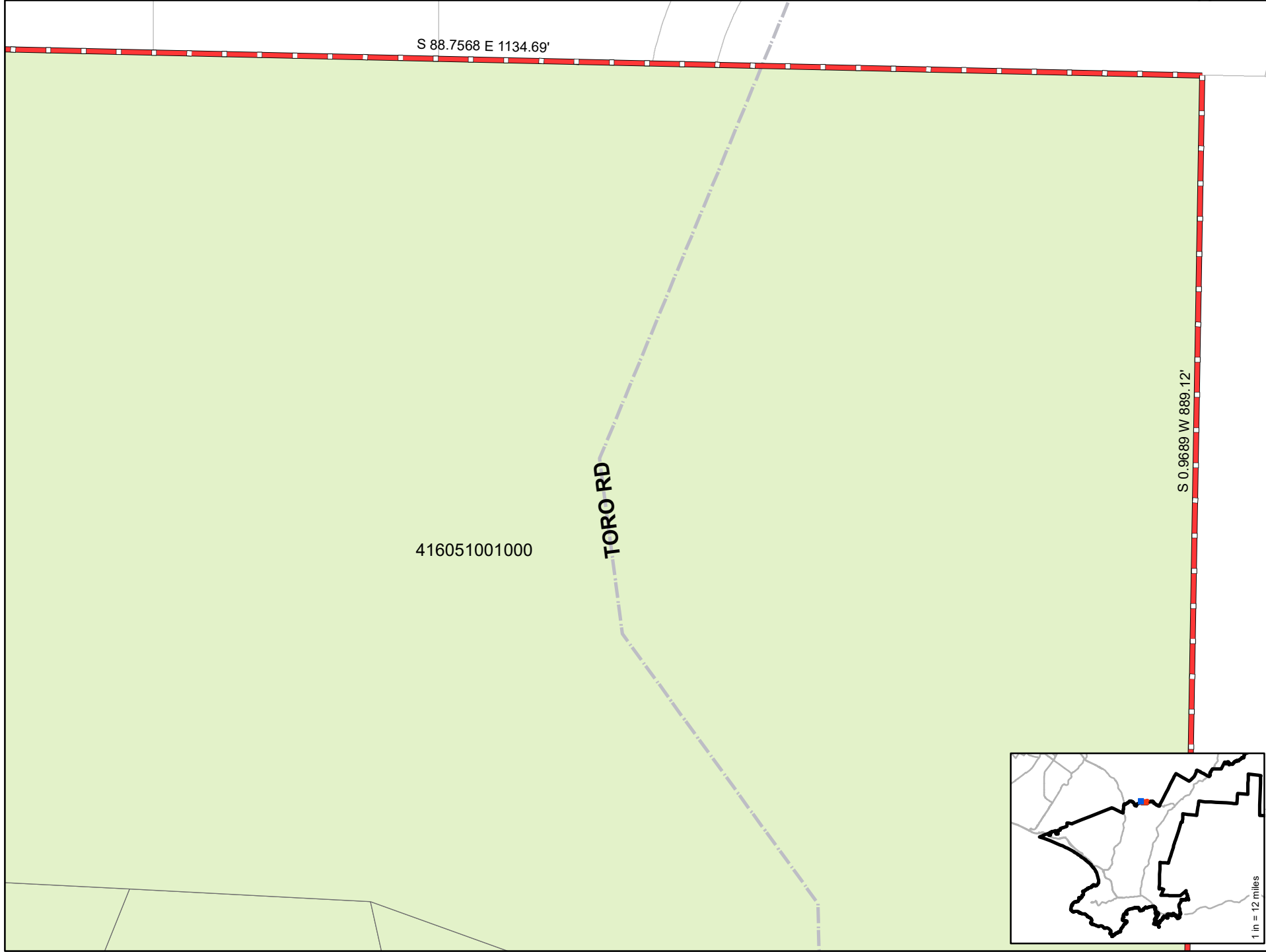












S 88.7568 E 1134.69'

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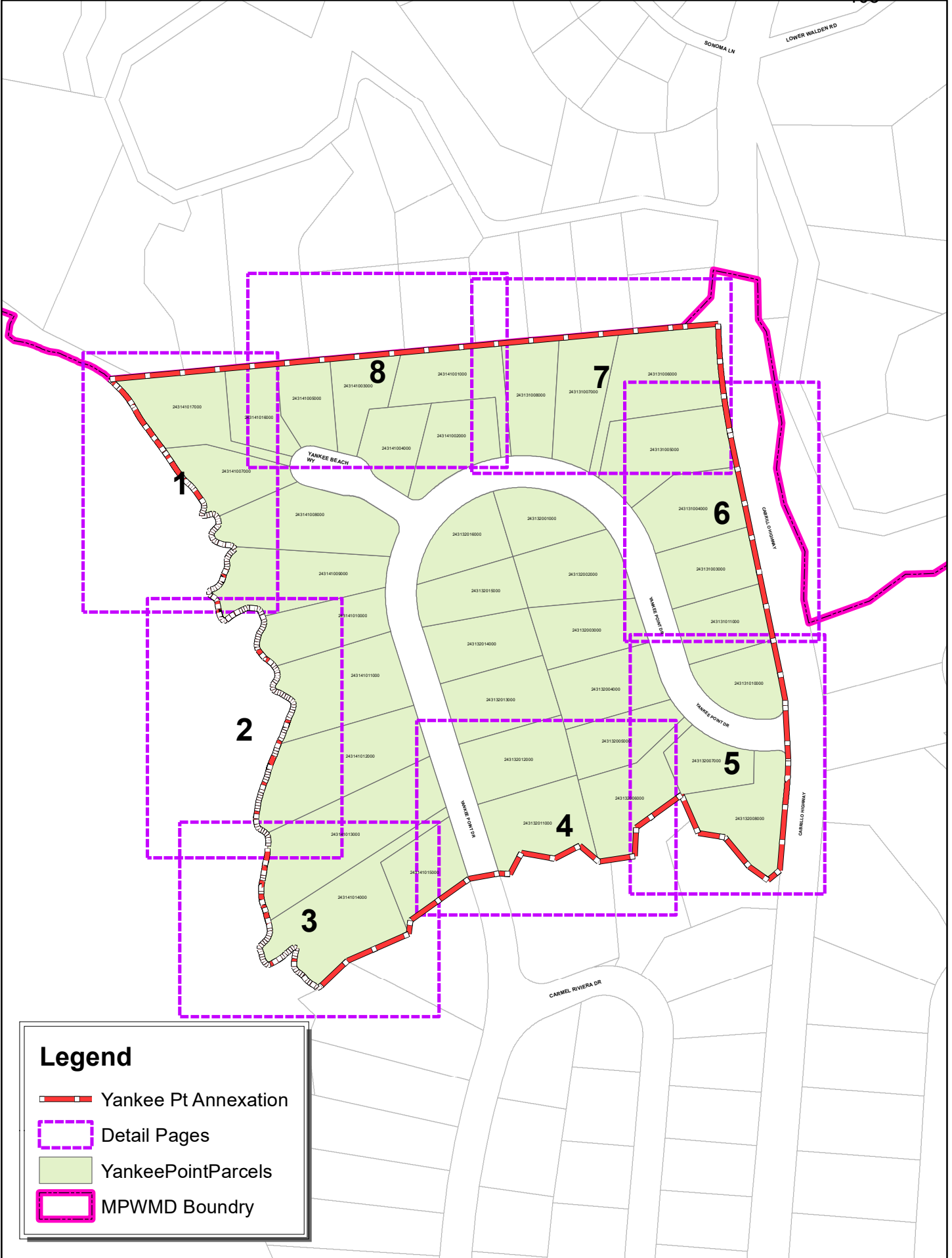
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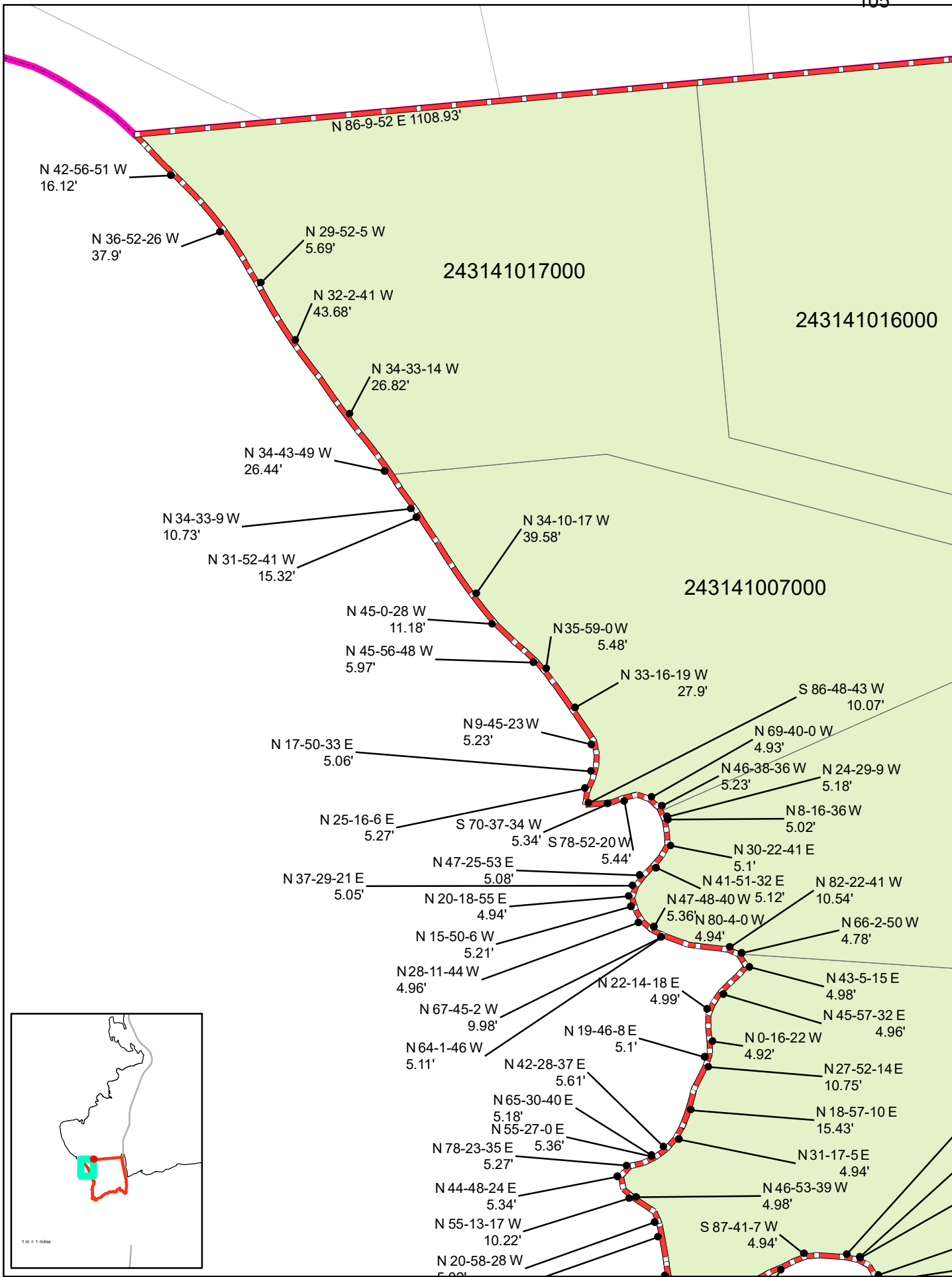


## Yankee Point Annexation Parcel Maps and Description



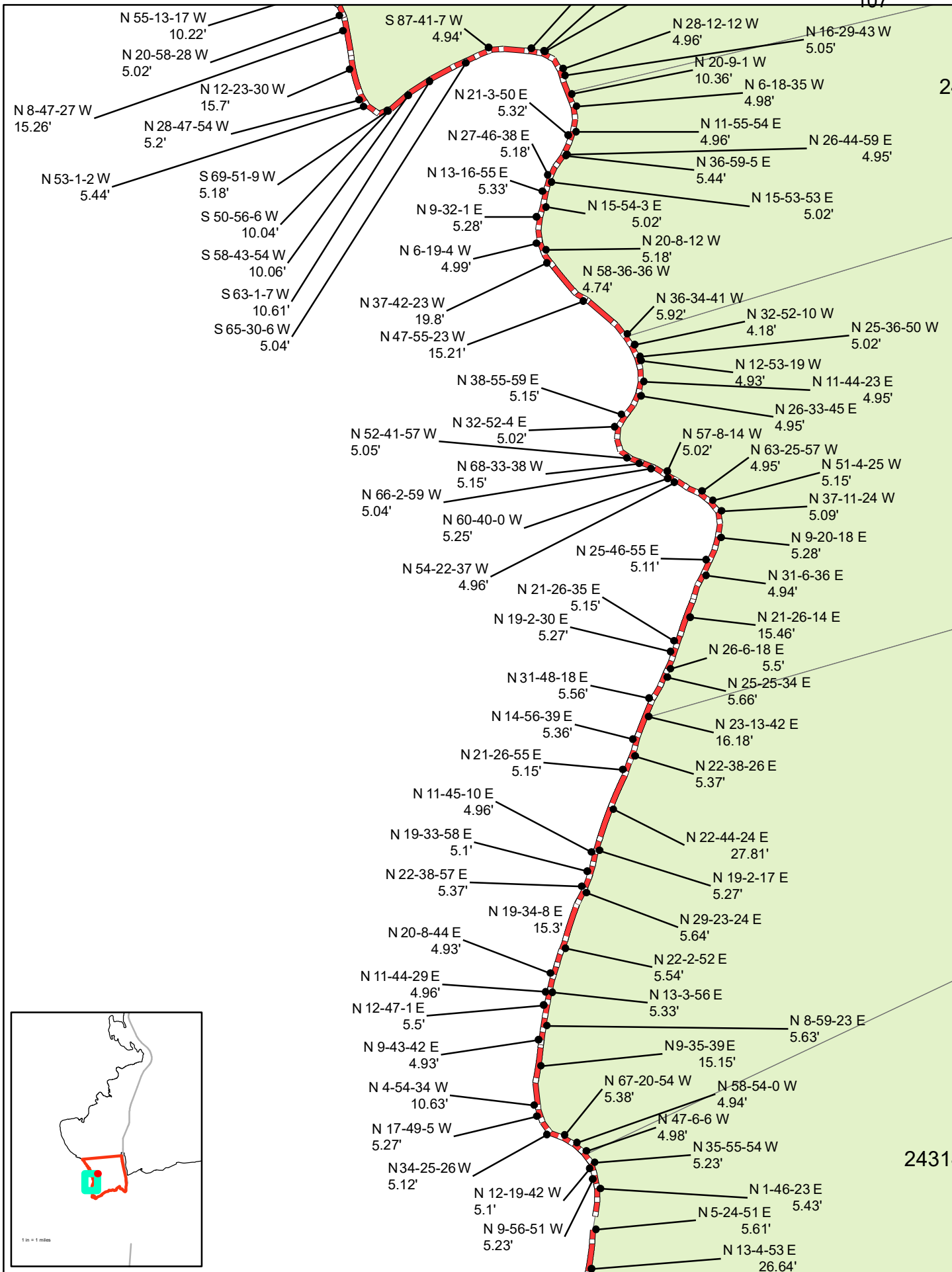








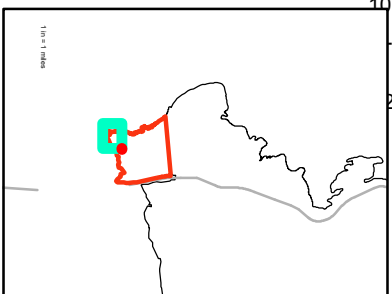
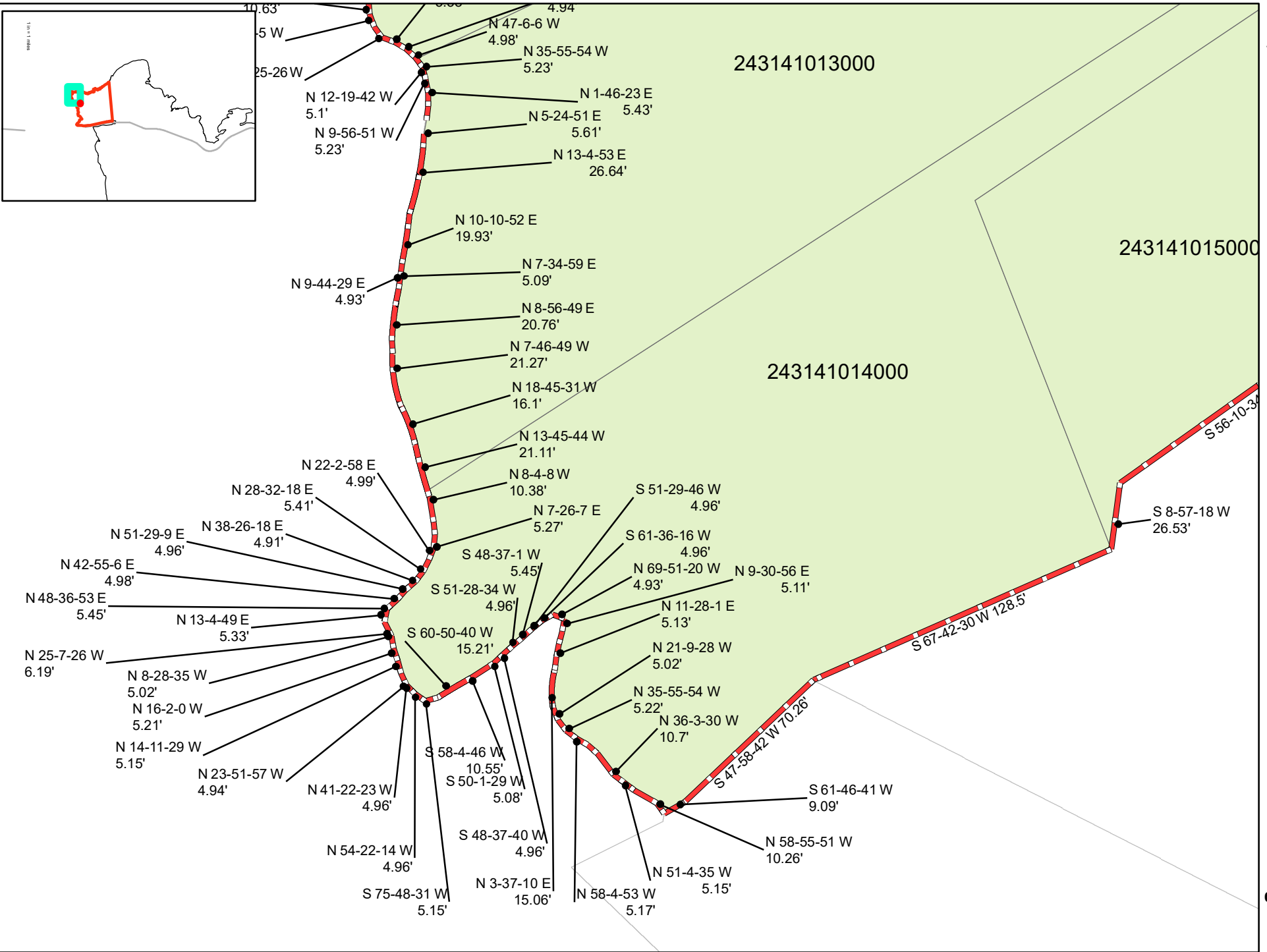




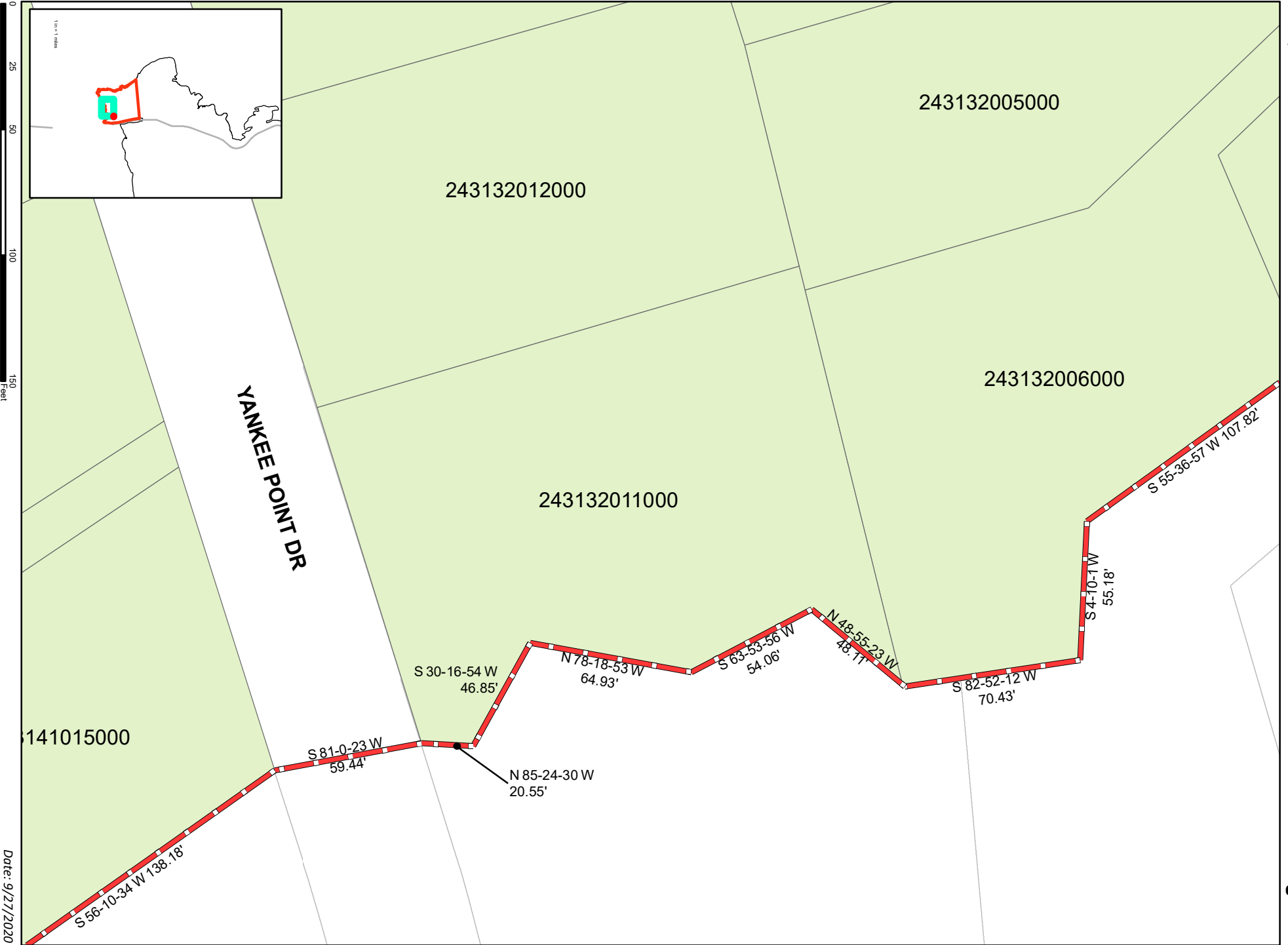




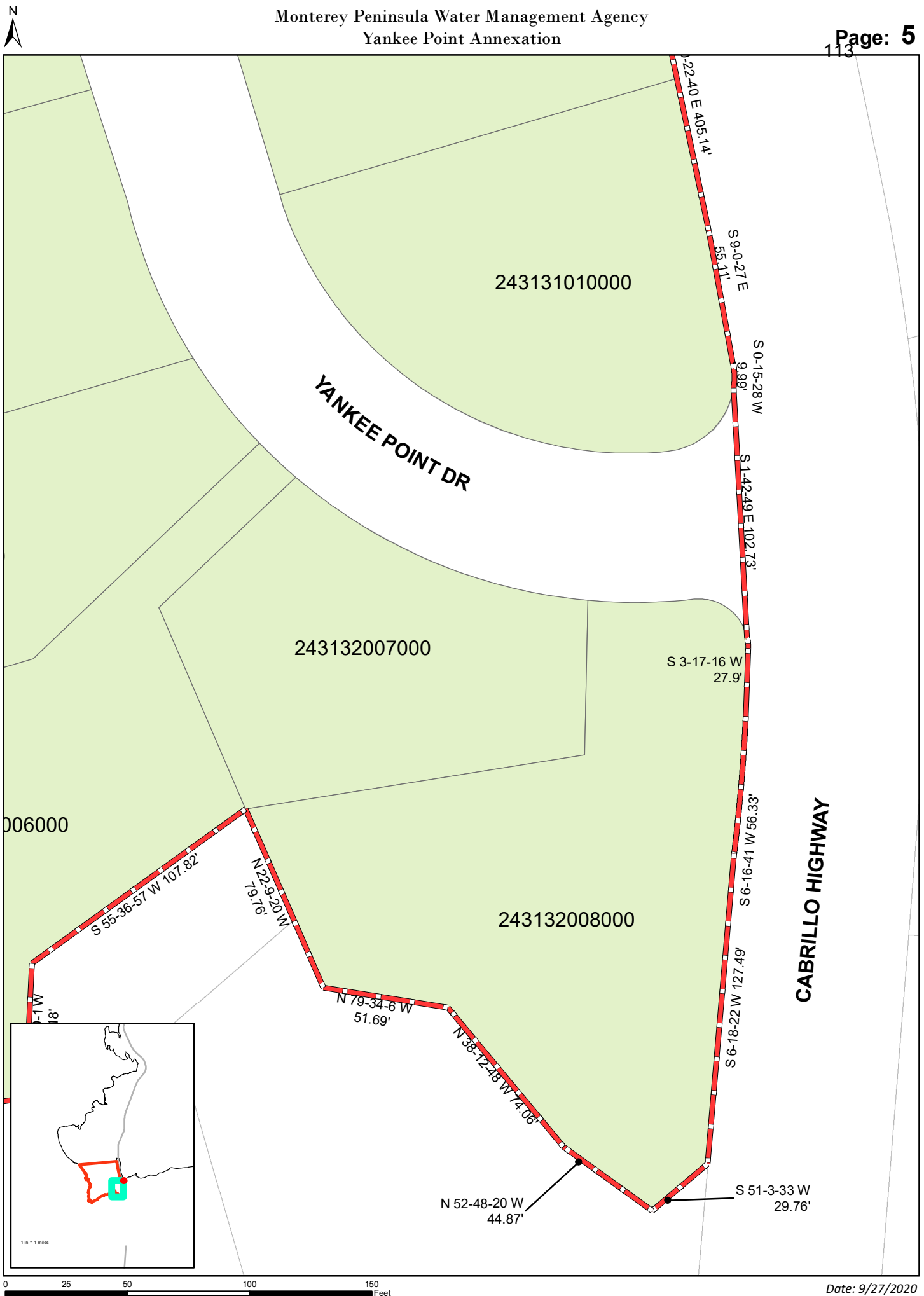
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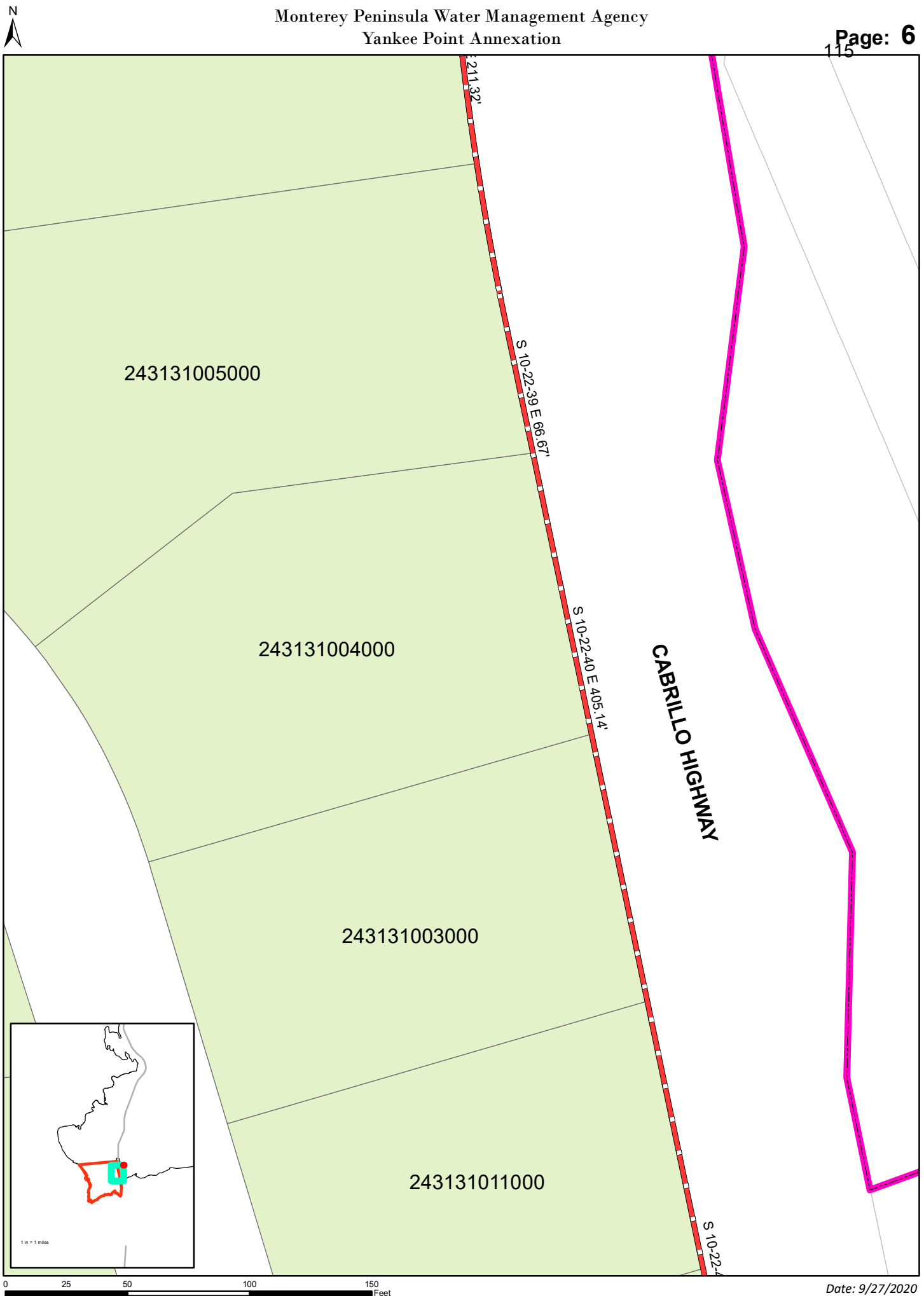








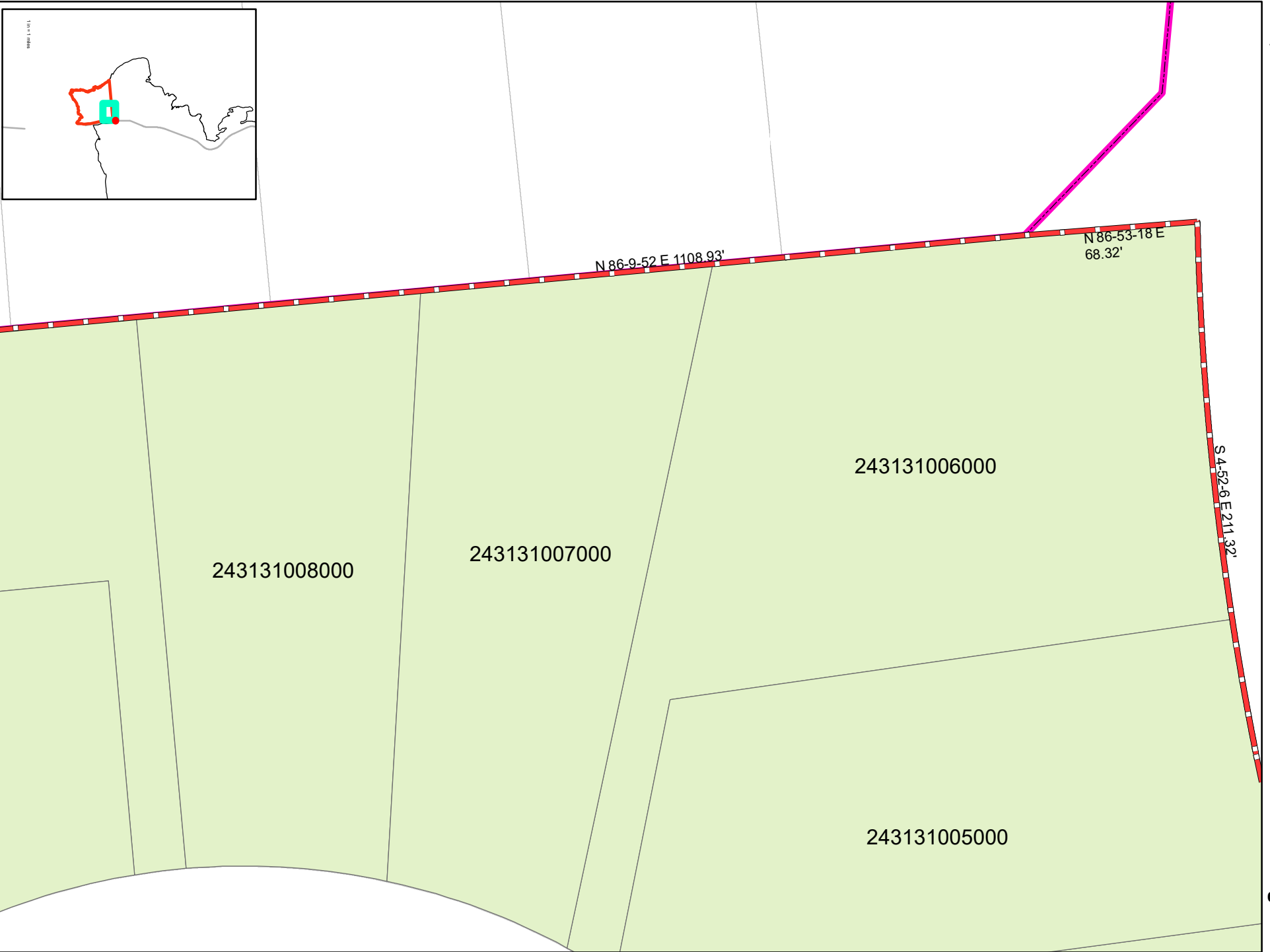








117



N 86-9-52 E 1108.93'

N 86-53-18 E  
68.32'

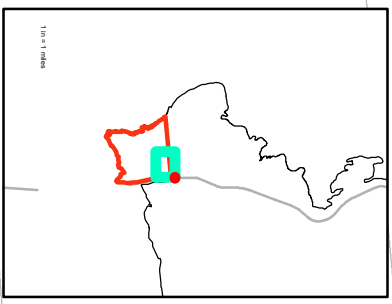
S 4-52-6 E 211.32'

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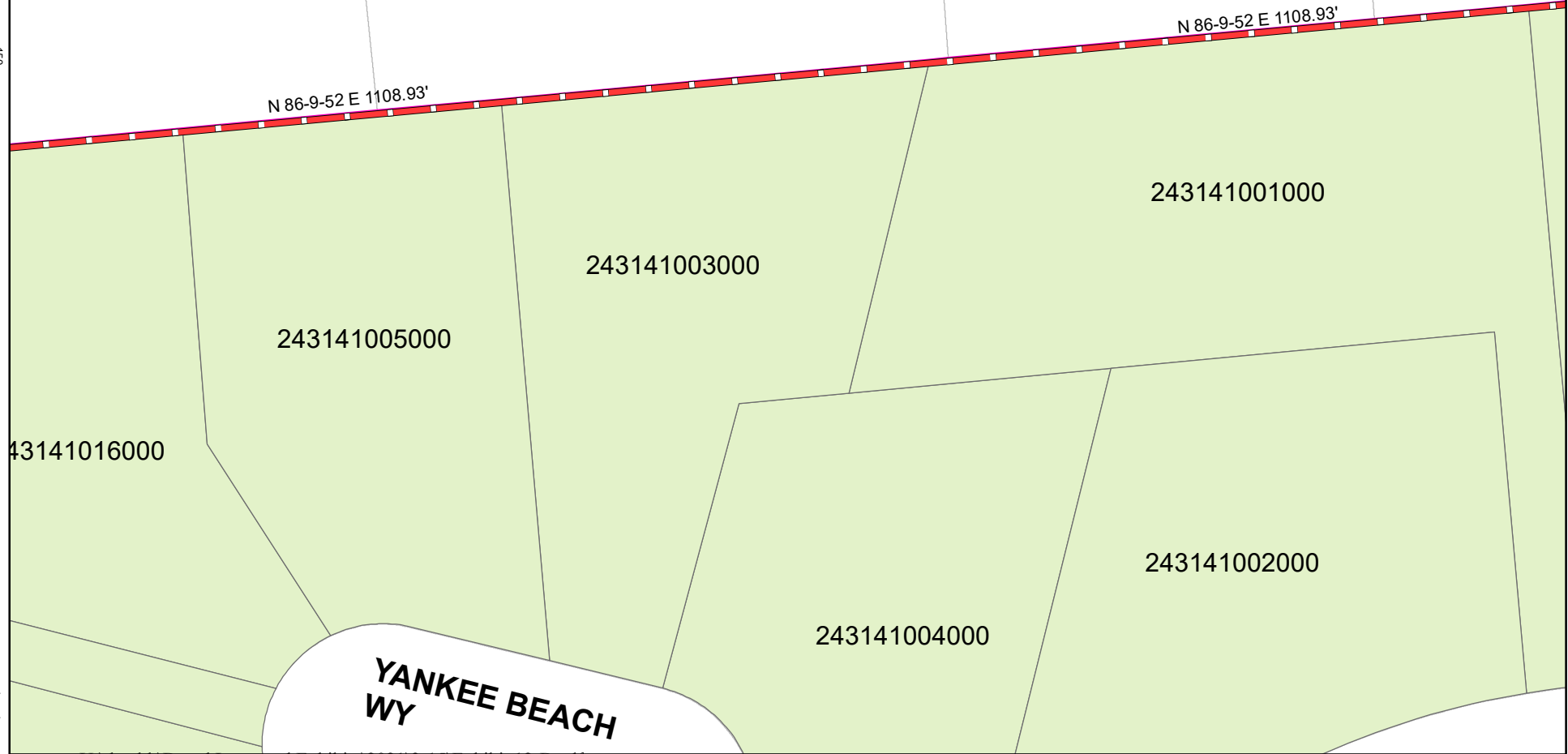
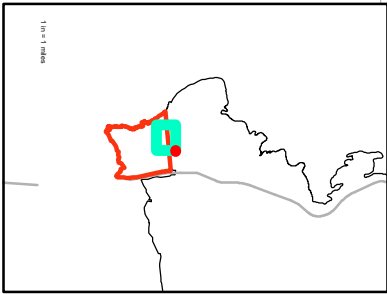
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Date: 9/27/2020



**ITEM: ACTION ITEM****13. CONSIDER APPROVAL OF AMENDMENT 5 TO THE PURE WATER MONTEREY COST SHARING AGREEMENT**

<b>Meeting Date:</b>	<b>March 15, 2021</b>	<b>Budgeted:</b>	<b>No</b>
<b>From:</b>	<b>David J. Stoldt General Manager</b>	<b>Program/ Line Item No.:</b>	<b>35-03-786010</b>
	<b>David J. Stoldt</b>	<b>Cost Estimate:</b>	<b>\$181,125</b>

**General Counsel Approval: N/A****Committee Recommendation: N/A****CEQA Compliance: Action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

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**SUMMARY:** In order to gain greater certainty on the CEQA process and to make representative strides toward a ready-to-go Pure Water Monterey expansion project, in March 2019 the District and Monterey One Water (M1W) approved funds to be expended to continue and substantially complete the supplemental environmental impact report (SEIR). Under Amendment 3 of the Cost Sharing Agreement with M1W, the District funded up to \$750,000 of such costs and M1W provided the rest, as well as staffed the effort.

On November 14, 2019 the California Coastal Commission (CCC) failed to approve a Coastal Development Permit for the desalination plant and rescheduled a hearing into 2020.

The M1W Board failed to certify the SEIR in early 2020 and Cal-Am subsequently pulled its application for the desalination plant from the CCC in September. Cal-Am resubmitted its application, but it was deemed incomplete by the CCC. Cal-Am may resubmit its CCC application later this year, but Pure Water Monterey expansion remains a viable project.

However, now the SEIR document is over a year old. M1W appears now ready to vote on certification, but the SEIR needs to be updated. Four areas of additional work to update and improve the SEIR include:

- Denise Duffy & Associates' (DD&A) contract would be amended based on changes in circumstances, to include DD&A review of SEIR project description changes, and preparation of a draft and final Environmental Memorandum updating information in the SEIR address environmental impacts of this change in circumstances.
- Carollo Engineers would be hired to develop a M1W Regional Dynamic Water Balance Model using Carollo's Blue Plan-it® Decision Support System. Carollo is uniquely qualified to provide these services based on their extensive development and use of the BluePlan-it® model on similarly complex "One Water" systems. In addition, Carollo has experience with M1W conveyance and treatment facilities, the City of Salinas' industrial

wastewater and storm water systems, and Marina Coast Water District’s conveyance system. The model will enhance M1W’s ability to effectively communicate future water volume and flow conditions, including with changes in climate, the proposed PWM Project expansion, and/or increased CSIP system demands. The model will be expandable in the future to provide water quality modeling, water supply cost projections for budgeting, operational decision support tools, and/or infrastructure planning and design assumptions. This work will help address many questions about source water availability which has been subject of much discussion during the SEIR certification process. *Although this work will not be completed before SEIR certification, the initial documents and data can be made available to inform stakeholders and the Board, as it becomes available. The work is valuable for the long-term operation of the Phase 1 project, as well as the expansion.*

- Perkins Coie’s contract would be amended to continue to provide staff and the M1W Board with CEQA legal consultation and review of additional documents, staff reports, resolutions, responses to comments, and meeting preparation and attendance regarding the SEIR and expansion.
- Staff at Monterey One Water would manage and guide the above work and provide initial drafts of environmental information, staff reports, resolutions, and responses to comments.

The estimated budget amounts are:

Denise Duffy & Associates (CEQA)	\$ 25,000
Carollo Engineers (Source Waters)	\$ 55,000
Perkins Coie (legal team)	\$126,000
M1W internal costs	<u>\$ 24,000</u>
	\$230,000

By adoption of Amendment 5 to the Cost Sharing Agreement (**Exhibit 13-A**) the District would commit to 75% of the cost or \$172,500. The Amendment also includes language requiring M1W to certify the SEIR or specify in writing deficiencies if the SEIR is not certified, and require M1W to pay 100% of any additional cost to correct deficiencies if M1W should decide to once again attempt to certify the SEIR.

**RECOMMENDATION:** The General Manager recommends the Board approve Amendment 5 to the Cost Sharing Agreement and the expenditure of up to \$181,125 (including a 5% contingency) in support of qualifying an expansion of Pure Water Monterey for CEQA SEIR approval and source water modeling.

**BACKGROUND:** On August 28, 2017 the Administrative Law Judge in the California Public Utilities Commission (CPUC) application A.12-04-019 asked for testimony on the capability of expansion of Pure Water Monterey to meet Peninsula water demands. Specifically, plans for expansion of the Pure Water Monterey (PWM) project, if any, and “whether expansion of the PWM project could provide water to California American Water (Cal-Am) in excess of 3,500 acre-feet per year, in what amounts, and at what cost?”



The District and Monterey One Water (M1W) submitted its testimony on those issues on September 29, 2017. Hearings were held and in many instances several intervenors expressed strong interest in an expansion of Pure Water Monterey – in some cases as an alternative project if the desalination facility is stalled, and in other cases as a potential low-cost interim measure.

Cal-Am’s application for a Certificate of Public Convenience and Necessity (CPCN) for the Monterey Peninsula Water Supply Project (MPWSP) resulted in CPUC Decision 18-09-017 on September 13, 2018. In granting the CPCN, the Commission, by Ordering Paragraph 37, at page 214 of D.18-09-017, directed Cal-Am to do the following:

“37. Within 180 days of the date of this decision Cal-Am shall file a Tier 2 advice letter providing specific additional information and its assessment as to whether it intends to file an application with the Commission to pursue a Water Purchase Agreement (WPA) for additional water supply to be provided by a PWM [Pure Water Monterey] expansion. Cal-Am shall serve the Tier 2 advice letter on the service list for this proceeding.”

D.18-09-017 Finding of Fact 20, at page 168, and its discussion at pages 39 and 42 to 43 stated:

“20. The Commission would like to determine if, in conjunction with the MPWSP approved in this decision, PWM expansion could provide an affordable, specific, concrete, and reliable additional or supplemental source water supply for Cal-Am ratepayers in the Monterey district.”

In response, on March 1, 2019 Cal-Am filed an extension request that sought a *seven (7) month* delay (from March 12, 2019 to October 31, 2019) in complying with Ordering Paragraph 37. Cal-Am offered two grounds in support of that request: (1) The MPWSP “is currently proceeding according to schedule, and as such there is no reason to believe that there will be a delay in the MPWSP desalination plant coming online before December 31, 2021,” and (2) “the information necessary to determine whether PWM expansion should be used to supply California American Water customers is not yet available.” Cal-Am concludes that, therefore, there is “insufficient information” for it to make an informed assessment. The CPUC denied the extension request.

In order to gain greater certainty on the CEQA process and to make representative strides toward a ready-to-go project, in March 2019 the District and Monterey One Water (M1W) approved funds to be expended to continue and substantially complete the supplemental environmental impact report (SEIR). Under Amendment 3 of the Cost Sharing Agreement with M1W, the District funded up to \$750,000 of such costs and M1W provided the rest, as well as staffed the effort.

On November 14, 2019 the California Coastal Commission (CCC) failed to approve a Coastal Development Permit for the desalination plant and rescheduled a hearing into 2020.

The M1W Board failed to certify the SEIR in early 2020 and Cal-Am subsequently pulled its application for the desalination plant from the CCC. Cal-Am may resubmit its CCC application later this year, but Pure Water Monterey expansion remains a viable project.

## **EXHIBIT**

### **13-A** Amendment 5 to the Pure Water Monterey Cost Sharing Agreement



**EXHIBIT 13-A****AMENDMENT 5****to****M1W (formerly MRWPCA)-MPWMD  
GROUNDWATER REPLENISHMENT PROJECT  
COST SHARING AGREEMENT**

This Amendment is entered into as of April \_\_, 2021 (**Effective Date**), by and between the Monterey One Water, a joint powers authority ("M1W") and the Monterey Peninsula Water Management District, a California special act district ("MPWMD"), collectively the "Parties", based upon the following facts, intentions and understandings of the Parties.

**Section II. A. 1 is amended to include the following:****1.(d) Unreimbursed Construction Period Costs Defined**

“From April 1, 2021 through December 31, 2021, there may occur project related costs for Pure Water Monterey expansion that are not allowed to be capitalized to the project and paid or reimbursed by State Revolving Fund Loans. Examples of those costs include, among others:

1. Regulatory Proceedings
2. Expansion Supplemental Environmental Impact Report (SEIR) Updating”
3. Source Water Modeling

**1.(e) Financing of GWR Unreimbursed Construction Period Costs**

“MPWMD shall pay seventy-five percent (75%) of such SEIR updating costs, and M1W shall pay twenty-five percent (25%) of such costs. Following the expenditure of such funds, M1W shall certify the SEIR or specify in writing deficiencies if the SEIR is not certified, and M1W shall pay 100% of any additional cost to correct deficiencies if M1W should decide to once again attempt to certify the SEIR.”

This Amendment shall remain in force and effect until December 31, 2021. The term of this Amendment may be extended with the mutual agreement of the Parties.

**WHEREFORE**, this Amendment 5 to the Cost Sharing Agreement was executed by the parties on the date first above written.

M1W

MONTEREY ONE WATER,  
By:

Mary Ann Carbone, Board Chair

MPWMD

MONTEREY PENINSULA WATER MANAGEMENT  
DISTRICT,

By:

Alvin Edwards, Board Chair



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****14. STATUS REPORT ON MEASURE J/RULE 19.8 PHASE II SPENDING****Meeting Date: March 15, 2021 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Suresh Prasad Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: There was no Administrative Committee meeting in March.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

---

**SUMMARY:** Attached for review is **Exhibit 14-A**, monthly status report on Measure J/Rule 19.8 Phase II spending for the period January 2021. This status report is provided for information only, no action is required.**EXHIBIT****14-A** Status on Measure J/Rule 19.8 Phase II Spending



**Monterey Peninsula Water Management District  
Status on Measure J/Rule 19.8 Spending Phase II  
Through January 2021**

	<b>Contract</b>	<b>Date Authorized</b>	<b>Contract/Approved Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
1	Eminent Domain Legal Counsel	12/16/2019	\$ 225,000.00	\$ 151,918.94	\$ 3,318.00	\$ 155,236.94	\$ 69,763.06	PA00005-01
2	CEQA Work	12/16/2019	\$ 134,928.00	\$ 134,779.54		\$ 134,779.54	\$ 148.46	PA00005-02
3	Appraisal Services	12/16/2019	\$ 200,000.00	\$ 168,525.00	\$ 15,195.00	\$ 183,720.00	\$ 16,280.00	PA00005-03
4	Operations Plan	12/16/2019	\$ 145,000.00	\$ 47,972.50	\$ 14,105.00	\$ 62,077.50	\$ 82,922.50	PA00005-04
5	District Legal Counsel	12/16/2019	\$ 40,000.00	\$ 76,407.01	\$ 11,828.01	\$ 88,235.02	\$ (48,235.02)	PA00005-05
6	MAI Appraiser	12/16/2019	\$ 120,000.00	\$ 76,032.00		\$ 76,032.00	\$ 43,968.00	PA00005-06
7	Jacobs Engineering	12/16/2019	\$ 87,000.00	\$ 70,377.28		\$ 70,377.28	\$ 16,622.72	PA00005-07
8	Contingency/Miscellaneous/Uncommitted	12/16/2019	\$ 289,072.00	\$ 4,433.65		\$ 4,433.65	\$ 284,638.35	PA00005-20
	<b>Total</b>		<b>\$ 1,241,000.00</b>	<b>\$ 730,445.92</b>	<b>\$ 44,446.01</b>	<b>\$ 774,891.93</b>	<b>\$ 466,108.07</b>	

1	Measure J CEQA Litigation Legal Services	12/23/2000	\$ 200,000.00	\$ -	\$ 8,856.58	\$ 8,856.58	\$ 191,143.42	PA00005-15
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**Phase I Costs  
Status on Measure J/Rule 19.8 Spending  
Through November 2019**

	<b>Contract</b>	<b>Date Authorized</b>	<b>Contract Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
1	Eminent Domain Legal Counsel	12/17/2018	\$ 100,000.00	\$ 148,802.21	\$ 12,195.95	\$ 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 Consulta	2/21/2019	\$ 355,000.00	\$ 247,690.63	\$ 39,274.54	\$ 286,965.17	\$ 68,034.83	PA00002-03

**EXHIBIT 14-A**

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	\$ 33,763.61	\$ 8,133.98	\$ 41,897.59	\$ (6,897.59)	PA00002-05
6	Contingency/Miscellaneous		\$ 30,000.00	\$ 9,931.83	\$ 33,814.12	\$ 43,745.95	\$ (13,745.95)	PA00002-10
	<b>Total</b>		<b>\$ 650,000.00</b>	<b>\$ 524,409.97</b>	<b>\$ 120,418.59</b>	<b>\$ 644,828.56</b>	<b>\$ 5,171.44</b>	



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****15. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER \$25,000****Meeting Date: March 15, 2021 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Suresh Prasad Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: There was no Administrative Committee meeting in March.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

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**SUMMARY:** Attached for review is **Exhibit 15-A**, monthly status report on contracts over \$25,000 for the period January 2021. This status report is provided for information only, no action is required.

**EXHIBIT****15-A Status on District Open Contracts (over \$25k)**



**EXHIBIT 15-A**

**Monterey Peninsula Water Management District  
Status on District Open Contracts (over \$25K)  
For The Period January 2021**

Contract	Description	Date Authorized	Contract Amount	Prior Period		Total		Expected Completion	Current Period Activity	P.O. Number
				Expended To Date	Current Period Spending	Expended To Date	Expected Completion			
1	Pueblo Water Resources, Inc.	ASR Operations Support	6/15/2020	\$ 75,000.00	\$ -		\$ -			PO02517
2	Integrated Aqua Systems, Inc	UV unit for RAS building at Sleepy Hollow	7/16/2020	\$ 62,025.08	\$ -		\$ -			PO02514
3	The Marketing Department	Outreach Consultant Contract FY 2020/2021	9/21/2020	\$ 36,000.00	\$ -	\$ 8,000.00	\$ 8,000.00		Current period retainer billing related to outreach services	PO02506
4	Shute, Mihaly & Weinberger LLP	Measure J CEQA Litigation Legal Services	12/23/2020	\$ 200,000.00	\$ -	\$ 8,856.58	\$ 8,856.58		Current period billing related to Measure J CEQA litigation legal services	PO02490
5	The Marketing Department	Outreach Consultant Contract FY 2020/2021	9/21/2020	\$ 36,000.00	\$ 4,000.00		\$ 4,000.00			PO02506
6	Hayashi & Wayland Accountancy Corp.	Audit services	6/15/2020	\$ 68,000.00	\$ 35,850.00	\$ 29,650.00	\$ 65,500.00		Current period billing for auditing services	PO02426
7	Martin B. Feeney, PG, CHG	Construction Management of PWM final well comissioning	8/17/2020	\$ 56,790.00	\$ 33,855.00	\$ 22,935.00	\$ 56,790.00		Current period billing related to PWM well comissioning	PO02403
8	De Lay & Laredo	Measure J/Rule 19.8 3rd Party Operations Phase II	12/16/2019	\$ 87,000.00	\$ 18,690.50		\$ 18,690.50			PO02398
9	Weston Solutions, Inc.	UXO Support Services	6/15/2020	\$ 26,378.70	\$ 812.38	\$ 3,439.97	\$ 4,252.35		Current period billing related to ASR UXO support services	PO02371
10	Denise Duffy & Assoc. Inc.	CEQA addendum for ASR Parallel Pipeline	4/20/2020	\$ 28,567.00	\$ 23,754.74		\$ 23,754.74			PO02363
11	Lynx Technologies, Inc	Geographic Information Systems contractual services	6/15/2020	\$ 35,000.00	\$ 2,100.00	\$ 450.00	\$ 2,550.00		Current period billing for GIS services	PO02357
12	Regional Government Services	Human Resouces contractual services	6/15/2020	\$ 70,000.00	\$ 29,605.15	\$ 4,408.10	\$ 34,013.25		Current period billing for HR services	PO02356
13	DeVeera Inc.	BDR Datto Services Contract FY 2020/2021	9/16/2019	\$ 26,352.00	\$ 13,176.00	\$ 2,196.00	\$ 15,372.00		Current period billing for IT backup services	PO02349
14	DeVeera Inc.	IT Managed Services Contract for FY 2020/2021	6/15/2020	\$ 57,012.00	\$ 28,506.00	\$ 4,751.00	\$ 33,257.00		Current period billing for IT managed services	PO02348
15	The Ferguson Group LLC	2020-21 - Legislative and Administrative Services	6/15/2020	\$ 99,500.00	\$ 48,346.59	\$ 8,070.19	\$ 56,416.78		Current period retainer billing	PO02339
16	JEA & Associates	Contract for Legislative and Administrative Services - FY 20-21	6/15/2020	\$ 35,000.00	\$ 15,000.00	\$ 2,500.00	\$ 17,500.00		Current period retainer billing	PO02338
17	MBAS	ASR Water Quality	6/15/2020	\$ 40,000.00	\$ 23,053.75	\$ 3,725.00	\$ 26,778.75		Current period billing related to ASR water quality testing	PO02330
18	Pueblo Water Resources, Inc.	ASR Operations Support	6/15/2020	\$ 75,000.00	\$ 4,305.00	\$ 12,258.76	\$ 16,563.76		Current period billing related to ASR operations support	PO02320
19	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/MAI Services	6/15/2020	\$ 120,000.00	\$ 76,032.00		\$ 76,032.00			PO02316
20	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Rate Study Phase II	12/16/2019	\$ 200,000.00	\$ 168,525.00	\$ 15,195.00	\$ 183,720.00		Current period billing rate study services related to Phase 2 Measure J	PO02282
21	De Lay & Laredo	Measure J/Rule 19.8 Operations Plan - Phase II	12/16/2019	\$ 145,000.00	\$ 47,972.50	\$ 14,105.00	\$ 62,077.50		Current period billing for operations plan related to phase 2 Measure J	PO02281
22	De Lay & Laredo	Measure J/Rule 19.8 CEQA Services Consultant	12/16/2019	\$ 134,928.00	\$ 134,779.54		\$ 134,779.54			PO02273
23	Rutan & Tucker, LLP	Rule 19.8 Eminent Domain Legal Services - Phase II	12/16/2019	\$ 200,000.00	\$ 151,918.94	\$ 3,318.00	\$ 155,236.94		Current period billing for eminent domain work related to phase 2 Measure J	PO02236
24	Norton Rose Fulbright	Cal-Am Desal Structuring & Financing Order	4/20/2015	\$ 307,103.13	\$ 38,557.29		\$ 38,557.29			PO02197
25	Pueblo Water Resources, Inc.	ASR SMWTF Engineering Services During Construction	10/21/2019	\$ 148,100.00	\$ 131,034.96		\$ 131,034.96			PO02163
26	Specialty Construction, Inc.	ASR SMWTF Construction	10/21/2019	\$ 4,649,400.00	\$ 4,446,350.00		\$ 4,446,350.00			PO02162
27	Psomas	ASR Construction Management Services	8/19/2019	\$ 218,822.00	\$ 211,427.12	\$ 7,350.38	\$ 218,777.50		Current period billing related to ASR construction management services	PO02160

**EXHIBIT 15-A**

**Monterey Peninsula Water Management District  
Status on District Open Contracts (over \$25K)  
For The Period January 2021**

Contract	Description	Date Authorized	Contract Amount	Prior Period		Total		Expected Completion	Current Period Activity	P.O. Number
				Expended To Date	Current Period Spending	Expended To Date	Spending			
28	U.S. Bank Equipment Finance	Copier machine leasing - 60 months	7/15/2019	\$ 52,300.00	\$ 13,986.79	\$ 1,823.42	\$ 15,810.21	6/30/2024	Current period billing for photocopy machine lease	PO02108
29	Monterey One Water	Supplemental EIR Costs for PWM Expansion Project	3/18/2019	\$ 750,000.00	\$ 731,336.70		\$ 731,336.70			PO02095
30	Monterey One Water	Pre-Construction Costs for PWM Expansion Project	11/13/2017	\$ 360,000.00	\$ 312,617.94		\$ 312,617.94			PO02094
31	DUDEK	Consulting Services for Prop 1 grant proposal	4/15/2019	\$ 95,600.00	\$ 94,315.05		\$ 94,315.05			PO01986
32	Denise Duffy & Associates	Consulting Services IRWM plan update	12/17/2018	\$ 55,000.00	\$ 53,322.32		\$ 53,322.32			PO01985
33	Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	7/16/2018	\$ 30,000.00	\$ 21,490.66	\$ 3,649.36	\$ 25,140.02		Current period billing related to Sleepy Hollow design services	PO01880
34	Colantuono, Highsmith, & Whatley, PC	Legal Services for MCWD vs PUC Matter for FY 2018-2019	7/1/2018	\$ 60,000.00	\$ 54,628.80		\$ 54,628.80	6/30/2021		PO01874
35	Ecology Action of Santa Cruz	IRWM HEART Grant	4/16/2018	\$ 152,600.00	\$ 86,362.33		\$ 86,362.33			PO01824
36	Pueblo Water Resources, Inc.	ASR Backflush Basin Expansion, CM services	7/16/2018	\$ 96,034.00	\$ 68,919.39		\$ 68,919.39			PO01778
37	Rural Community Assistance Corporation	IRWM DAC Needs Assessment	4/16/2018	\$ 100,000.00	\$ 69,095.92		\$ 69,095.92			PO01777
38	Mercer-Fraser Company	Sleepy Hollow Intake upgrade project	7/16/2018	\$ 1,802,835.00	\$ 1,786,834.91		\$ 1,786,834.91			PO01726
39	Fort Ord Reuse Authority	ASR Backflush basin expansion project UXO support	7/16/2018	\$ 55,215.00	\$ 8,241.72		\$ 8,241.72			PO01686
40	Pueblo Water Resources, Inc.	ASR operations support	1/24/2018	\$ 70,000.00	\$ 68,652.56		\$ 68,652.56			PO01645
41	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	\$ 68,679.00	\$ 36,795.25		\$ 36,795.25			PO01628
42	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	\$ 94,437.70	\$ 44,318.11		\$ 44,318.11			PO01510
43	Normandeau Associates, Inc.	Assistance with IFIM Study	11/13/2017	\$ 35,000.00	\$ 25,382.50		\$ 25,382.50			PO01509
44	Accela Inc.	Acquisition of Water Demand Database System	11/13/2017	\$ 676,377.00	\$ 669,227.81		\$ 669,227.81	6/30/2021		PO01471
45	Balance Hydrologics, Inc	Design Work for San Carlos Restoration Project	6/19/2017	\$ 51,360.00	\$ 50,894.32		\$ 50,894.32			PO01321
46	AECOM Technical Services, Inc.	Los Padres Dam Alternatives Study	1/25/2017	\$ 700,700.00	\$ 505,766.50		\$ 505,766.50			PO01268
47	Denise Duffy & Assoc. Inc.	MMRP Services for Monterey Pipeline	1/25/2017	\$ 80,000.00	\$ 73,144.06		\$ 73,144.06			PO01202
48	Goodin,MacBride,Squeri,Day,Lamprey	User Fee PUC Proceedings Legal Fee	7/1/2016	\$ 50,000.00	\$ 33,411.85		\$ 33,411.85	6/30/2021		PO01100
49	Whitson Engineers	Carmel River Thawleg Survey	9/19/2018	\$ 52,727.43	\$ 49,715.00		\$ 49,715.00			PO01076
50	HDR Engineering, Inc.	Los Padres Dam Fish Passage Study	4/18/2016	\$ 310,000.00	\$ 309,751.71		\$ 309,751.71			PO01072
51	Michael Hutnak	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 71,800.00	\$ 65,880.00		\$ 65,880.00			PO00123
52	Justin Huntington	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 59,480.00	\$ 53,918.98		\$ 53,918.98			PO00122

**ITEM: INFORMATIONAL ITEM/STAFF REPORT****16. LETTERS RECEIVED****Meeting Date: March 15, 2021** **Budgeted: N/A****From: David J. Stoldt,  
General Manager** **Program/  
Line Item No.: N/A****Prepared By: Joel G. Pablo** **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.**

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During the period between February 17, 2021 and March 8, 2021 no letters were received and submitted to the Board of Directors or General Manager.



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****17. COMMITTEE REPORTS**

**Meeting Date:** March 15, 2021                      **Budgeted:** N/A

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

**Prepared By:** Joel G. Pablo                      **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.

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Attached for your review as **Exhibits 17-A through 17-C** are the final minutes of the committee meetings listed below.

**EXHIBITS**

**17-A**      September 22, 2020: Legislative Advocacy Committee

**17-B**      November 23, 2020: Public Outreach/Communications Committee

**17-C**      February 1, 2021: Water Supply Planning Committee







## **EXHIBIT 17-A**

### **FINAL MINUTES**

#### **Legislative Advocacy Committee of the Monterey Peninsula Water Management District**

*September 22, 2020*

#### **Call to Order**

The meeting was called to order at 2:10 pm. This was a virtual meeting conducted via WebEx.

#### **Committee members present:**

David Potter, Chair  
Jeanne Byrne  
Alvin Edwards

#### **Committee members absent:**

None

#### **Staff members present:**

David J. Stoldt, General Manager  
Arlene Tavani, Executive Assistant  
Stephanie Locke, Water Demand Division Manager

#### **District Counsel present:**

David Laredo

#### **Legislative Consultant:**

John Arriaga, A&E Associates  
Laurie Johnson, A&E Associates  
Roger Gwinn, The Ferguson Group  
William Ferguson Jr., The Ferguson Group  
Chris Kearney, The Ferguson Group  
Stephanie Missert, The Ferguson Group  
Rebecca Bliss, The Ferguson Group

#### **Comments from the Public:**

No comments.

#### **Action Items**

##### **1. Adopt Minutes of June 18, 2020 Committee Meetings**

On a motion by Edwards and seconded by Byrne, the committee meeting minutes were approved on a vote of 3 – 0 by Edwards, Byrne and Potter.

#### **Discussion Items**

##### **2. Report from JEA & Associates on Legislative Status and Bill Tracking**

Johnson reviewed the memo dated September 17, 2020 that was included in the committee packet. She also noted that efforts to place a water bond proposal on the ballot did not move forward; however, there may be an effort to hold a special election in 2021 for an infrastructure bond. Regarding efforts to allocate water to the jurisdictions for immediate housing needs, Johnson reported that in the coming week JEA & Associates would be scheduling a meeting with Senator Skinner's staff, as the Senator authored SB330. Meetings would also be scheduled with chief consultants to the Senate Housing Committee and the Assembly Housing and Community Development. Those would be virtual meetings. Stoldt mentioned that a representative from the City of Monterey Planning Department would participate with District staff in those meetings.

**3. Report from The Ferguson Group on Federal Legislative Status and bill Tracking**

Gwinn reported that the focus at the federal level was to adopt a continuing resolution to fund the government through the beginning of the fiscal year that would end on September 30, 2020. Funding would be extended for 10 weeks. Legislation could be submitted to the President for his signature by September 30.

Kearney and Gwinn reported on HR8217, Garamendi, that would extend the terms of repayment from funds obtained under the Water Infrastructure Finance and Innovation Act (WIFIA) from 35 years to 55 years. Another bill, S4206, Merkley, would provide flexibility to borrowers and allow them to select the interest rate in effect either when their WIFIA loan closed or when the funds were disbursed. The committee agreed to send letters of support for both bills. Kearney noted that there was generally bipartisan support for water related legislation such as S1932, sponsored by Feinstein and Gardner that focused on surface and groundwater storage.

Missert reported on efforts to approve COVID relief legislation. Senate Republicans submitted a \$500 billion relief bill that was half the size of a previously submitted Republican bill. A \$1.5 trillion bipartisan bill was also developed that included additional state and local aid. None of the COVID relief proposals included direct funding for special districts. However, the bipartisan Problem Solvers Caucus submitted the framework for legislation that would allow funds in the next COVID relief package to be distributed to special districts. It was likely that COVID relief legislation would not be submitted until December 2020.

Gwinn referred to the Water Legislative Tracker, Exhibit 3-A, in the committee packet. He reported that the following bills were new to the list: HR7978, Panetta, emergency wildfire relief; S4431, Feinstein, Emergency Wildfire and Public Safety Act of 2020; S4206, Merkley, amend the WIFIA Act; HR 8217, Garamendi, amend the WIFIA Act; and S4189, Wyden, Water Conservation and Farming Act.

**4. Report from General Manager on Recent or Upcoming Legislative Actions**

Stoldt reviewed letters provided in the staff note.

**5. Suggest Items to be Placed on Future Agendas**

No discussion.

**Other Items:** No discussion.

**Adjournment:** 2:55 pm.

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## **EXHIBIT 17-B**

### **FINAL MINUTES**

#### **Monterey Peninsula Water Management District**

#### **Public Outreach Committee**

November 23, 2020

#### **Call to Order**

The virtual meeting was called to order at 4:00 pm via WebEx.

Committee members present: Mary Adams - Chair  
Alvin Edwards  
George Riley

Committee members absent: None

District staff members present: David Stoldt, General Manager  
Stephanie Locke, Water Demand Manager  
Arlene Tavani, Executive Assistant

District Counsel present: David Laredo

TMD Consulting: Sam Spadoni  
Nicholas Pasculli

**Comments from the Public:** Melodie Chrislock suggested that General Manager Stoldt present to each jurisdiction within the District the PowerPoint he had prepared to present to the California Coastal Commission. She also requested that the District replace the WebEx virtual meeting format with Zoom.

#### **Action Items**

1. Consider Adoption of October 15, 2020 Committee Meeting Minutes  
On a motion by Edwards and second of Riley, the minutes were adopted on a unanimous vote of 3 – 0 by Edwards, Riley, and Adams.
2. Approve Monthly Branding Ad Topics for Calendar Year 2021  
On a motion by Riley and second by Edwards, the list of branding ad topics for calendar year 2020 was approved on a unanimous vote of 3 – 0 by Riley, Edwards and Adams.

During the discussion, committee members expressed concern about some of the connectivity and poor audio issues that have been encountered with WebEx. Chair Adams requested that in the future, all meeting participants have the option of viewing the names of those in attendance.

Public comment: John Tilley suggested that during the virtual meeting, the list of attendees be viewable by all persons in the meetings.

#### **Discussion Items**

3. Review Recent Activities by Public Outreach Consultant

Sam Spadoni presented a video of photos taken by TMD’s photographer at the Sleepy Hollow Steelhead Rearing Facility and Carmel River. The presentation is on file at the District office and can be viewed on the agency website. He showed a print ad that would run in the Carmel Pine Cone and Monterey County Weekly which included a QR code that enables the reader to place a cell phone over the code that leads to a link that allows the person to be added to a District newsletter distribution list. Mr. Spadoni noted that messaging priorities would be updated following the Board’s next strategic planning session. In addition, updates to the District’s websites would be completed, including posting of new photos. On December 7, 2020 a series of social media postings should begin.

4. Suggest Items to be Placed on Future Agendas
  - (a) Consider use of Zoom for virtual meetings and utilize a standard background for each panelist.
  - (b) Outreach regarding the Measure J process, considering that the District must present unbiased information and cannot take a position of advocacy.

Public comment: Melodie Chrislock suggested that the District enter into a sponsorship agreement with the local National Public Radio affiliate which would include advertising opportunities.

### **Adjournment**

The meeting was adjourned at 5 pm.

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## EXHIBIT 17-C

### FINAL MINUTES Water Supply Planning Committee of the Monterey Peninsula Water Management District *January 4, 2021*

**Call to Order:** The WebEx virtual meeting was called to order at 4:00 pm.

**Committee members present:** George Riley, Chair  
Mary Adams  
Alvin Edwards

**Committee members absent:** None

**Staff members present:** David J. Stoldt, General Manager  
Jonathan Lear, Water Resources Division Manager  
Thomas Christensen, Environmental Resources Div. Mgr.  
Maureen Hamilton, Water Resources Engineer  
Sara Reyes, Sr. Office Specialist

**District Counsel present:** David Laredo, De Lay & Laredo

**Comments from the Public:**

#### Action Items

- 1. Consider Adoption of December 7, 2020 Committee Meeting Minutes**  
On a motion by Edwards and seconded by Adams, minutes of the December 7, 2020 meeting were approved on a unanimous vote of 3 – 0 by Adams, Edwards and Riley.

#### Discussion Items

- 2. Discussion of Replenishment Fund – Seaside Groundwater Basin**  
General Manager Stoldt reported on two documents from the Watermaster Annual report, also shown as exhibits 2-A and 2-B to the staff report presented for this item. Exhibit 2-A is the Updated Replenishment Assessment Unit Costs and displays anticipated unit costs of water calculations. The unit costs are applied to any overages to the Natural Safe Yield and the Operating Yield. These two separate unit costs are assessed in combination with each other, (\$2,947 per acre-foot for exceeding the Natural Safe Yield and \$737 per acre-foot for exceeding the Operating Yield on the Seaside Basin). Exhibit 2-B demonstrates how the Replenishment Assessment were calculated for Water Year 2020.

Public Comment: None

- 3. Update on Pure Water Monterey Project**  
Stoldt reported that final conditioning of deep injection well # 2 occurred through December 2020 and is almost complete. As of Friday, December 31, 2020 it was injecting at 490 gallons per minute which is very close to the last injection rate. He reported that Fiscal year to date, the best month was November with just under 223 acre-feet and December with 184 acre-feet.

Total injected to date is 990 acre-feet since July 1, 2020. 1,053 acre-feet is in the operating reserve and water delivered to date is 675 acre-feet.

Maureen Hamilton, Water Resources Engineer, reported the deep injection well no. 2 final commissioning was completed on New Year's Eve. Water is going back into deep injection well #2 and injection also begun on Vados well #2. She reported that the well was not sanding as before so staff is optimistic. For deep injection wells 3 and 4, will be ordering materials as submittals are approved.

Public Comment: None

**4. Update on ASR Construction**

Hamilton reported that the final payment request was processed for ASR 1, and the punch list items will be reviewed. She reported there is a plan to discuss with Cal-Am the option of just having dichlorination at the Santa Margarita site.

Public Comment: None

**Suggest Items to be Placed on Future Agendas**

**Adjournment:** The meeting was adjourned at 5:00 pm.

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**ITEM: INFORMATIONAL ITEM/STAFF REPORT****18. MONTHLY ALLOCATION REPORT****Meeting Date:** March 15, 2021 **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:** As of February 28, 2021, a total of **26.419** acre-feet (**7.7%**) of the Paralta Well Allocation remained available for use by the Jurisdictions. Pre-Paralta water in the amount of **34.304** acre-feet is available to the Jurisdictions, and **28.839** acre-feet is available as public water credits.

**Exhibit 18-A** shows the amount of water allocated to each Jurisdiction from the Paralta Well Allocation, the quantities permitted in February 2021 (“changes”), and the quantities remaining. The Paralta Allocation had no debits in February 2021.

**Exhibit 18-A** also shows additional water available to each of the Jurisdictions. Additional water from expired or canceled permits that were issued before January 1991 are shown under “PRE-Paralta.” Water credits used from a Jurisdiction’s “public credit” account are also listed. Transfers of Non-Residential Water Use Credits into a Jurisdiction’s Allocation are included as “public credits.” **Exhibit 18-B** shows water available to Pebble Beach Company and Del Monte Forest Benefited Properties, including Macomber Estates, Griffin Trust. Another table in this exhibit shows the status of Sand City Water Entitlement and the Malpaso Water Entitlement.

**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 18-C**.

**EXHIBITS****18-A** Monthly Allocation Report**18-B** Monthly Entitlement Report**18-C** District’s Water Allocation Program Ordinances





**EXHIBIT 18-A**  
**MONTHLY ALLOCATION REPORT**  
**Reported in Acre-Feet**  
**For the month of February 2021**

Jurisdiction	Paralta Allocation*	Changes	Remaining	PRE-Paralta Credits	Changes	Remaining	Public Credits	Changes	Remaining	Total Available
Airport District	8.100	0.000	5.197	0.000	0.000	0.000	0.000	0.000	0.000	5.197
Carmel-by-the-Sea	19.410	0.000	1.398	1.081	0.000	1.081	0.910	0.000	0.182	2.661
Del Rey Oaks	8.100	0.000	0.000	0.440	0.000	0.000	0.000	0.000	0.000	0.000
Monterey	76.320	0.000	0.245	50.659	0.000	0.030	38.121	0.000	2.300	2.575
Monterey County	87.710	0.000	10.579	13.080	0.000	0.352	7.827	0.000	1.775	12.706
Pacific Grove	25.770	0.000	0.000	1.410	0.000	0.014	15.874	0.000	0.065	0.079
Sand City	51.860	0.000	0.000	0.838	0.000	0.000	24.717	0.000	23.373	23.373
Seaside	65.450	0.000	0.000	34.438	0.051	32.827	2.693	0.000	1.144	33.971
District Reserve	9.000	0.000	9.000	N/A			N/A			9.000
<b>TOTALS</b>	<b>342.720</b>	<b>0.000</b>	<b>26.419</b>	<b>101.946</b>	<b>0.051</b>	<b>34.304</b>	<b>90.142</b>	<b>0.000</b>	<b>28.839</b>	<b>89.562</b>

Allocation Holder	Water Available	Changes this Month	Total Demand from Water Permits Issued	Remaining Water Available
Quail Meadows	33.000	0.000	32.320	0.680
Water West	12.760	0.047	9.639	3.121

\* Does not include 15.280 Acre-Feet from the District Reserve prior to adoption of Ordinance No. 73.



**EXHIBIT 18-B**  
**MONTHLY ALLOCATION REPORT**  
**ENTITLEMENTS**  
**Reported in Acre-Feet**  
**For the month of February 2021**

**Recycled Water Project Entitlements**

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
<b>Pebble Beach Co. <sup>1</sup></b>	219.420	0.340	31.302	188.118
<b>Del Monte Forest Benefited Properties <sup>2</sup> (Pursuant to Ord No. 109)</b>	145.580	0.036	58.688	86.892
<b>Macomber Estates</b>	10.000	0.000	10.000	0.000
<b>Griffin Trust</b>	5.000	0.000	4.829	0.171
<b>CAWD/PBCSD Project Totals</b>	<b>380.000</b>	<b>0.376</b>	<b>104.819</b>	<b>275.181</b>

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
<b>City of Sand City</b>	206.000	0.000	7.115	198.885
<b>Malpas Water Company</b>	80.000	0.156	18.350	61.650
<b>D.B.O. Development No. 30</b>	13.950	0.000	3.784	10.166
<b>City of Pacific Grove</b>	38.390	0.066	5.014	33.376
<b>Cypress Pacific</b>	3.170	0.000	3.170	0.000

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



## EXHIBIT 18-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.

**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.

**ITEM: INFORMATIONAL ITEM/STAFF REPORT****19. WATER CONSERVATION PROGRAM REPORT**

<b>Meeting Date:</b>	<b>March 15, 2021</b>	<b>Budgeted:</b>	<b>N/A</b>
<b>From:</b>	<b>David J. Stoldt, General Manager</b>	<b>Program/ Line Item No.</b>	<b>N/A</b>
<b>Prepared By:</b>	<b>Kyle Smith</b>	<b>Cost Estimate:</b>	<b>N/A</b>

**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.**

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**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.

**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 **119** property transfers that occurred between February 1, 2021, and February 28, 2021, were added to the database.

**B. Certification**

The District received **38** WCCs between February 1, 2021, and February 28, 2021. Data on ownership, transfer date, and status of water efficiency standard compliance were entered into the database.

**C. Verification**

From February 1, 2021, to February 28, 2021, **42** properties were verified compliant with Rule 144 (Retrofit Upon Change of Ownership or Use). Of the **42** verifications, **21** properties verified compliance by submitting certification forms and/or receipts. District staff completed **21** Site inspections. Of the **21** properties verified, **9 (42%)** passed.

Note that most Site inspections were suspended March 13, 2020, due to concerns about the novel coronavirus. Staff has continued to certify properties electronically through owner certification or other methods. Site inspections may be done in limited cases when the

property is vacant and staff has access without others present. Safety protocols (e.g. masks, gloves, hand sanitizer, etc.) are in place for those instances.

#### D. CII Compliance with Water Efficiency Standards

Effective January 1, 2014, all Non-Residential properties were required to meet Rule 143, Water Efficiency Standards for Existing Non-Residential Uses. To verify compliance with these requirements, property owners and businesses are sent notification of the requirements and a date that inspectors will be on Site to check the property. In January, District inspectors performed **2** verification inspections.

MPWMD is forwarding its CII inspection findings to California American Water (Cal-Am) for their verification with the Rate Best Management Practices (Rate BMPs) that are used to determine the appropriate Non-Residential rate division. Compliance with MPWMD's Rule 143 achieves Rate BMPs for indoor water uses. Properties with landscaping must also comply with Cal-Am's outdoor Rate BMPs to avoid Division 4 (Non-Rate BMP Compliant) rates. In addition to sharing information about indoor Rate BMP compliance, MPWMD notifies Cal-Am of properties with landscaping. Cal-Am then conducts an outdoor audit to verify compliance with the Rate BMPs. During February 2021, MPWMD referred **two** properties 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 Waster occurrences at [www.mpwmd.net](http://www.mpwmd.net) or [www.montereywaterinfo.org](http://www.montereywaterinfo.org). There were **no** Water Waste responses during the past month. There were **no** repeated incidents that resulted in a fine.

## II. WATER DEMAND MANAGEMENT

#### A. Permit Processing

Since March 18, 2020, the District has been processing only electronic applications for Water Permits. Information can be found at <https://www.mpwmd.net/regulations/water-permits>.

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 **47** Water Permits from February 1, 2021 to February 28, 2021. **Three** Water Permits were issued using Water Entitlements (Pebble Beach Company, Malpas Water, etc.). No Water Permits involved a debit to a Public Water Credit Account. In addition to those Water Permits issued in February, **nine** Meter Permits and **one** Hydrant Meter Permit were issued. All Water Permits have a disclaimer informing applicants of the Cease and Desist Order against California American Water and that MPWMD reports Water Permit details to California American Water.

District Rule 24-3-A allows the addition of a second Bathroom in an existing Dwelling Unit. Of the **47** Water Permits issued from February 1, 2021, to February 28, 2021, **four** were issued under this provision.



B. Permit Compliance

District staff completed **eight** conditional Water Permit finals during February 2021. Staff completed **28** site inspections of vacant properties. **Twenty-two** properties passed and **four** failed due to unpermitted fixtures.

C. Deed Restrictions

District staff prepares deed restrictions that are recorded on the property title to provide notice of District Rules and Regulations, enforce Water Permit conditions, and provide notice of public access to water records. In April 2001, the District Board of Directors adopted a policy regarding the processing of deed restrictions. As of March 18, 2020, MPWMD offices are closed to the public. While still processing and issuing Water Permits, staff is no longer available for notary services. Applicants can obtain notary services at local UPS stores and other locations. Staff receives notarized deed restrictions via email and records the documents electronically with the County.

D. Rebates

Rebates continue to be processed during the Shelter-in-Place. The full list of available rebates can be found in Rule 141: <https://www.mpwmd.net/rules/Rule141-TableXIV-1.pdf>.

### **III FIX A LEAK WEEK**

The U.S. Environmental Protection Agency's (EPA's) WaterSense® program promotes its annual Fix a Leak Week in March as part of its efforts to encourage Americans to use water efficiently. The District, as a WaterSense Partner, supports the EPA's program and encourages the immediate repair of every leak. Our local water waste restrictions and the high cost of water on the Monterey Peninsula make it sensible for everyone to pay attention to their water use, including keeping a watchful eye for wasteful drips and leaks and for unusually high water bills that could indicate an unobvious leak.

During the week of March 15-21, 2021, the District urges everyone to [take the Ten Minute WaterSense Challenge](#) to detect and chase down leaks. If a leak is found, fix it immediately. Little drips can easily add up to lots of dollars. Similarly, if the public notices water leaks in the streets or dripping fire hydrants or water meters, report leaks by emailing [conserve@mpwmd.net](mailto:conserve@mpwmd.net) or call the Water Waste Hotline at 831-658-5653 or call California American Water at 888-673-6301. The District website also has a Water Waste red button on its homepage.

The EPA has a number of educational and fun activities related to Fix-A-Leak Week on its website at <https://www.epa.gov/watersense/fix-leak-week>.



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****20. CARMEL RIVER FISHERY REPORT FOR FEBRUARY 2021****Meeting Date: March 15, 2021 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Beverly Chaney 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.**

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**AQUATIC HABITAT AND FLOW CONDITIONS:** Following the only large storm to date of the rainy season in late January, dry weather returned in February. By month's end, Los Padres Reservoir was barely spilling, and river flows had dropped to 30 cubic-feet-per-second (cfs). Migration conditions for both upstream adults and downstream juveniles degraded from excellent in early February to poor by the end of the month.

January's mean daily streamflow at the Sleepy Hollow Weir decreased from 143 to 30 cfs (monthly mean 55.0 cfs) resulting in 3,060 acre-feet (AF) of runoff while the Highway 1 gage decreased from 154 to 27 cfs (monthly mean 55 cfs) resulting in 3,060 AF of runoff.

There were 0.41 inches of rainfall in February as recorded at the San Clemente gauge. The rainfall total for WY 2021 (which started on October 1, 2020) is 9.85 inches, or 64% of the long-term year-to-date average of 15.46 inches.

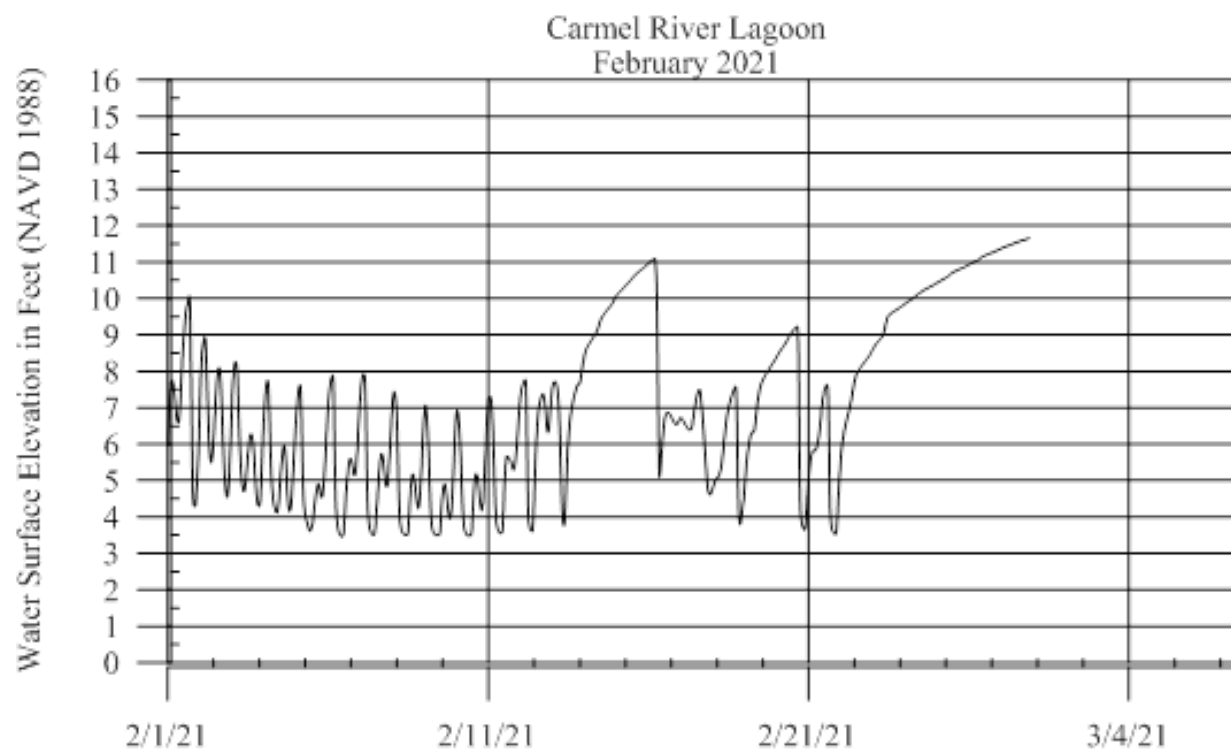
**CARMEL RIVER LAGOON:** The lagoon opened January 26, 2021. During February, the lagoon water surface elevation (WSE) rose and fell several times as the low river flow was insufficient to keep the sandbar open. The lagoon filled twice before breaching (the second time in early March) raising the WSE from approximately 3.5 to 11.8 feet and backwatering the river to the HW1 reach (North American Vertical Datum of 1988; NAVD 88) (See graph below).

Water quality depth-profiles were conducted at five sites on February 19, 2021 while the lagoon mouth was closed with tidal overwash, water surface elevation was 5.5 feet, and river inflow was 36 cfs. Steelhead rearing conditions were generally "good". Salinity ranged from 1 - 22 ppt, dissolved oxygen (DO) levels were variable ranging from 5 - 11 mg/l, and water temperatures were cool, ranging from 50 - 56 degrees F.

**RESISTANCE BOARD WEIR:** As part of the District's steelhead life cycle monitoring program, FishBio Consulting was hired to design and install a fish weir in the lower river to temporarily trap migrating adult steelhead for tagging and measurement. The installation was completed in January and after repairing minor damage to the weir from the high flows was fully operational the first week of February as the adult migration began.

The first fish were captured on February 3, 2021 and as of February 28th 50 adult, ocean-run steelhead had been captured, with 36 of those being PIT tagged. There was one recaptured fish that had been tagged in 2019.

Carmel River Lagoon Plot:



## ITEM: INFORMATIONAL ITEM/STAFF REPORT

## 21. MONTHLY WATER SUPPLY AND CALIFORNIA AMERICAN WATER PRODUCTION REPORT

Meeting Date: March 15, 2021 Budgeted: N/A

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

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.

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**Exhibit 21-A** shows the water supply status for the Monterey Peninsula Water Resources System (MPWRS) as of **March 1, 2021**. 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 21-A** is for Water Year (WY) 2021 and focuses on four 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 **February 2021** totaled **.041 inches** and brings the cumulative rainfall total for WY 2021 to **9.85 inches**, which is **64%** of the long-term average through **February**. Estimated unimpaired runoff through **February** totaled **3,067 acre-feet (AF)** and brings the cumulative runoff total for WY 2021 to **11,123 AF**, which is **30%** of the long-term average through **February**. Usable storage for the MRWPRS was **29,850 acre-feet**, which is **96%** of average through **February**, and equates to **90%** percent 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 7,310 AF of water from the Carmel River in WY 2021. Through **February**, using the CDO accounting method, Cal-Am has produced **1,822 AF** from the Carmel River (including ASR capped at 600 AF, Table 13, and 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 2021. Through **February**, Cal-Am has produced **896 AF** from the Seaside Groundwater Basin. Through **February**, **66 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **0 AF** have been recovered for customer use, **17 AF** have been diverted under Table 13 water rights, and **902 AF** of Pure Water Monterey recovered. Cal-Am has produced **3,603 AF** for customer use from all sources through **February**. **Exhibit 21-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****21-A** Water Supply Status: **March 1, 2021****21-B** Monthly Cal-Am production by source: WY 2021



**EXHIBIT 21-A**

**Monterey Peninsula Water Management District  
Water Supply Status  
March 1, 2021**

<b>Factor</b>	<b>Oct – Feb 2021</b>	<b>Average To Date</b>	<b>Percent of Average</b>	<b>Oct - Feb 2020</b>
<b>Rainfall</b> (Inches)	9.85	15.46	64%	11.48
<b>Runoff</b> (Acre-Feet)	11,123	36,789	30%	23,235
<b>Storage</b> <sup>5</sup> (Acre-Feet)	29,850	31,150	96%	31,420

**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 1922-2020 and 1902-2020 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 1989-2020 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 2021

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights				Water Projects and Rights Total
	Carmel River Basin <sup>2,6</sup>	Seaside Groundwater Basin		MPWRS Total	ASR Recovery	Table 13 <sup>7</sup>	Pure Water Monterey	Sand City <sup>3</sup>		
		Coastal	Laguna Seca						Ajudication Compliance	
Target	2,140	773	0	773	<b>2,913</b>	0	114	1,000	125	<b>1,239</b>
Actual <sup>4</sup>	1,822	808	88	896	<b>2,718</b>	0	17	902	49	<b>968</b>
Difference	318	-35	-88	-123	<b>195</b>	0	97	98	76	<b>271</b>
WY 2020 Actual	3,106	890	123	1,013	<b>4,126</b>	0	88	0	37	<b>125</b>

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, 66 AF and 17 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 2021

(All values in Acre-Feet)

	Carmel River Basin	Seaside Basin	ASR Recovery	Table 13	Sand City	Mal Paso	Pure Water Monterey	Total
Oct-20	293	266	0	0	10	5	300	874
Nov-20	233	219	0	0	0	5	300	757
Dec-20	314	276	0	0	7	6	100	703
Jan-21	343	130	0	13	12	5	150	652
Feb-21	531	6	0	4	20	5	52	617
Mar-21								
Apr-21								
May-21								
Jun-21								
Jul-21								
Aug-21								
Sep-21								
<b>Total</b>	<b>1,714</b>	<b>896</b>	<b>0</b>	<b>17</b>	<b>49</b>	<b>26</b>	<b>902</b>	<b>3,603</b>
<b>WY 2020</b>	<b>2,586</b>	<b>1,013</b>	<b>0</b>	<b>88</b>	<b>37</b>	<b>15</b>	<b>0</b>	<b>3,739</b>

1. This table is produced as a proxy for customer demand.
2. Numbers are provisional and are subject to correction.