



AGENDA
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District

Monday, March 16, 2026 at 6:00 p.m. [PST]

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

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

To Join via Zoom- Teleconferencing means, please click the link below:
<https://mpwmd-net.zoom.us/j/88198780072?pwd=nLyBCbu15lpDxR8rDbtvfvVJ9nYOdY.1>

Webinar ID: **881 9878 0072** | Passcode: **031626** | To Participate by Phone: **(669) 900-9128**

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

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

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

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

<p style="text-align: center;"><u>Board of Directors</u> Ian Oglesby, Chair – Mayoral Representative Rebecca Lindor, Vice-Chair – Division 3 Alvin Edwards – Division 1 George Riley – Division 2 Karen Paul – Division 4 Marianne Gawain – Division 5 Kate Daniels – Monterey County Board of Supervisors Representative</p> <p style="text-align: center;"><u>General Manager</u> David J. Stoldt</p> <p style="text-align: center;"><u>Assistant General Manager</u> Mike McCullough</p>	<p style="text-align: center;"><u>Mission Statement</u> Sustainably manage and augment the water resources of the Monterey Peninsula to meet the needs of its residents and businesses while protecting, restoring, and enhancing its natural and human environments.</p> <p style="text-align: center;"><u>Vision Statement</u> Model ethical, responsible, and responsive governance in pursuit of our mission.</p> <p style="text-align: center;"><u>Board’s Goals and Objectives</u> Are available online at: https://www.mpwmd.net/who-we-are/mission-vision-goals/</p>
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CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

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

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

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

1. Consider Adoption of Minutes of the Regular Board Meeting on February 23, 2026
2. Consider Adoption of Treasurer’s Report for January 2026
3. Consider Partnering with the Seaside Watermaster to Install a New Seawater Intrusion Monitoring Well on the Fort Ord Dunes State Park

GENERAL MANAGER’S REPORT

4. General Manager’s Report (*Verbal Report*)
5. Fix a Leak Week -- March 16 through 22, 2026 (*Verbal Report*)

REPORT FROM DISTRICT COUNSEL

6. General Report of Pending Litigation

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

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

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

8. Consider First Reading of Ordinance No. 201 – Amending Rules 10, 11, 23, 24, 25.5, 33, 141, 142, 160, 163, 164, 165 and 167

Recommended Action: The Board will consider the first reading of Ordinance No. 201 clarifying and updating various rules pertaining to Water Permits, the District Reserve Allocation, Water Use Credit, rebates, water efficiency standards, and water supply.

9. Consider Adoption of 2025 MPWMD Annual Report

Recommended Action: The Board will conduct a public hearing and adopt the proposed 2025 MPWMD

Annual Report with any changes or edits as recommended.

10. Consider Adoption of April through June 2026 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 2026. The strategy sets monthly goals for surface and groundwater production from various sources within the California American Water systems.

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

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

11. Consider Development of a Pilot Citizens Water Panel for 2026

Recommended Action: Staff recommends that the Board approve development a Pilot Citizens Water Panel for 2026 and authorize the General Manager to expend up to \$10,000 for implementation costs.

12. Consider Adoption of District Strategic Goals and Objectives for 2026

Recommended Action: The Board will consider adopting the District’s Strategic Goals and Objectives for 2026.

13. Consider Approval of Additional Budget for Legal Services from Shute Mihaly & Weinberger and Richards Watson Gershon (RWG Law)

Recommended Action: The Board will consider approving additional funds for Shute Mihaly & Weinberger for LAFCO and Measure J litigation efforts, and RWG Law for the Coastal Commission appeal.

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

14. Report on Activity/Progress on Contracts Over \$25,000

15. Status Report on Expenditures – Public’s Ownership of Monterey Water System

16. Letters Received and Sent

17. Committee Reports

18. Monthly Allocation Report

19. Water Efficiency Program Report for February 2026

20. Carmel River Fishery Report for February 2026

21. Monthly Water Supply and California American Water Production Report

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

ADJOURNMENT

Board Meeting Schedule		
Monday, April 20, 2026	<i>Regular</i>	6:00 p.m.
Monday, May 18, 2026	<i>Regular</i>	6:00 p.m.

Accessibility

In accordance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Submit requests at least 48 hours prior to the scheduled meeting date/time to Sara Reyes, Board Clerk by e-mail at sara@mpwmd.net or at (831) 658-5610.

Options for Providing Public Comment

Attend In-Person

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

Submission of Written Public Comment

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

Instructions for Connecting to the Zoom Meeting can be found at

<https://www.mpwmd.net/instructions-for-connecting-to-the-zoom-meetings/>

Refer to the Meeting Rules to review the complete Rules of Procedure for MPWMD Board and Committee Meetings:

<https://www.mpwmd.net/who-we-are/board-of-directors/meeting-rules-of-the-mpwmd/>

ITEM: CONSENT CALENDAR**1. CONSIDER ADOPTION OF MINUTES OF THE REGULAR BOARD MEETING ON FEBRUARY 23, 2026**

Meeting Date:	February 23, 2026	Budgeted:	N/A
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From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
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Prepared By:	Sara Reyes	Cost Estimate:	N/A
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General Counsel Review: N/A**Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Attached for consideration are the draft minutes of the MPWMD Board of Directors' Regular Meeting held on February 23, 2026 (**Exhibit 1-A**).**RECOMMENDATION:** The Board will consider adopting the draft minutes from the Regular Meeting held on February 23, 2026.**EXHIBIT****1-A** Draft Minutes - MPWMD Board of Directors' Regular Meeting on February 23, 2026.

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EXHIBIT 1-A

**Draft Minutes
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
February 23, 2026 at 6:00 p.m.**

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

CALL TO ORDER

Chair Oglesby called the regular session to order at 6:01 p.m.

ROLL CALL

Board Members Present:

Ian Oglesby, Chair
Rebecca Lindor, Vice-Chair
Alvin Edwards
George Riley
Karen Paull
Marianne Gawain
Kate Daniels

Board Members Absent:

None

District Staff Members Present:

David Stoldt, General Manager
Mike McCullough, Assistant General Manager
Nishil Bali, Chief Financial Officer/Administrative Services Manager
Stephanie Locke, Water Demand Manager
Sara Reyes, Clerk of the Board / Executive Assistant

Jonathan Lear, Water Resources Manager
Maureen Hamilton, District Engineer
Thomas Christensen, Environmental Resources Manager

District Counsel Present:

Michael Laredo, De Lay & Laredo

PLEDGE OF ALLEGIANCE

The assembly recited the Pledge of Allegiance.

ADDITIONS AND CORRECTIONS TO THE AGENDA

None

ORAL COMMUNICATIONS

Chair Oglesby opened the Oral Communications period, and the following comments were received:

- 1) Tom Rowley referenced a recent *Monterey Herald* editorial by Jeff Davi of the Coalition of Peninsula Businesses, stating it argued against withdrawing from the CDO until the desalination project is clearly

progressing. He noted community views remain divided and emphasized the need for clear public information, expressing interest in the Board’s proposed citizens panel.

- 2) Michael Baer criticized Cal-Am and the CPUC, noting that CPUC reports show the desalination project nearing \$250 million in spending despite no groundbreaking and no budget update since 2018. He questioned the feasibility of the proposed plant size and referenced a 2016 State Water Resources Control Board hearing that framed supply planning as a “three-legged stool.” He stated that current conditions—where supply exceeds demand—support lifting the CDO and urged the District to press Cal-Am to explain rising costs and lack of progress.
- 3) Susan Schiavone, noted that she submitted a letter previously sent to the CPUC, explaining that its limited word-count requirements resulted in shortened or “choppy” grammar. She also encouraged the Board to read a recent guest editorial by LandWatch Director Michael DeLapa, which she offered as an alternative perspective to other editorials referenced during the meeting.

CONSENT CALENDAR

Chair Oglesby introduced the item.

Director Edwards requested Item 5 be pulled for discussion and asked that information from the recent Finance and Administration committee meeting be shared publicly to show how the District is performing with its investments. Chief Financial Officer Nishil Bali provided a brief overview as requested.

Chair Oglesby opened Public Comment, and the following comment was received:

- 1) Susan Schiavone expressed appreciation for the positive investment results, noting the significant improvement since 2022 and thanking staff for the update.

Director Daniels offered a motion, seconded by Director Lindor, to approve Consent Calendar items 1 through 4. The motion passed by a voice vote of 7 Ayes (Edwards, Daniels, Lindor, Paull, Oglesby, Gawain and Riley) and 0 Noes.

Director Edwards offered a motion, seconded by Director Lindor, to approve Item 5. The motion passed by a voice vote of 7 Ayes (Edwards, Daniels, Lindor, Paull, Oglesby, Gawain and Riley) and 0 Noes.

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

1. **Consider Adoption of Minutes of the Regular Board Meeting on January 26, 2026**
2. **Consider Adoption of Treasurer’s Report for December 2025**
3. **Receive and File Second Quarter Financial Activity Report for Fiscal Year 2025-2026**
4. **Consider Approval of Annual Update on Investment Policy**
5. **Consider Approval of the Second Quarter Fiscal Year 2025-2026 Investment Report**

GENERAL MANAGER’S REPORT

Chair Oglesby introduced the item.

6. General Manager’s Report

General Manager Dave Stoldt reported that Table 13 winter water rights are active, Carmel River use remains low, Sand City desalination production was strong, and Pure Water Monterey deliveries continue to increase. Demand is about 153 acre-feet below last year, and ASR storage is rising due to sustained injection supported by above-normal rainfall.

Mr. Stoldt summarized Cal-Am’s SEC Form 10-K, noting \$324 million in total desalination-project costs, including \$107 million in AFUDC. About \$217 million is associated with previously approved pipeline and well projects, leaving roughly \$94 million in plant-related expenditures and about \$99 million in AFUDC tied to the desalination facility. He noted the project budget has not been updated since 2017, but the SEC-reported figures are current.

The General Manager also reported that the District’s acquisition case is expected to be bifurcated, with a bench

trial on activation of latent powers anticipated for the summer, followed later by the eminent-domain right-to-take phase.

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

Chair Oglesby opened Public Comment; however, no comments were received.

REPORT FROM DISTRICT COUNSEL

Chair Oglesby introduced the item.

7. Report from District Counsel

District Counsel David Laredo referenced the litigation report on page 49 of the meeting packet and provided a summary of ongoing legal matters.

Chair Oglesby opened Public Comment; however, no comments were received.

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

Chair Oglesby introduced the item.

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

- Director Edwards thanked District staff, the General Manager, and others who participated in the recent CPUC event in Sand City, as well as Susan Schiavone for her submitted letter. He expressed appreciation for their efforts to keep the public informed.

PUBLIC HEARING

Chair Oglesby introduced the item.

9. Consider Second Reading and Adoption of Ordinance No. 200 – Repealing Ordinance No, 152

General Manager Stoldt reported on this item and referenced the staff report on page 53. He explained that there have been no changes from the first reading and staff is recommending adoption of the ordinance.

Chair Oglesby opened Public Comment; however, no comments were received.

A motion was made by Director Gawain, seconded by Director Paull, to recommend that the Board adopt Ordinance No. 200. The motion passed by a roll call vote of 7 Ayes (Edwards, Daniels, Lindor, Paull, Oglesby, Gawain and Riley) and 0 Noes.

ACTION ITEM

Chair Oglesby introduced the item.

10. Consider Request by All Saints Day School for District Reserve Water for its Field House Project at 8060 Carmel Valley Road, Carmel (APN 169-181-057)

Director Daniels announced she would be recusing herself from this item since her son is a current student at the school.

Stephanie Locke, Water Demand Manager, provided an overview of this item and answered questions from the Board. The applicant Sara Brown, Head of School, and Joel Panzer with Maureen Wruck Planning Consultants, were invited to answer questions from the Board.

Chair Oglesby opened the Public Comment period, and the following comment was received:

- 1) A Carmel Valley resident living across from All Saints Day School expressed concerns that the school's current operations— including expanded hours, increased traffic, weekend and evening events, portable

floodlights, and broader public use—exceed the conditions originally approved for the athletic facilities. She urged the Board to review whether these expanded uses represent a change in purpose that should undergo public review before additional water is granted.

A motion was made by Director Riley, seconded by Director Edwards to recommend that the Board approve 0.204 AF of District Reserve for All Saints Day School. The motion passed by a voice vote of 5 Ayes (Edwards, Lindor, Paull, Oglesby, and Riley), 1-recusal (Daniels), and 1abstention (Gawain).

11. Consider Adoption of Mid-Year Fiscal Year 2025-2026 Budget Adjustment

Nishil Bali, Chief Financial Officer/ASD Manager, provided an overview of this item through a slide-deck presentation titled "Consider Adoption of Mid-Year Budget Adjustments for Fiscal Year 2025-2026." He reviewed key components of the budget and answered questions from the Board.

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

A motion was made by Director Lindor, seconded by Director Paull, to adopt the proposed mid-year budget adjustment for FY 2025-2026. The motion passed by a voice vote of 7 Ayes (Edwards, Daniels, Lindor, Paull, Oglesby, Gawain and Riley) and 0 Noes.

INFORMATIONAL ITEMS/STAFF REPORTS:

- 12. Report on Activity/Progress on Contracts Over \$25,000**
- 13. Status Report on Expenditures – Public’s Ownership of Monterey Water System**
- 14. Letters Received and Sent**
- 15. Committee Reports**
- 16. Monthly Allocation Report**
- 17. Water Efficiency Program Report**
- 18. Carmel River Fishery Report for January 2026**
- 19. Monthly Water Supply and California American Water Production Report**

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

ADJOURNMENT

There being no further business, Chair Oglesby adjourned the meeting at 7:38 p.m.

Sara Reyes, Deputy District Secretary

Minutes approved by the MPWMD Board of Directors on _____.

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ITEM: CONSENT CALENDAR**2. CONSIDER ADOPTION OF TREASURER'S REPORT FOR JANUARY 2026**

Meeting Date:	March 16, 2026	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
Prepared By:	Nishil Bali	Cost Estimate:	N/A

General Counsel Review: N/A**Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Exhibit 2-A comprises the Treasurer's Report for January 2026. Exhibit 2-B includes listings of check disbursements for the period January 1-31, 2026. Checks, virtual checks (AP Automation), direct deposits of employee paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$6,337,569.44, including rebate payments of \$11,289.59. Exhibit 2-C reflects the unaudited version of the Statement of Revenues and Expenditures for the month ending January 31, 2026.

RECOMMENDATION: Staff recommends that the Board adopt the January 2026 Treasurer's Report and Statement of Revenues and Expenditures, and ratify the disbursements made during the month.

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

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT FOR JANUARY 2026**

<u>Description</u>	<u>Checking</u>	<u>MPWMD Money Market</u>	<u>California CLASS</u>	<u>L.A.I.F.</u>	<u>Multi-Bank Securities</u>	<u>MPWMD Total</u>	<u>PB Reclamation Money Market</u>
Beginning Balance (A)	\$1,862,365.78	\$6,794,630.64	\$1,040,576.91	\$16,420,180.86	10,750,668.42	\$36,868,422.61	\$334,582.28
Fees/Deposits		3,287,060.73				3,287,060.73	18,269.57
MoCo Tax & WS Chg Installment Pymt						0.00	
Line of Credit Draw/Payoff						0.00	
Interest Received			3,343.18	173,620.98	29,797.11	206,761.27	
Transfer - Checking/CLASS						0.00	
Transfer - Money Market/LAIF						0.00	
Transfer - Money Market/Checking	5,500,000.00	(3,000,000.00)				2,500,000.00	
Transfer - Money Market/Multi-Bank						0.00	
Transfer - Money Market/Wells Fargo						0.00	
Transfer to CAWD						0.00	(334,000.00)
<i>Sub-total - Receipts/Transfers (B)</i>	<i>\$5,500,000.00</i>	<i>\$287,060.73</i>	<i>\$3,343.18</i>	<i>173,620.98</i>	<i>\$29,797.11</i>	<i>\$5,993,822.00</i>	<i>(\$315,730.43)</i>
[1] AP Automation Payments	(114,334.63)					(114,334.63)	
[2] General Checks	(5,962,321.77)					(5,962,321.77)	
[3] Bank Draft Payments	(31,734.13)					(31,734.13)	
[3] Payroll Tax/Benefit Deposits	(138,723.80)					(138,723.80)	
[4] Rebate Payments	(11,289.59)					(11,289.59)	
* Payroll Checks/Direct Deposits	(187,178.97)					(187,178.97)	
** Bank Charges/Other	(2,328.85)					(2,328.85)	
*** Bank Corrections/Reversals	110,342.30					110,342.30	
Voided Checks	-					0.00	
Credit Card Fees						0.00	
Returned Deposits						0.00	
<i>Sub-total - Disbursements (C)</i>	<i>(6,337,569.44)</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>(6,337,569.44)</i>	<i>-</i>
Ending Balance (A+B+C)	\$1,024,796.34	\$7,081,691.37	\$1,043,920.09	\$16,593,801.84	\$10,780,465.53	\$36,524,675.17	\$18,851.85

* Total amount of District Employee and Board payroll in January

** Merchant account fees from Bank of America

*** Includes a payment reversal and re-issue of \$129,974 to Monterey One Water for the SWRCB grant and a -\$43,004 'post date' change for a Laborers payment, among other minor reversals

EXHIBIT 2-B

11

Check Report

By Check Number

Date Range: 01/01/2026 - 01/31/2026



Monterey Peninsula Water Management District

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK	-Bank of America Checking					
Payment Type: Regular						
00274	Monterey One Water (Water payment)	01/02/2026	Regular	0.00	2,236,152.60	41015
00274	Monterey One Water (UCD Grant)	01/14/2026	Regular	0.00	3,720,914.42	41018
01195	California Dept. of Fish & Wildlife Monterey	01/14/2026	Regular	0.00	5,014.75	41019
01002	County Clerk	01/14/2026	Regular	0.00	50.00	41020
00769	Laborers Trust Fund of Northern CA	01/20/2026	Regular	0.00	150.00	41021
03979	Special Districts Association of Monterey Count	01/20/2026	Regular	0.00	40.00	41022
Total Regular:				0.00	5,962,321.77	--[2]

Check Report

Date Range: 01/01/2026 - 01/31/2026

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Virtual Payment						
00192	Extra Space Storage	01/02/2026	Virtual Payment	0.00	510.00	APA007931
04717	Inder Osahan	01/02/2026	Virtual Payment	0.00	1,417.20	APA007932
27302	Kyocera Document Solutions America, Inc.	01/02/2026	Virtual Payment	0.00	535.75	APA007933
13396	Navia Benefit Solutions, Inc.	01/02/2026	Virtual Payment	0.00	1,356.94	APA007934
13394	Regional Government Services	01/02/2026	Virtual Payment	0.00	3,244.30	APA007935
00251	Rick Dickhaut	01/02/2026	Virtual Payment	0.00	586.00	APA007936
00176	Sentry Alarm Systems	01/02/2026	Virtual Payment	0.00	185.50	APA007937
00225	AAA Workspace	01/09/2026	Virtual Payment	0.00	58.79	APA007938
01015	American Lock & Key	01/09/2026	Virtual Payment	0.00	22.40	APA007939
00224	City of Monterey	01/09/2026	Virtual Payment	0.00	697.75	APA007940
00281	CoreLogic Information Solutions, Inc.	01/09/2026	Virtual Payment	0.00	1,387.49	APA007941
18225	DUDEK	01/09/2026	Virtual Payment	0.00	1,550.00	APA007942
00993	Harris Court Business Park	01/09/2026	Virtual Payment	0.00	793.39	APA007943
00094	John Arriaga	01/09/2026	Virtual Payment	0.00	4,500.00	APA007944
31342	Kennedy/Jenks Consultants, Inc	01/09/2026	Virtual Payment	0.00	1,836.52	APA007945
13431	Lynx Technologies, Inc	01/09/2026	Virtual Payment	0.00	3,150.00	APA007946
00222	M.J. Murphy	01/09/2026	Virtual Payment	0.00	40.78	APA007947
00242	MBAS	01/09/2026	Virtual Payment	0.00	1,748.00	APA007948
26785	Monterey Bay Pest Control, Inc.	01/09/2026	Virtual Payment	0.00	135.00	APA007949
16182	Monterey County Weekly	01/09/2026	Virtual Payment	0.00	485.00	APA007950
22201	Montgomery & Associates	01/09/2026	Virtual Payment	0.00	3,840.00	APA007951
13396	Navia Benefit Solutions, Inc.	01/09/2026	Virtual Payment	0.00	201.10	APA007952
05053	Pacific Smog	01/09/2026	Virtual Payment	0.00	87.50	APA007953
00036	Parham Living Trust	01/09/2026	Virtual Payment	0.00	850.00	APA007954
00154	Peninsula Messenger Service	01/09/2026	Virtual Payment	0.00	665.00	APA007955
00755	Peninsula Welding Supply, Inc.	01/09/2026	Virtual Payment	0.00	139.05	APA007956
00262	Pure H2O	01/09/2026	Virtual Payment	0.00	65.54	APA007957
40998	RWG Law	01/09/2026	Virtual Payment	0.00	4,987.50	APA007958
00987	SDRMA - Prop & Liability Pkg	01/09/2026	Virtual Payment	0.00	95.00	APA007959
09989	Star Sanitation Services	01/09/2026	Virtual Payment	0.00	140.91	APA007960
04359	The Carmel Pine Cone	01/09/2026	Virtual Payment	0.00	400.00	APA007961
09425	The Ferguson Group LLC	01/09/2026	Virtual Payment	0.00	6,300.00	APA007962
17965	The Maynard Group	01/09/2026	Virtual Payment	0.00	1,828.59	APA007963
06009	yourservicesolution.com	01/09/2026	Virtual Payment	0.00	379.00	APA007964
41145	Advance Cleaning 365, Inc.	01/14/2026	Virtual Payment	0.00	1,850.00	APA007965
00760	Andy Bell	01/14/2026	Virtual Payment	0.00	604.00	APA007966
00263	Arlene Tavani	01/14/2026	Virtual Payment	0.00	1,131.90	APA007967
16237	California Water Efficiency Partnership	01/14/2026	Virtual Payment	0.00	925.00	APA007968
00028	Colantuono, Highsmith, & Whatley, PC	01/14/2026	Virtual Payment	0.00	838.00	APA007969
06001	Cypress Coast Ford	01/14/2026	Virtual Payment	0.00	1,102.85	APA007970
18734	DeVeera Inc.	01/14/2026	Virtual Payment	0.00	7,959.86	APA007971
18225	DUDEK	01/14/2026	Virtual Payment	0.00	2,103.75	APA007972
02833	Greg James	01/14/2026	Virtual Payment	0.00	1,499.18	APA007973
06999	KBA Document Solutions, LLC	01/14/2026	Virtual Payment	0.00	316.94	APA007974
05830	Larry Hampson	01/14/2026	Virtual Payment	0.00	1,410.00	APA007975
00242	MBAS	01/14/2026	Virtual Payment	0.00	2,321.00	APA007976
13396	Navia Benefit Solutions, Inc.	01/14/2026	Virtual Payment	0.00	1,502.11	APA007977
05053	Pacific Smog	01/14/2026	Virtual Payment	0.00	43.75	APA007978
00755	Peninsula Welding Supply, Inc.	01/14/2026	Virtual Payment	0.00	100.43	APA007979
19700	Shute, Mihaly & Weinberger LLP	01/14/2026	Virtual Payment	0.00	1,068.00	APA007980
04366	Tom Lindberg	01/14/2026	Virtual Payment	0.00	1,215.10	APA007981
23550	WellmanAD	01/14/2026	Virtual Payment	0.00	7,875.00	APA007982
20230	Zoom Video Communications Inc	01/14/2026	Virtual Payment	0.00	492.76	APA007983
28398	A Tool Shed Equipment Rentals	01/23/2026	Virtual Payment	0.00	226.97	APA008025
00983	Beverly Chaney	01/23/2026	Virtual Payment	0.00	1,499.18	APA008026
12601	Carmel Valley Ace Hardware	01/23/2026	Virtual Payment	0.00	192.52	APA008027
00224	City of Monterey	01/23/2026	Virtual Payment	0.00	4,510.51	APA008028
14036	City of Sand City	01/23/2026	Virtual Payment	0.00	268.75	APA008029
00192	Extra Space Storage	01/23/2026	Virtual Payment	0.00	510.00	APA008030
03857	Joe Oliver	01/23/2026	Virtual Payment	0.00	2,295.60	APA008031

Check Report

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
24166	Kevin Robert Knapp	01/23/2026	Virtual Payment	0.00	1,562.50	APA008032
27302	Kyocera Document Solutions America, Inc.	01/23/2026	Virtual Payment	0.00	535.75	APA008033
00222	M.J. Murphy	01/23/2026	Virtual Payment	0.00	55.39	APA008034
05829	Mark Bekker	01/23/2026	Virtual Payment	0.00	375.67	APA008035
00242	MBAS	01/23/2026	Virtual Payment	0.00	1,327.00	APA008036
13396	Navia Benefit Solutions, Inc.	01/23/2026	Virtual Payment	0.00	1,502.11	APA008037
00036	Parham Living Trust	01/23/2026	Virtual Payment	0.00	850.00	APA008038
09989	Star Sanitation Services	01/23/2026	Virtual Payment	0.00	164.21	APA008039
04708	Tyler Business Forms	01/23/2026	Virtual Payment	0.00	508.84	APA008040
11622	United States Geologic Survey	01/23/2026	Virtual Payment	0.00	19,370.00	APA008041
Total Virtual Payment:				0.00	114,334.63	--[1]

Check Report

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Bank Draft						
00769	Laborers Trust Fund of Northern CA	01/20/2026	Bank Draft	0.00	-150.00	DFT0004055
00252	Cal-Am Water	01/02/2026	Bank Draft	0.00	393.48	DFT0004065
00277	Home Depot Credit Services	01/02/2026	Bank Draft	0.00	99.59	DFT0004066
00282	PG&E	01/02/2026	Bank Draft	0.00	3,219.60	DFT0004069
00221	Verizon Wireless	01/02/2026	Bank Draft	0.00	1,078.69	DFT0004070
18163	Wex Bank	01/02/2026	Bank Draft	0.00	87.77	DFT0004071
00266	I.R.S.	01/09/2026	Bank Draft	0.00	18,779.89	DFT0004072
00266	I.R.S.	01/09/2026	Bank Draft	0.00	4,189.26	DFT0004073
00267	Employment Development Dept.	01/09/2026	Bank Draft	0.00	7,740.96	DFT0004074
29035	BlueTriton Brands Inc	01/08/2026	Bank Draft	0.00	309.40	DFT0004075
00277	Home Depot Credit Services	01/08/2026	Bank Draft	0.00	398.72	DFT0004076
00282	PG&E	01/08/2026	Bank Draft	0.00	28.01	DFT0004077
04736	Pitney Bowes Global Financial Svc, LLC	01/08/2026	Bank Draft	0.00	437.59	DFT0004078
00766	Standard Insurance Company	01/08/2026	Bank Draft	0.00	1,652.65	DFT0004079
00266	I.R.S.	01/09/2026	Bank Draft	0.00	66.58	DFT0004080
00266	I.R.S.	01/09/2026	Bank Draft	0.00	284.58	DFT0004081
00768	MissionSquare Retirement- 302617	01/09/2026	Bank Draft	0.00	12,673.90	DFT0004083
00256	PERS Retirement	01/09/2026	Bank Draft	0.00	26,123.23	DFT0004084
00282	PG&E	01/14/2026	Bank Draft	0.00	33.93	DFT0004085
18163	Wex Bank	01/14/2026	Bank Draft	0.00	1,053.52	DFT0004086
00266	I.R.S.	01/23/2026	Bank Draft	0.00	18,873.76	DFT0004091
00266	I.R.S.	01/23/2026	Bank Draft	0.00	4,218.88	DFT0004092
00267	Employment Development Dept.	01/23/2026	Bank Draft	0.00	7,640.81	DFT0004093
00266	I.R.S.	01/23/2026	Bank Draft	0.00	62.50	DFT0004094
29035	BlueTriton Brands Inc	01/26/2026	Bank Draft	0.00	229.19	DFT0004095
00259	Marina Coast Water District	01/26/2026	Bank Draft	0.00	3,222.72	DFT0004096
00768	MissionSquare Retirement- 302617	01/23/2026	Bank Draft	0.00	10,373.90	DFT0004097
00256	PERS Retirement	01/23/2026	Bank Draft	0.00	26,192.90	DFT0004098
00282	PG&E	01/23/2026	Bank Draft	0.00	11,785.31	DFT0004099
00269	U.S. Bank	01/28/2026	Bank Draft	0.00	9,356.61	DFT0004100
Total Bank Draft:				0.00	170,457.93	--[3]

Breakdown:

- Bank Draft Payments - \$31,734.13 (From [Exhibit A of Treasurer's Report](#))
- Payroll Tax/Benefit Deposits - \$138,723.80 (From [Exhibit A of Treasurer's Report](#))

Total Bank Drafts (1+2) - \$170,457.93 (Report) --[3]



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
 STATEMENT OF REVENUES AND EXPENDITURES
 FOR THE MONTH JANUARY 31, 2026

	<u>Mitigation</u>	<u>Conservation</u>	<u>Water Supply</u>	<u>Current Period Activity</u>	<u>Current FY Year-to-Date Actual</u>	<u>Current FY Annual Budget</u>	<u>Prior FY Year-to-Date Actual</u>
REVENUES							
Property taxes	\$ -	\$ -	\$ -	\$ -	\$ 1,616,134	\$ 3,000,000	\$ 1,572,150
Water supply charge			-	-	-	-	-
User fees	121,650	116,469	345,888	584,007	3,826,658	7,800,000	4,221,005
PWM Water Sales			2,666,133	2,666,133	13,283,099	20,963,250	8,547,479
Capacity fees			19,382	19,382	475,361	450,000	304,196
Permit fees	-	15,587		15,587	154,989	198,000	115,520
Investment income	68,520	68,520	70,597	207,637	572,711	600,000	488,679
Miscellaneous	832	832	857	2,520	4,942	15,000	6,895
Sub-total district revenues	191,002	201,407	3,102,857	3,495,267	19,933,895	33,026,250	15,255,924
Project reimbursements	-	-	-	-	194,739	1,024,693	829,239
Legal fee reimbursements		300		300	3,974	15,000	2,250
Grants	-	-	-	-	4,395,869	11,840,610	5,101,264
Recording fees		4,875		4,875	34,625	65,000	32,683
Sub-total reimbursements	-	5,175	-	5,175	4,629,207	12,945,303	5,965,436
From Reserves	-	-	-	-	-	613,316	-
Total revenues	191,002	206,582	3,102,857	3,500,442	24,563,102	46,584,868	21,221,360
EXPENDITURES							
Personnel:							
Salaries	42,530	169,835	80,826	293,191	2,102,295	3,853,000	1,850,191
Retirement	5,056	14,902	9,218	29,176	901,990	1,152,715	783,709
Unemployment Compensation	-	-	-	-	-	10,100	-
Auto Allowance	148	148	443	738	5,317	11,000	3,346
Deferred Compensation	187	187	561	935	6,732	21,614	6,069
Temporary Personnel	-	-	-	-	-	10,000	-
Workers Comp. Ins.	1,023	965	5,435	7,423	55,809	107,950	48,650
Employee Insurance	10,894	31,859	14,273	57,026	381,804	732,922	353,624
Medicare & FICA Taxes	687	2,444	1,229	4,359	33,982	82,188	28,425
Personnel Recruitment	-	-	-	-	-	11,500	11,290
Other benefits	302	292	320	914	2,115	2,000	2,090
Staff Development	198	192	210	600	9,799	26,400	11,928
Sub-total personnel costs	61,024	220,823	112,515	394,362	3,499,842	6,021,389	3,099,322
Services & Supplies:							
Board Member Comp	535	535	551	1,620	15,120	37,000	14,445
Board Expenses	59	58	63	180	6,733	10,000	2,102
Rent	593	163	604	1,360	10,030	30,000	8,537
Utilities	1,322	1,257	1,374	3,953	28,958	45,200	25,699
Telephone	1,021	906	865	2,793	20,764	40,800	20,929
Facility Maintenance	696	675	738	2,109	36,674	95,100	28,616
Bank Charges	769	745	815	2,329	9,342	68,000	9,144
Office Supplies	401	362	396	1,159	14,467	46,700	7,391
Courier Expense	128	124	135	387	4,516	7,600	4,109
Postage & Shipping	-	-	-	-	25,274	30,500	322
Equipment Lease	179	114	144	438	875	13,200	2,219
Equip. Repairs & Maintenance	-	-	-	-	40	5,100	1,568
Printing/Duplicating/Binding	-	-	-	-	2,378	2,600	-
IT Supplies/Services	3,185	3,117	3,351	9,653	193,036	299,100	178,580
Operating Supplies	1,288	1,316	75	2,678	17,425	25,100	18,078
Legal Services	12,432	7,812	9,667	29,910	228,090	400,000	252,751
Professional Fees	4,307	4,176	4,568	13,050	238,430	388,200	255,438
Transportation	322	53	158	533	20,398	58,700	30,868



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
 STATEMENT OF REVENUES AND EXPENDITURES
 FOR THE MONTH JANUARY 31, 2026

	<u>Mitigation</u>	<u>Conservation</u>	<u>Water Supply</u>	<u>Current Period Activity</u>	<u>Current FY Year-to-Date Actual</u>	<u>Current FY Annual Budget</u>	<u>Prior FY Year-to-Date Actual</u>
Travel	311	34	186	530	15,898	37,600	5,369
Meeting Expenses	501	486	532	1,519	11,544	24,700	16,051
Insurance	8,649	8,387	9,174	26,210	183,567	342,000	166,711
Legal Notices	-	-	-	-	-	5,700	2,145
Membership Dues	1,658	2,533	1,758	5,949	39,325	51,900	36,099
Public Outreach	444	430	471	1,345	6,377	6,000	5,325
Assessors Administration Fee	-	-	-	-	499	25,100	-
Miscellaneous	-	-	-	-	-	3,500	420
Sub-total services & supplies costs	38,800	33,281	35,624	107,705	1,129,760	2,099,400	1,092,916
Project expenditures	12,375	11,543		23,918	15,140,038	37,525,880	12,447,368
Fixed assets	-	-	-	-	2,447	92,200	12,119
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	-	250,000	-
Debt service: Interest	-	-	-	-	-	-	464
Capital equipment reserve	-	-	-	-	-	326,000	-
Pension reserve	-	-	-	-	-	100,000	-
OPEB reserve	-	-	-	-	-	100,000	-
Sub-total other	12,375	11,543	-	23,918	15,142,485	38,464,080	12,459,950
Total expenditures	112,199	265,647	148,139	525,985	19,772,087	46,584,868	16,652,188
Excess (Deficiency) of revenues over expenditures	\$ 78,802	\$ (59,065)	\$ 2,954,719	\$ 2,974,456	\$ 4,791,015	\$ (0)	\$ 4,569,172

The FY 2025-26 Mid-year Budget Adjustments were adopted on Feb 16, 2025 and will be reflected in the February report

ITEM: CONSENT CALENDAR**3. CONSIDER PARTNERING WITH THE SEASIDE WATERMASTER TO
INSTALL A NEW SEAWATER INTRUSION MONITORING WELL ON THE
FORT ORD DUNES STATE PARK**

Meeting Date:	March 16, 2026	Budgeted:	No
From:	David J. Stoldt General Manager	Program/ Line Item:	Water Supply Projects N/A
Prepared By:	Jonathan Lear	Cost Estimate:	Estimated \$40,000

General Counsel Review: N/A**Committee Recommendation: The Water Supply Planning Committee discussed this item on March 2, 2026 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

SUMMARY: In 2007 the Seaside Watermaster drilled 4 wells along the coast in what is now the Fort Ord Dunes State Park. At the time of well installation, the land was still owned by the Army. The 4 wells are named Sentinel Wells, and they serve the purpose of monitoring for seawater intrusion at the coast for the Seaside Groundwater Basin. A map of the well locations is included as **Exhibit 3-A**.

A monitoring program was also developed for these wells which drove the infrastructure that was installed in 2007. Instead of drilling multiple wells completed at different depths in the different aquifer units, which was the traditional approach, the Watermaster Technical Advisory Committee (TAC) adopted a different approach for this coastal monitor network. To reduce the cost of installing multiple differing depth wells at each location, only one deep well was drilled in each location. Instead of traditional water samples, the TAC decided to use the comparison of repetitive induction log measurements to measure if water quality was changing at the Sentinel Well locations. Induction logging is a process of lowering an instrument into the well that induces an electrical charge in the well and measures the electrical conductivity of the materials in the earth continuously as the instrument is lowered in the well. This process produces a vertical profile of the electrical conductivity of the strata surrounding the well. An example of the induction logs collected from the Sentinel Wells is included in this report as **Exhibit 3-B**.

By comparing the induction logs to each other over time, one can watch to see if they are changing. The induction log is the measure of the electrical conductivity of both the rocks and the water held in the rocks. Therefore, if the depth in the well is becoming more conductive, the pore fluid is changing because the rocks are not changing. While induction logging can give an indication if pore fluid chemistry is changing, it does not provide comprehensive water chemistry. A water quality sample is required to produce this analysis. Both the State of California in its Sustainable Groundwater Management Act and the Watermaster in its Seawater Intrusion Response Plan require specific water quality analysis to be performed to determine if seawater intrusion is

occurring. Therefore, the Sentinel Well induction logging was designed to watch to see if pore water chemistry was changing and inform at what depth to install additional traditional monitor wells to collect water samples.

Below is the recommendation from the 2007 report:

- The need for additional monitoring wells may change over time as data accumulates. If changes in conductivity are detected over several induction logging cycles, monitoring well(s) should be installed as appropriate to allow sampling of the locations and zones of interest. These changes will occur gradually and will need to be confirmed over time before initiating well construction. As such, it is unlikely that Watermaster will need to budget for construction of additional monitoring wells for the coming year. The Watermaster, however, might include in the budget for 2009, a contingency for installing monitoring wells in response to the detection of significant changes in conductivity, as measured by induction logging, in the Sentinel Wells. An appropriate budget for permitting, construction and hydrogeologic oversight of a new monitoring well would be approximately \$150,000.

Over the past 5 years, the strata from 150 to 200 feet below ground surface in Sentinel Well 4 has shown increases in electrical conductivity. At the February 11, 2026 Watermaster TAC meeting, the TAC voted unanimously to partner with MPWMD to approach State Parks and seek permission to install a monitor well in this region and depth so that a water quality sample could be collected from this zone of the aquifer system. This is consistent with the intent of the program that was established in 2007.

District staff is asking the Board to work with staff to send a letter to State Parks outlining the importance of drilling this monitor well and authorize staff to partner with the Seaside Watermaster for a 50/50 cost share for the new monitor well. District staff will complete the permitting, well design, and construction management. The cost of this well is not yet known and is not budgeted. District staff reached out to local drillers for an informal back of the envelope estimate for budget purposes and were told to budget for \$400 per foot. A 200 foot well would cost approximately \$80K. The Districts portion would be \$40K. Environmental work was completed for the installation of the initial wells. District staff will consult with District legal counsel to see if a new well would fall under the initial environmental work or if an addendum is necessary.

RECOMMENDATION: The Water Supply Committee recommends that the MPWMD Board write a letter to State Parks seeking permission to install a monitor well near Sentinel Well 4 and partner with the Seaside Watermaster to cost share this work.

EXHIBITS

3-A Map of the Sentinel Well Locations

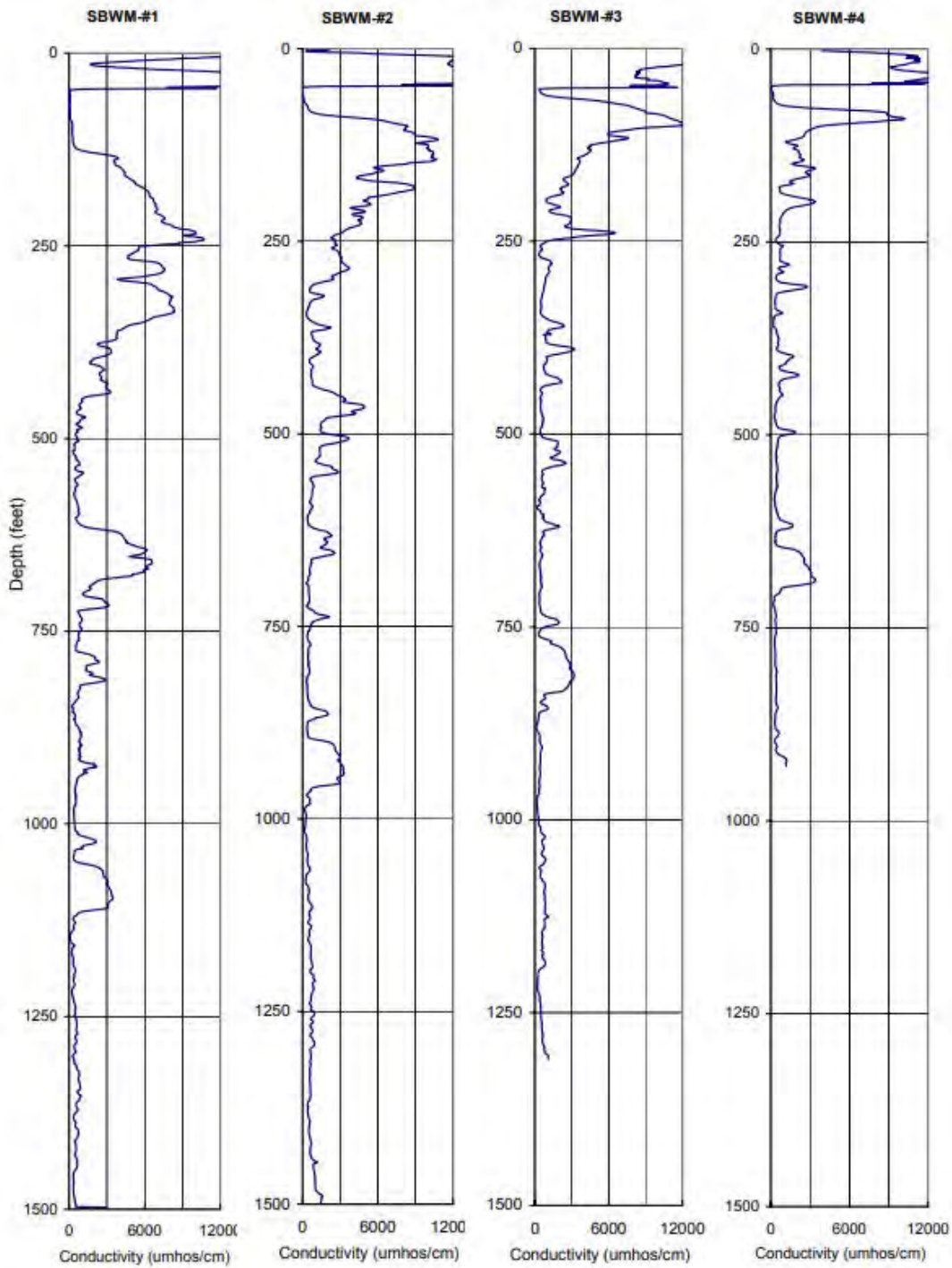
3-B Seaside Groundwater Basin Watermaster Sentinel Wells Induction Logs

EXHIBIT 3-A



EXHIBIT 3-B

**Seaside Groundwater Basin Watermaster
Sentinel Wells
Initial Induction Logs
September 2007**



De LAY & LAREDO
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March 9, 2026

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

FROM: David C. Laredo, Counsel

RE: General Report of Pending Litigation effective March 16, 2026

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

1 – MPWMD v. Cal-Am; 23CV004102

This lawsuit embodies District efforts to fulfill the electoral mandate of Measure J to acquire ownership and operation of Cal-Am's Monterey Division water supply facilities by eminent domain. Cal-Am contends the District lacks the power to both acquire the water system, or to operate a retail potable water system. The District disputes Cal-Am's contentions and objections.

On December 12, 2025 Judge Rivamonte reviewed two competing motions filed by MPWMD and Cal-Am, respectively, to narrow the scope of this proceeding. Judge Rivamonte denied both motions and ruled a trial is necessary to resolve the several factual disputes

At the Case Management Conference (CMC) on February 24, 2026, Judge Rivamonte set a bench trial to begin in Department 14 on October 19, 2026 focused solely on LAFCO issues. Length of trial is estimated to extend from two to four days. A Trial Management Conference was set for October 16, 2026 in Department 14, at 10:00 a.m.

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

The District successfully challenged LAFCO's decisions affecting and limiting MPWMD's power to acquire Cal-Am water system facilities as directed by the voter mandate in Measure J. LAFCO and Cal-Am then appealed the 2023 decision of Judge Thomas Wills. The matter is on appeal before the Sixth District Court of Appeal.

Closing reply briefs by LAFCO and Cal-Am to respond to MPWMD's November closing brief have been extended to March 6, 2026.

3 – *City of Marina; MPWMD, et al, v. California Coastal Commission (CCC); Cal-Am; Trial Case 22CV004063; 6th District Appellate Case H053560*

The trial court judgment entered on May 29, 2025 found the CCC did not exceed its jurisdiction or abuse its discretion in this matter. Parties City of Marina, Marina Coast Water District (MCWD), and MPWMD jointly filed a Notice of Appeal on July 24, 2025.

Appellants joint counsel, T. Peter Pierce of Richards, Watson Gershon in San Francisco filed the opening brief with the Appellate Court on February 12, 2026. Respondents filed reply briefs at the end of February.

4 – Matters before the California Public Utilities Commission (CPUC) pertaining to Cal-Am.

On February 19, 2026, Governor Newsom announced that the current CPUC President, Alice Reynolds, will be stepping down by the end of February, that Commissioner John Reynolds will become President, and that Christine Harada will become the newest Commissioner.

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

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

Cal-Am filed its latest triennial rate request with the CPUC on July 1, 2025. This request is part of the regular three-year rate cycle by which the CPUC reviews and authorizes Cal-Am’s rates and charges, and also by which the CPUC authorizes Cal-Am to modify its operating system. MPWMD has been granted full party status in this proceeding, with the right to undertake discovery, and to present witnesses and evidence in forthcoming evidentiary hearings. MPWMD staff and counsel continue to assess issues presented by Cal-Am and points raised by opposing parties.

MPWMD submitted formal testimony on February 6th. A mediation session was held on February 23 with “check-in” sessions calendared for March 16 and April 3, 2026.. Cal-Am has until March 24 to submit rebuttal testimony.

In-person Evidentiary Hearings are calendared to be held in San Francisco starting April 20, and ending– May 1, 2026. Remote appearances at these hearings are no longer allowed.

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

This action is a statewide CPUC Rulemaking matter that addresses statewide public utility system policy, and has specific impact on the Cal-Am system. It is unclear when a Proposed Decision will be issued or when the matter may be submitted for consideration by the full Commission. At the February 26, 2026 Commission meeting, an Order was entered extending the statutory deadline to July 31, 2026.

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

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

In July the Sierra Club (Sierra) and Carmel River Steelhead Association (CRSA) requested the action be dismissed. No parties challenged and the Court subsequently granted that request.

Sierra filed a Motion for an award of attorney's fees against Cal-Am and MPWMD.

All briefs MPWMD, Cal-Am and Sierra Club have been filed. A hearing on this motion is set for March 26, 2026, before Judge Charles F. Adams, in Dept. 7, at 191 North First Street, San Jose, CA.

ITEM: PUBLIC HEARING**8. CONSIDER FIRST READING OF ORDINANCE NO. 201 – AMENDING RULES 10, 11, 23, 24, 25.5, 33, 141, 142, 160, 163, 164, 165, AND 167**

Meeting Date:	March 16, 2026	Budgeted:	N/A
From:	David Stoldt General Manager	Program/ Line Item No.:	N/A
Prepared By:	Stephanie Locke	Cost Estimate:	N/A

General Counsel Review: Prior to second reading.**Committee Recommendation: N/A****CEQA Compliance: See CEQA section of staff report.**

SUMMARY: Draft Ordinance No. 201 is the first of several ordinances intended to update and clarify the District’s Rules and Regulations in support of the Board’s mid-level Strategic Goal #6: Update and Prioritize District Rules and Regulations. Many of the proposed amendments are administrative in nature and are intended to provide clarity for staff implementing the rules.

Staff anticipates bringing additional ordinances forward over the coming year to address rules related to Water Distribution Systems, Enforcement Actions, and other updates to the District’s regulatory framework. Several of these amendments will require policy discussion by the Water Demand Committee.

Substantive amendments proposed in Draft Ordinance No. 201 include sunsetting a credit for required High Efficiency Toilets that was established prior to the availability of additional water supply; eliminating the requirement to repay a previously issued rebate when a fixture is used as a credit for a Water Permit; allowing projects subject to permitting through the Division of the State Architect to access the District Reserve Allocation; modifying rebate amounts; and requiring High Efficiency Clothes Washers and Dishwashers as a condition of approval for a Water Permit.

Amendments to Rules 160 and 163–165 incorporate existing water supply sources previously identified in Environmental Impact Reports in order to maintain consistency with the District’s Urban Water Management Plan and proposed modification of the Cease and Desist Order.

Draft Ordinance No. 201 is presented in a revised format. Rather than including extensive strikethrough and underline edits within the ordinance text, the ordinance references two exhibits: a marked-up version identifying the proposed changes and a clean version reflecting the rules as they would read if adopted. Staff believes this format improves readability and efficiency and requests feedback from the Board regarding its usefulness.

RECOMMENDATION: Staff recommends the Board move Draft Ordinance No. 201 to second reading. The proposed amendments include updates necessary to maintain consistency with the District’s Urban Water Management Plan. Prior to consideration of adoption, staff will provide

the ordinance to the District's Technical Advisory Committee for review and comment.

CEQA REVIEW: exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000 et seq.). Pursuant to State CEQA Guidelines section 15307 (14 Cal. Code Regs., § 15307), this Ordinance is covered by the CEQA Categorical Exemption for actions taken to assure the maintenance, restoration, enhancement, or protection of a natural resource where the regulatory process involves procedures for protection of the environment.

EXHIBIT

8-A Draft Ordinance No. 201

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EXHIBIT 8-A**FIRST READING DRAFT****ORDINANCE NO. 201****AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING RULES 10, 11, 23, 24, 25.5, 33, 141, 142, 160, 163, 164, 165, AND 167****FINDINGS**

1. The Monterey Peninsula Water Management District was created to address ground and surface water resources in the Monterey Peninsula area, which the Legislature found required integrated management, and was endowed with the powers set forth in the Monterey Peninsula Water Management District Law (Chapter 527 of the Statutes of 1977, found at West's Water Code, Appendix, Section 118-1, et seq.).
2. The Monterey Peninsula Water Management District has adopted and regularly implements water conservation and efficiency measures which, inter alia, set standards for the installation of plumbing fixtures in New Construction, and require retrofit or replacement of existing plumbing fixtures upon Change of Ownership, Change of Use, and Expansion of Use, and for existing Non-Residential uses. The Monterey Peninsula Water Management District has general and specific power to cause and implement water conservation activities as set forth in Sections 325 and 328 of the Monterey Peninsula Water Management District Law.
3. The Monterey Peninsula Water Management District has found and determined that it is in the best interests of the Monterey Peninsula Water Management District and its inhabitants to define, implement and enforce water efficient plumbing standards and requirements for the conservation of Potable water supplies. Retrofit or replacement of existing plumbing fixtures lessens consumption of the limited water resources available on the Monterey Peninsula. Installation of water efficient plumbing fixtures reduces the burden of new, expanded or modified uses on the water resources.
4. Executive Order B-29-15 (April 1, 2015) called for the California Energy Commission to adopt emergency regulations establishing standards to improve the efficiency of water appliances, including toilets, urinals, and faucets available for sale and installation in new and existing buildings.

5. Rule 11 is revised to reflect amendments to definitions that affect how staff processes Water Permits.
6. Rule 10 is amended to acknowledge rules that have been deleted by listing them and requiring that adopted ordinances be kept on file. The rule numbers can then be deleted and reused as needed.
7. Rule 23-B is amended for clarification.
8. Rule 24 is amended primarily for clarification.
9. Rule 25.5 is amended to include clarifications and deletion of Rule 25.5-D which refers to credit at a Redevelopment Project. Redevelopment Project credit has expired making this rule unnecessary.
10. Rule 25.5 is amended to delete Table 4: High Efficiency Appliance Credits and the credit temporarily put into place for installation of required 1.28 gallon-per-flush toilets while awaiting new water Allocations. This credit shall remain available for twelve months for toilet replacements documented prior to adoption of the ordinance.
11. Rule 25.5 is amended to delete the requirement to pay back a rebate when using a Water Use Credit as the District has benefited from previous water savings from the efficient appliances and current requirements for high efficiency appliances are more stringent. For example, a High Efficiency Clothes Washer that received a rebate in 2010 would not qualify for a Water Use Credit today due to improvements in efficiency, but the former rule would require an Applicant to pay back the amount rebated to use a credit for that type of appliance.
12. Rule 33 is amended to add projects under the jurisdiction of the California Division of the State Architect (DSA) to have access to the District Reserve, with any request for over ten Acre-Feet requiring approval by the Board of Directors. California Division of the State Architect is in the California Department of General Services and is headquartered in Sacramento. DSA provides design and construction oversight for K–12 schools, community colleges, State essential services buildings that provide services to the public after a major disaster, State-funded facilities, such as California courts, University of California, California State University, and state-owned buildings and various other state-owned and state-leased facilities. DSA projects do not go through the local jurisdictions

for approval, other than to comply with local zoning regulations. For this reason, projects under DSA should have access to the District Reserve allocation.

13. Rule 141 is amended to modify rebates and rebate amounts after consultation with California American Water.
14. Rule 142 is amended to add High Efficiency Dishwashers and High Efficiency Clothes Washers (as applicable) as a condition of approval for a Water Permit.
15. Rules 160, and 163-165 are amended to reflect new sources of water supply previously evaluated in Environmental Impact Reports to be consistent with the District's Urban Water Management Plan.
16. Rule 167 which listed definitions used in Regulation XV is deleted as the definitions are found in Rule 11, Definitions.
17. This ordinance is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000 et seq.). Pursuant to State CEQA Guidelines section 15307 (14 Cal. Code Regs., § 15307), this Ordinance is covered by the CEQA Categorical Exemption for actions taken to assure the maintenance, restoration, enhancement, or protection of a natural resource where the regulatory process involves procedures for protection of the environment.

NOW THEREFORE, be it ordained:

ORDINANCE

Section One: Short Title

This ordinance shall be known as the 2026 Rule Update Ordinance of the Monterey Peninsula Water Management District.

Section Two: Purpose

This ordinance amends the Rules and Regulations to clarify and update various rules pertaining to Water Permits, the District Reserve Allocation, Water Use Credit, rebates, water efficiency standards, and water supply.

Section Three: Amendments to MPWMD Rule 11, Definitions

Rule 11 shall be amended as shown in bold italics (additions) and strikeout (deletions) as follows:

~~ACCESSORY DWELLING UNIT~~ ~~Accessory Dwelling Unit (“ADU”) shall mean a secondary Dwelling Unit that is not intended for sale separate from the primary residence. An Accessory Dwelling Unit is a habitable Dwelling Unit added to, created within, or detached from a primary Single Family Dwelling and contained within the same lot.~~

ACCESSORY DWELLING UNIT -- “Accessory Dwelling Unit” means an attached or a detached Residential Dwelling Unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the Single-Family or Multi-Family Dwelling is or will be situated.

~~CERTIFIED LANDSCAPE IRRIGATION AUDITOR – “Certified Landscape Irrigation Auditor” shall mean a Person certified to perform landscape Irrigation Audits by an accredited academic institution, a professional trade organization or other program such as **labeled by** the United States Environmental Protection Agency’s WaterSense irrigation auditor **professional** certification program and Irrigation Association’s Certified Landscape Irrigation Auditor program.~~

~~CONNECTION - “Connection” means the point of intersection where a User gains access to the Water Distribution System. Where a Water-Measuring Device (**Water Meter**) is installed, the Water Distribution System shall include the Water-Measuring Device, and the Connection shall be the nearest point of User access beyond the Water Measuring Device. Where a Water-Measuring Device is removed for a period exceeding ~~36~~ **120** months (**ten years**), the former Connection shall cease to exist. Where any Permit is transferred in contravention of Rule 28, the Connection(s) affected by said Permit shall cease to exist. For the purpose of these Rules and Regulations, a **Access to a Water Distribution System** for fire protection and/or access for short-term use through a hydrant meter installed with the consent of the Water Distribution System Operator shall not be deemed a Connection. Each new Connection, based upon projected ~~quantity~~ **type** of water use, shall be categorized as either “Residential,” or “Non-Residential,” or “Mixed Use.”~~

EFFICIENCY KITCHEN – “Efficiency Kitchen” is a cooking facility with appliances, a food preparation counter, and storage cabinets that are of reasonable size in relation to the size of the JADU (Gov. Code, § 66333, subds. (f)(1), (f)(2)).

JUNIOR ACCESSORY DWELLING UNIT – “Junior Accessory Dwelling Unit” or “JADU” means a small independent living space with a maximum of 500 square feet located within an existing Single-Family Dwelling. JADUs must have a separate exterior entrance and a basic Efficiency Kitchen but may share a Bathroom with the main house.

KITCHEN SINK - “Kitchen Sink” shall mean a primary large water basin or multiple interconnected basins located in a room or part of a room that contains a built-in cooking appliance(s) is used for storage and preparation of food and drinks. A Dwelling Unit may have more than one Kitchen Sink.

NON-REVENUE WATER – “Non-Revenue Water” means those components of system input volume that are not billed and produce no revenue; equal to unbilled authorized consumption, plus apparent losses, plus real losses. *is calculated by subtracting the number of gallons of water sold from the number of gallons produced.*

PUBLIC SCHOOL DISTRICT - “Public School District” shall be defined as a local government responsible to provide educational services and support to children *and adults* in both primary, and secondary, *and postsecondary* education levels. Within MPWMD, the Carmel Unified School District, *Monterey Peninsula College*, Monterey Peninsula Unified School District, and Pacific Grove Unified School District meet this definition.

VACANT LOT – “Vacant Lot” shall mean an empty legal lot that has no historical water use that can be documented by the methods shown in Rule 25.5 I 2.

Section Four: Amendments to MPWMD Rule 10, Title

Rule 10 shall be amended as shown in **Exhibit A**. A “clean” version of the amended rule is shown as **Exhibit A-1**. The amendments to this rule specify that deleted rules shall be listed in Rule 10.

Section Five: Amendments to MPWMD Rule 23-B, Action on Application for Water Permit to Connect to an Existing Water Distribution System

Rule 23-B shall be amended as shown in **Exhibit B**. A “clean” version of the amended rule is shown as **Exhibit B-1**. The amendments to this rule are primarily for clarification purposes.

Section Six: Amendments to MPWMD Rule 24. Calculation of Water Use Capacity and Capacity Fees

Rule 24 shall be amended as shown in **Exhibit C**. A “clean” version of the amended rule is shown as **Exhibit C-1**. The amendments to this rule are primarily for clarification purposes.

Section Seven: Amendments to MPWMD Rule 25.5, Water Use Credits and Water Credits

- A. Rule 25.5 shall be amended as shown in **Exhibit D**. A “clean” version of the amended rule is shown as **Exhibit D-1**.

The amendments to this rule include clarifications and deletion of Rule 25.5-D which refers to credit at a Redevelopment Project. Redevelopment Project credit has expired making this rule unnecessary. The amendments also delete Table 4: High Efficiency Appliance Credits and the credit temporarily put into place for installation of required 1.28 gallon-per-flush toilets while awaiting new water Allocations. Credit remains available for Ultra-High Efficiency Toilets, Instant-Access Hot Water Systems and High Efficiency Clothes Washers and High Efficiency Dishwashers. These credits are calculated as part of the Water Permit process using Rule 24 on Table 1: Residential Water Use Factors. Finally, the requirement to pay back a rebate when using a Water Use Credit is deleted as the District has benefited from the historic water savings from the efficient appliances.

- B. High Efficiency Toilet credit as listed on former Table 4 (i.e., a non-High Efficiency Toilet replacing one with a higher flush volume resulted in a credit of 0.5 fixture units) and as documented prior to adoption of Ordinance No. 201 by inspection or purchase receipt in a Residential use shall remain available for twelve (12) months to offset new uses on a Site. After twelve (12) months, no credit shall be available.

Section Eight: Amendments to MPWMD Rule 33, Jurisdictional and Reserve Water Allocations

Rule 33 shall be amended as shown in **Exhibit E**. A “clean” version of the amended rule is shown as **Exhibit E-1**.

Rule 33 amendments address projects that are subject to permitting through the Division of the State Architect, such as Public School District Sites. Rule 33-B is amended to allow use of the District Reserve Allocation for certain projects with a limit on the amount that can be requested without District Board approval. These projects do not receive approvals through the local Jurisdiction.

Section Nine: Amendments to MPWMD Rule 141, Water Conservation Rebates

Rule 141 shall be amended as shown in **Exhibit F**. A “clean” version of the amended rule is shown as **Exhibit F-1**. Table XIV-1 has been amended to delete a rebate for 1.28 gallons per flush toilets, as they are required in California. The rebate for Ultra High Efficiency Toilets has been reduced from \$125 to \$75. Pint Urinals have been reduced from \$250 to \$75 as the flow rate is also a California requirement. Zero Water Consumption Urinals and X-ray film processor recirculation system have been deleted due to maintenance issues and lack of participation. In addition to clarifications and removal of a deed restriction requirement for Weather Based Irrigation System Controllers, a new rebate was added for Smart Flowmeters that shut off the system water when a leak is detected. This rebate addition (and the reduction in the toilet rebates) was supported by California American Water.

Section Ten: Amendments to MPWMD Rule 142, Water Efficiency Standards

Rule 142 shall be amended as shown in **Exhibit G**. A “clean” version of the amended rule is shown as **Exhibit G-1**.

In addition to clarifications, this rule has been amended to require installation of High Efficiency Dishwashers and Clothes Washers as a condition of a Water Permit. In the majority of Water Permits issued, these fixtures are replaced to reduce the amount of new water needed to complete a project. Adding these retrofits, particularly the requirement for High Efficiency Clothes Washers, as a condition of a Water Permit will result in additional reductions in demand.

Section Eleven: Amendments to MPWMD Rule 160, Regulatory Production Targets and Physical Storage Target

Rule 160 shall be amended as shown in **Exhibit H**. A “clean” version of the amended rule is shown as **Exhibit H-1**. Rules 160 and 163-165 are amended to reflect new sources of supply and to be consistent with the District’s Urban Water Management Plan.

Section Twelve: Amendments to MPWMD Rule 163, Stage 2 Water Conservation: Voluntary Reduction in Use

Rule 163 shall be amended as shown in **Exhibit I**. A “clean” version of the amended rule is shown as **Exhibit I-1**.

Section Thirteen: Amendments to MPWMD Rule 164, Stage 3 Water Conservation: Conservation Rates

Rule 164 shall be amended as shown in **Exhibit J**. A “clean” version of the amended rule is shown as **Exhibit J-1**.

Section Fourteen: Amendments to MPWMD Rule 165, Stage 4 Water Rationing

Rule 165 shall be amended as shown in **Exhibit K**. A “clean” version of the amended rule is shown as **Exhibit K-1**.

Section Fifteen: Deletion of MPWMD Rule 167

Rule 167, Definitions Used in Regulation XV shall be deleted (**Exhibit L**). The definitions used in this rule are found in Rule 11.

Section Sixteen: Effective Date

This ordinance shall take effect at 12:01 a.m. thirty days following adoption after second reading.

Section Seventeen: Severability

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

unenforceable.

PASSED AND ADOPTED on this ____ day of ____ on a motion by Director _____, with a second by Director _____ by the following vote:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing ordinance was duly adopted on the ____ day of ____ 2026.

Dated: _____

David J. Stoldt, Secretary to the Board

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RULE 10 - TITLE

These rules and regulations shall be known as the Rules and Regulations of the Monterey Peninsula Water Management District.

A. The Rules and Regulations may be amended from time to time by ordinance. Deleted rules shall be listed in Rule 10 with the date of action, and the number may be reused. The adopted ordinances of the District shall be permanently maintained.

List of deleted rules to be added by Board Clerk below.

Added by Ordinance No. 1 (2/11/80); formerly Rule 100, renumbered by Ordinance No. 6 (5/11/81)

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RULE 10 - TITLE

These rules and regulations shall be known as the Rules and Regulations of the Monterey Peninsula Water Management District.

- A. The Rules and Regulations may be amended from time to time by ordinance. Deleted rules shall be listed in Rule 10 with the date of action, and the number may be reused. The adopted ordinances of the District shall be permanently maintained.

List of deleted rules to be added by Board Clerk below.

Added by Ordinance No. 1 (2/11/80); formerly Rule 100, renumbered by Ordinance No. 6 (5/11/81)

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

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

1. Construction Affecting the Interior or Exterior of an Existing Structure. All ~~construction projects within or to an Existing Structure~~ that requires a Water Permit shall be subject to the following conditions:
 - a. The project Site must meet all applicable water conservation requirements of Regulations XIV and XV.
 - b. Other conditions may be placed upon approval as indicated in the applicable rule governing the Water Permit process.
 - c. The Applicant shall arrange for a final inspection by the District upon Project completion. District staff shall review the Project, water fixtures, and Landscaping for compliance with the Water Permit.
 - d. Permit amendments or other actions required as a result of a final inspection shall be completed within thirty (30) days of the date of the final inspection.
 - e. All Water Permits shall include a Notice and Deed Restriction titled “Provide Public Access to Water Use Data.” There shall be no additional charge for this deed restriction.
 - f. To encourage separate metering, permits for Meter Splits for existing Users shall be processed and issued with no charge to the Applicant.
2. Construction of a New Structure.
 - a. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User except as allowed in Rule 23-B-3.
 - b. All Non-Residential New Structures that include irrigated landscapes of 1,000 square-feet or greater shall utilize a separate Water Meter supplied by the Water Distribution System to measure all exterior water uses. All Residential irrigated landscapes of 5,000 square-feet or greater shall install a sub-meter to measure outdoor water use.

- c. All New Structures receiving a Water Permit after January 1, 2009, shall have separate water supply lines that tee off in the meter box after the Water Meter to supply fire suppression service and domestic service as demonstrated in Figure 23-1, (found at the end of this rule) unless the User has separate Water Meters maintained by the Water Distribution System Operator for fire and domestic services. This configuration shall facilitate installation of a Flow Restrictor in the domestic service without interfering with the fire suppression service. The General Manager shall have authority to make exceptions to this requirement for Undue Hardship. Exceptions shall be recorded on the property title with notice that rationing enforcement could result in a Flow Restrictor.
 - d. Other conditions may be placed upon approval as indicated in the applicable rule governing the Water Permit process.
 - e. The Applicant shall arrange for a final inspection by the District upon Project completion. District staff shall review the Project, water fixtures, and Landscaping for compliance with the Water Permit.
 - f. Permit amendments or other actions required as a result of a final inspection shall be completed within sixty (60) days of the date of the final inspection.
 - g. All Water Permits shall include a Notice and Deed Restrictions titled “Provide Public Access to Water Use Data.” There shall be no additional charge for this deed restriction.
3. Water Meter Requirements
- a. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User with exceptions listed below.
 - b. Accessory Dwelling Unit. Permanent submetering of all water use into one Accessory Dwelling Unit shall be allowed when the Jurisdiction confirms there is no potential that the submetered User could be located on a separate Site through subdivision or transfer of ownership of a portion of the Site. An Accessory Dwelling Unit contained within the existing space of a single-family residence or accessory structure (e.g., studio, pool house, or other similar structure) shall be exempt from the submetering requirement. Submetering is, however, encouraged as a conservation tool that promotes the efficient use of water. Transfer of Title to an Accessory Dwelling Unit shall require installation of a Water Meter for that Dwelling Unit.

- c. Multi-Family Dwelling and Residential Common Interest
Developments of four or more units. Permanent submetering of each User's water use in a Multi-Family Dwelling or Residential Common Interest Development of more than four units shall be allowed pursuant to California Water Code Division 1 Chapter 8, Water Measurement. Submeters or Water Meters shall be required for Common Areas. Landscape shall be separately metered pursuant to Rule 142.1.

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

- (1) When requested, the Responsible Party shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the submeter (e.g. apartment or condo number) and the number of residents in each Dwelling Unit and information about common area uses;
 - (2) During Stage Four of the Monterey Peninsula Water Conservation and Rationing Plan (Regulation XV), submetered consumption shall be provided to the District monthly or more frequently if requested by the General Manager.
- d. A Non-Residential User may extend incidental water use to another Non-Residential User within an existing structure unless the Remodel or Addition requires a Water Permit for a Change of Use.
- e. A Change of Use shall trigger the requirement for a separate Water Meter if the User has a Bathroom or uses water as a component of their business (i.e., restaurant, Group II uses, manufacturing, etc.).
- f. ~~Users of m~~Multiple structures on a Site occupied by one Non-Residential User may ~~apply for a variance of this Rule~~submeter with a meter per building. A landscape Water Meter may be required by Rule 142.1.
- g. The Board shall consider variances to this Rule when the installation of separate Water Measuring Devices is not feasible due to Special Circumstances. In considering a variance, the Board shall determine if another type of Water Measuring Device is appropriate and shall make reporting of consumption a condition of approval.
- h. The General Manager shall allow submetering for each Multi-Family Dwelling (including condominiums and Common Interest

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

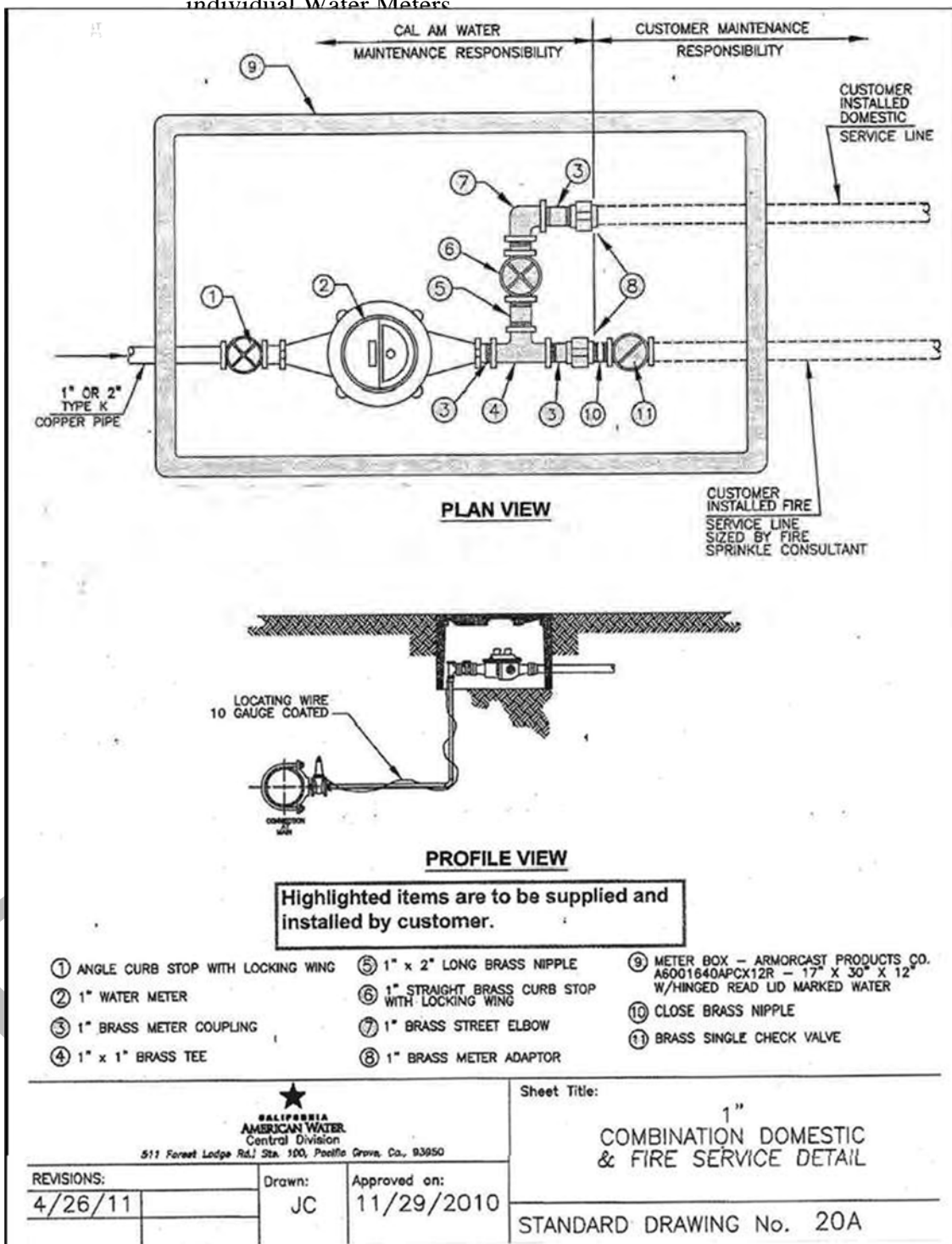
- (1) The Site's owner shall have Water Meters installed for each submetered User by the Water Distribution System Operator within ninety (90) days of the conclusion of a Connection moratorium. It is recommended that the submeter(s) be located in or near the future meter box to facilitate this requirement. Once Water Meters maintained by the Water Distribution System Operator have been installed and verified by the District, the deed restriction shall be removed.
- (2) When requested, the Responsible Party shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the submeter (e.g. apartment or condo number) and the number of residents in each Dwelling Unit and requested information about common area uses;
- (3) During Stage Four of the Monterey Peninsula Water Conservation and Rationing Plan (Regulation XV), submetered consumption shall be provided to the District monthly or more frequently as requested by the General Manager.

4. ~~Construction in the~~ Sleepy Hollow Subdivision ~~of in~~ Carmel Valley.

- a. All Landscape Area water use shall be supplied by the Sleepy Hollow Non-Potable Water system or by an On-Site Well.
- b. Potable water use shall be supplied by California-American Water Company (also known as the Sleepy Hollow Mutual Potable Water Distribution System) ~~by a Master Meter at the subdivision boundary.~~ See Rule 23 for restrictions that require annexation of the subdivision by California American Water prior to issuance of Water Permits.

c. Both Potable water uses and Landscape Areas shall be metered by individual Water Meters

C.



Rule added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 2 (3/11/80); Ordinance No. 3 (7/11/80); Ordinance No. 5 (4/13/81); Ordinance No. 6 (5/11/81); Ordinance No. 7 (7/13/81); Ordinance No. 8 (1/14/81); Ordinance No. 9 (2/14/83); Ordinance No. 11 (11/14/83); Ordinance No. 16 (8/13/84); Ordinance No. 26 (9/8/86); Ordinance No. 40 (4/10/89); Ordinance No. 44 (10/9/89); Ordinance No. 60 (6/15/92); Ordinance No. 64 (10/5/92); Ordinance No. 71 (12/20/93); Ordinance No. 77 (8/21/95); Ordinance No. 115 (05/17/2004); Ordinance No. 125 (9/18/2006); Ordinance No. 128 (6/18/2007); Ordinance No. 137 (12/8/2008); Ordinance No. 145 (9/20/2010); Ordinance No. 156 (11/18/2013); Ordinance No. 157 (12/9/2013); Ordinance No. 161 (7/21/2014); Ordinance No. 165 (8/17/2015); Ordinance No. 170 (5/16/2016); Ordinance No.172 (8/15/2016); Ordinance No. 177 (/18/2017); Ordinance No. 178 (11/13/2017); Ordinance No. 179 (8/20/2018); Ordinance No. 182 (5/20/2019); Ordinance No. 184 (8/19/2019); Ordinance No. 185 (5/18/2020); Ordinance No. 189 (12/13/2021); Ordinance No. 198 (7/21/2025)

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

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

1. Construction Affecting the Interior or Exterior of an Existing Structure. All projects that require a Water Permit shall be subject to the following conditions:
 - a. The project Site must meet all applicable water conservation requirements of Regulations XIV and XV.
 - b. Other conditions may be placed upon approval as indicated in the applicable rule governing the Water Permit process.
 - c. The Applicant shall arrange for a final inspection by the District upon Project completion. District staff shall review the Project, water fixtures, and Landscaping for compliance with the Water Permit.
 - d. Permit amendments or other actions required as a result of a final inspection shall be completed within thirty (30) days of the date of the final inspection.
 - e. All Water Permits shall include a Notice and Deed Restriction titled “Provide Public Access to Water Use Data.” There shall be no additional charge for this deed restriction.
 - f. To encourage separate metering, permits for Meter Splits for existing Users shall be processed and issued with no charge to the Applicant.
2. Construction of a New Structure.
 - a. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User except as allowed in Rule 23-B-3.
 - b. All Non-Residential New Structures that include irrigated landscapes of 1,000 square-feet or greater shall utilize a separate Water Meter supplied by the Water Distribution System to measure all exterior water uses. All Residential irrigated landscapes of 5,000 square-feet or greater shall install a sub-meter to measure outdoor water use.
 - c. All New Structures receiving a Water Permit after January 1, 2009, shall

have separate water supply lines that tee off in the meter box after the Water Meter to supply fire suppression service and domestic service as demonstrated in Figure 23-1, (found at the end of this rule) unless the User has separate Water Meters maintained by the Water Distribution System Operator for fire and domestic services. This configuration shall facilitate installation of a Flow Restrictor in the domestic service without interfering with the fire suppression service. The General Manager shall have authority to make exceptions to this requirement for Undue Hardship. Exceptions shall be recorded on the property title with notice that rationing enforcement could result in a Flow Restrictor.

- d. Other conditions may be placed upon approval as indicated in the applicable rule governing the Water Permit process.
- e. The Applicant shall arrange for a final inspection by the District upon Project completion. District staff shall review the Project, water fixtures, and Landscaping for compliance with the Water Permit.
- f. Permit amendments or other actions required as a result of a final inspection shall be completed within sixty (60) days of the date of the final inspection.
- g. All Water Permits shall include a Notice and Deed Restrictions titled “Provide Public Access to Water Use Data.” There shall be no additional charge for this deed restriction.

3. Water Meter Requirements

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

User's water use in a Multi-Family Dwelling or Residential Common Interest Development of more than four units shall be allowed pursuant to California Water Code Division 1 Chapter 8, Water Measurement. Submeters or Water Meters shall be required for Common Areas. Landscape shall be separately metered pursuant to Rule 142.1.

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

- (1) When requested, the Responsible Party shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the submeter (e.g. apartment or condo number) and the number of residents in each Dwelling Unit and information about common area uses;
 - (2) During Stage Four of the Monterey Peninsula Water Conservation and Rationing Plan (Regulation XV), submetered consumption shall be provided to the District monthly or more frequently if requested by the General Manager.
- d. A Non-Residential User may extend incidental water use to another Non-Residential User within an existing structure unless the Remodel or Addition requires a Water Permit for a Change of Use.
 - e. A Change of Use shall trigger the requirement for a separate Water Meter if the User has a Bathroom or uses water as a component of their business (i.e., restaurant, Group II uses, manufacturing, etc.).
 - f. Multiple structures on a Site occupied by one Non-Residential User may submeter with a meter per building. A landscape Water Meter may be required by Rule 142.1.
 - g. The Board shall consider variances to this Rule when the installation of separate Water Measuring Devices is not feasible due to Special Circumstances. In considering a variance, the Board shall determine if another type of Water Measuring Device is appropriate and shall make reporting of consumption a condition of approval.
 - h. The General Manager shall allow submetering for each Multi-Family Dwelling (including condominiums and Common Interest Developments), Mixed Use, or Non-Residential User when the installation of separate Water Meters is not feasible and the User is

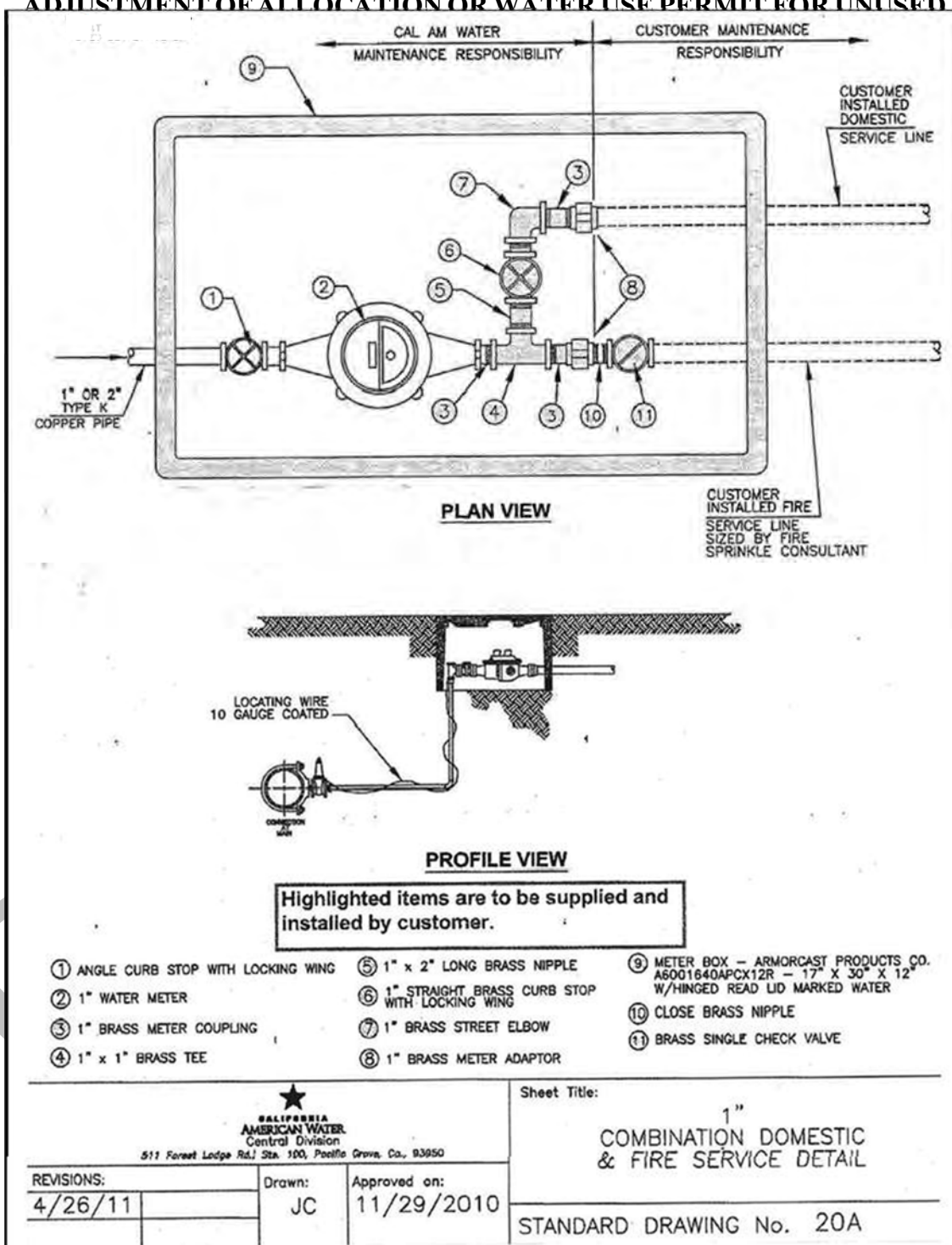
utilizing Water Credits or an Entitlement on a Site that has a Connection. Applications for submetering of Single-Family Dwellings will be considered by the General Manager when the Jurisdiction confirms there is no potential that the submetered User could be located on a separate Site through subdivision or transfer of ownership of a portion of the Site. Approval of a Water Permit allowing submetering under this provision shall require recordation of a deed restriction on the title of the property that shall encumber current and future Site owners to comply with the following conditions:

- (1) The Site's owner shall have Water Meters installed for each submetered User by the Water Distribution System Operator within ninety (90) days of the conclusion of a Connection moratorium. It is recommended that the submeter(s) be located in or near the future meter box to facilitate this requirement. Once Water Meters maintained by the Water Distribution System Operator have been installed and verified by the District, the deed restriction shall be removed.
- (2) When requested, the Responsible Party shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the submeter (e.g. apartment or condo number) and the number of residents in each Dwelling Unit and requested information about common area uses;
- (3) During Stage Four of the Monterey Peninsula Water Conservation and Rationing Plan (Regulation XV), submetered consumption shall be provided to the District monthly or more frequently as requested by the General Manager.

4. Sleepy Hollow Subdivision in Carmel Valley.

- a. All Landscape Area water use shall be supplied by the Sleepy Hollow Non-Potable Water system or by an On-Site Well.
- b. Potable water use shall be supplied by California-American Water Company (also known as the Sleepy Hollow Mutual Potable Water Distribution System) ~~by a Master Meter at the subdivision boundary.~~ See Rule 23 for restrictions that require annexation of the subdivision by California American Water prior to issuance of Water Permits.
- c. Both Potable water uses and Landscape Areas shall be metered by individual Water Meters.

C. ADJUSTMENT OF ALLOCATION OR WATER USE PERMIT FOR UNUSED



Rule added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 2 (3/11/80); Ordinance No. 3 (7/11/80); Ordinance No. 5 (4/13/81); Ordinance No. 6 (5/11/81); Ordinance No. 7 (7/13/81); Ordinance No. 8 (1/14/81); Ordinance No. 9 (2/14/83); Ordinance No. 11 (11/14/83); Ordinance No. 16 (8/13/84); Ordinance No. 26 (9/8/86); Ordinance No. 40 (4/10/89); Ordinance No. 44 (10/9/89); Ordinance No. 60 (6/15/92); Ordinance No. 64 (10/5/92); Ordinance No. 71 (12/20/93); Ordinance No. 77 (8/21/95); Ordinance No. 115 (05/17/2004); Ordinance No. 125 (9/18/2006); Ordinance No. 128 (6/18/2007); Ordinance No. 137 (12/8/2008); Ordinance No. 145 (9/20/2010); Ordinance No. 156 (11/18/2013); Ordinance No. 157 (12/9/2013); Ordinance No. 161 (7/21/2014); Ordinance No. 165 (8/17/2015); Ordinance No. 170 (5/16/2016); Ordinance No.172 (8/15/2016); Ordinance No. 177 (/18/2017); Ordinance No. 178 (11/13/2017); Ordinance No. 179 (8/20/2018); Ordinance No. 182 (5/20/2019); Ordinance No. 184 (8/19/2019); Ordinance No. 185 (5/18/2020); Ordinance No. 189 (12/13/2021); Ordinance No. 198 (7/21/2025)

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RULE 24 - CALCULATION OF WATER USE CAPACITY AND CAPACITY FEES**A. RESIDENTIAL CALCULATION OF WATER USE CAPACITY**

Residential Water Use Capacity shall be calculated using a fixture unit methodology whereby each water fixture is assigned a fixture unit value that corresponds to its approximate annual Water Use Capacity. Residential applications shall be reviewed to determine if there is an increase in fixture units as a result of the proposed Project.

1. Methodology for Determining Water Use Capacity

The following process shall be used to determine if there is an increase in Water Use Capacity:

- a. The General Manager shall estimate Water Use Capacity of the proposed Project using the fixture unit values and outdoor water uses calculation from Table 1: Residential Fixture Unit Count Values.
- b. If the application includes a Residential water fixture that is not specifically exempt from the Residential Permit requirements, and no factor is shown on Table 1: Residential Fixture Unit Count Values, for a proposed water fixture, the General Manager shall research the projected annual consumption of the fixture and shall recommend a fixture unit count value to the Board that corresponds to the Estimated Annual Water Use Capacity of the fixture. Table 1 shall subsequently be amended by Resolution of the Board of Directors to assign a value to the new fixture.
- c. Using Table 1: Residential Fixture Unit Count Values, the General Manager shall compare the pre-Project fixture unit count against the fixture unit count shown on the Construction Plans submitted with the Water Release Form and Water Permit application. Pre-Project Estimated Annual Water Use Capacity shall be verified by inspection.
- d. The General Manager shall reduce the Estimated Annual

Draft Ordinance No. 201 – EXHIBIT C

Water Use Capacity by any verified Water Use Credit or On-Site Water Credit applicable to the application as shown on the Water Release Form and Water Permit application and shall determine the Adjusted Water Use Capacity of the proposed Project.

- e. Based upon the review conducted in Rule 24-A-1, the General Manager shall determine if Project will result in a positive, neutral or reduced Water Use Capacity on the Site.
- (1) An increase in Capacity (Intensification of Use) shall cause the calculation and collection of a Capacity Fee prior to issuance of a Water Permit.
 - (2) No Capacity Fee shall be assessed when there is no increase in Water Use Capacity.
 - (3) A reduction in Water Use Capacity shall result in a Water Use Credit upon verification that the former use has been permanently abandoned. This credit shall be established in conformance with Rule 25.5.

2. Exempt Residential Water Fixtures

The following water fixtures shall be exempt from the Residential Permit requirements and shall have no fixture unit value: Portable Water Fixtures, fountains, ponds, hot tub/spas, drinking fountains, pot fillers behind a cooktop, darkroom sinks, outdoor showers, outdoor sinks, hose bibs, pet/livestock wash racks and water troughs, and multiple Utility Sinks (more than one per Site).

3. Second Bathroom Addition

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

Draft Ordinance No. 201 – EXHIBIT C

- a. The second Bathroom protocol shall be limited and shall apply only to the following water appliances if they are installed in a second Bathroom as an expansion or remodel of an existing Dwelling Unit:
 - (a) a single toilet, and (b) a single Standard Bathtub, or single Shower Stall, or a single standard tub-shower combination, and (c) one or two Washbasins.
- b. The second Bathroom protocol shall further apply to a Residential application that proposes to add one or more of the water fixtures referenced above to a second Bathroom which lacks that fixture(s) within a Dwelling Unit that has less than two full Bathrooms.
- c. The second Bathroom protocol shall apply only to a Dwelling Unit that has less than two full Bathrooms and that has not removed basic Bathroom water fixtures (i.e., a toilet, a Standard Bathtub or Shower Stall or a Washbasin) to enable the addition of water fixtures elsewhere on the Site.
- d. The second Bathroom protocol shall not apply to any Multi-Family Dwelling or Multi-Family Residential Site with four or more units. Water fixtures installed pursuant to this provision shall be installed within the Dwelling Unit. The second Bathroom protocol shall not be used to create a new Accessory Dwelling Unit. This includes the addition of a second Bathroom elsewhere in the Dwelling Unit that would allow ~~the first~~ Bathroom to be used by an Accessory Dwelling Unit or ~~junior~~ Junior Accessory Dwelling Unit. The protocol was adopted to recognize that a second Bathroom is for convenience. It is not intended to support a new User.
- e. Under this second Bathroom protocol, the General Manager shall not debit the Jurisdiction's Allocation for the installation of the water fixtures in the second Bathroom.

Draft Ordinance No. 201 – EXHIBIT C

- f. Capacity Fees shall nonetheless be collected for the addition of fixture units in the second Bathroom.
- g. No credit shall be granted for removal or retrofit of any fixture added pursuant to this second Bathroom protocol.
- h. Use of the second Bathroom protocol is voluntary. Any Dwelling Unit installing a second Bathroom pursuant to this provision shall be limited to two Bathrooms unless the fixtures permitted by this protocol in the second Bathroom is-are permitted by debit to a Jurisdiction's Allocation, an Entitlement, or offset by a credit. A Notice and Deed Restriction Regarding Limitation on Use of Water on a Property shall be recorded on the real property as a condition of the Water Permit.
- i. All Water Permits issued pursuant to this Rule shall include a Notice and Deed Restriction titled "Provide Public Access to Water Use Data" pursuant to Rule 23. In addition, permits utilizing the second Bathroom protocol shall authorize access to water records for the sixty (60) months prior to the date the Water Permit is issued.
- j. The provisions of this second Bathroom protocol shall take precedence and supersede any contrary provision of the Water Management District Rules and Regulations.

4. Master Bathroom Fixture Unit Accounting

- a. All fixtures utilizing a Master Bathroom fixture unit value as shown in Table 1: Residential Fixture Unit Count Values shall occur in the same Bathroom, and that Bathroom shall be designated as the "Master Bathroom." Each Dwelling Unit shall have no more than one Master Bathroom.
- b. The Master Bathroom fixture unit value shall not apply to second Bathrooms utilizing the second Bathroom protocol.

Draft Ordinance No. 201 – EXHIBIT C5. Exterior Residential Water Demand Calculations

See Rule 142.1, Water Efficient Landscape Requirements, for calculation of landscape water demand. An additional 0.01 Acre-Foot of water shall be added for outdoor water uses other than irrigation.

- a. Exterior water demand shall be calculated according to Rule 142.1.

6. Swimming Pools Filled By Mobile Water Distribution System

Swimming Pools constructed with a condition prohibiting use of the local Potable Water Distribution System to fill the pool shall be required to secure their water supply from an entity that holds a current and valid Water Hauler's License from the California Department of Public Health, Food and Drug Branch (FDB). The Water Hauler's License is required to haul more than 250 gallons by any means of transportation for drinking, culinary, or other purposes involving a likelihood of the water being ingested by humans. There shall be a minimum deduction to the Water Distribution System serving the property in the amount of 0.01 Acre-Foot Annually to offset potential maintenance demand in addition to the requirement to fill and maintain the pool using a licensed Mobile Water Distribution System.

7. Calculating Adjusted Water Use Capacity

- a. Each fixture unit shall have a value of 0.01 Acre-Foot of water.
- b. Water use calculations shall be rounded to the third decimal place.

8. Multi-Family Dwelling Clothes Washers

Installation of a High Efficiency Clothes Washer within a Dwelling Unit constructed prior to January 1, 2022, on a Multi-Family Residential Site or Common Interest Development served by a Common Laundry Room does not increase Capacity.

B. NON-RESIDENTIAL CALCULATION OF WATER USE CAPACITY

Non-Residential Water Use Capacity shall be calculated using Table 2: Non-Residential Water Use Factors. Each Non-Residential use shall be assigned a factor that when multiplied by a specified measurement shown on Table 2 (i.e., square-footage, number of rooms/seats, etc.) results in an estimate of the approximate annual Water Use Capacity in Acre-Feet. Non-Residential applications shall be reviewed to determine if there is an increase in water demand as a result of the proposed Project. Amendments to Table 2 shall be made by Resolution of the Board of Directors.

1. Methodology for Determining Water Use Capacity

The following process shall be used to determine if there is an increase in Water Use Capacity:

a. The General Manager shall estimate Water Use Capacity of the proposed Project using the Water Use Factors from Table 2: Non-Residential Water Use Factors.

(1) New Construction: When the Non-Residential Water Use Factor is based on a square-footage factor, the gross square-footage shall be applied to the factor for construction of a new building.

(2) Tenant Improvements within a defined lease space: When the Non-Residential Water Use Factor is based on square-footage for a Tenant Improvement in a defined lease space, the useable square-footage shall be applied to the factor. This calculation does not affect the remaining Capacity of the building and is to be used only to identify the Capacity of the area being remodeled.

b. When a Non-Residential Project proposes two or more of the uses set forth in Table 2, each proposed use shall be subject to a separate calculation. By way of example, a hotel with a restaurant would be subject to both the hotel

Draft Ordinance No. 201 – EXHIBIT C

use by unit and the restaurant use by seat calculation. Where a proposed use can be placed in more than one group, the group which most accurately depicts overall projected water use shall be selected or the uses shall be calculated based on the square-footage or other factor for each area in which the use occurs. When the proposed use appears to fall into more than one group or use, the higher factor shall be used.

- c. If the application includes a Non-Residential use that is not identical to or similar to those uses shown on Table 2: Non-Residential Water Use Factors, the General Manager shall research the projected annual consumption of the use and shall recommend a value to the Board that corresponds to the Estimated Annual Water Use Capacity.
- d. The General Manager shall compare the pre-Project Estimated Annual Water Use Capacity against the Estimated Annual Water Use Capacity shown on the Construction Plans submitted with the Water Release Form and Water Permit application. Pre-Project Estimated Annual Water Use Capacity may be verified by inspection.
- e. The General Manager may reduce the Estimated Annual Water Use Capacity for the permanent installation and use of known and validated technology that results in a quantifiable reduction in Water Use Capacity above that anticipated with Best Management Practices.
- f. The General Manager shall reduce the Estimated Annual Water Use Capacity by any verified Water Use Credit or On-Site Water Credit applicable to the application as shown on the Water Release Form and Water Permit application and shall determine the Adjusted Water Use Capacity of the proposed project.
- g. Based upon the review conducted in 24-B-1-f, the General Manager shall determine if the Project will result in a positive, neutral or reduced Water Use Capacity on the

Draft Ordinance No. 201 – EXHIBIT C

Site.

- (1) An increase in Capacity (Intensification of Use) shall cause the calculation and collection of a Capacity Fee prior to issuance of a Water Permit.
- (2) No Capacity Fee shall be assessed when there is no increase in Water Use Capacity.
- (3) A reduction in Water Use Capacity shall result in a Water Credit upon verification that the former use has been abandoned. This credit shall be established in conformance with Rule 25.5.

h. Non-Residential Projects at Public School District Sites acquired prior to 2020 shall be considered to have a zero Adjusted Water Use Capacity when the entire Public School District Site meets or exceeds Rule 143 Water Efficiency Standards for Existing Non-Residential Uses.

i. A Restaurant's Water Use Capacity shall be determined by the maximum Interior Restaurant Seat count authorized by the Jurisdiction and District. Exterior Restaurant Seats may be maintained for al fresco dining without a requirement for a new or amended Water Permit provided the maximum number of Exterior Restaurant Seats does not exceed one-half the number of authorized Interior Restaurant Seats (the "standard exterior seat allowance"). Exterior Restaurant Seating not in compliance with this paragraph shall require a new or amended Water Permit.

2. Exterior Water Demand Shall be Calculated According to Rule 142.1

~~For all new Connections on Sites where rainwater storage is included as a source of water supply for an Irrigation System, the Estimated Total Water Use as determined by the landscaping plan shall be reduced by the available Rainwater Harvesting Capacity. Sites utilizing rainwater storage as a component in an Irrigation~~

Draft Ordinance No. 201 – EXHIBIT C

~~System shall have landscape water use restricted by a recorded covenant on the title of the property or other deed restriction enforceable by the District. The recorded covenant or deed restriction shall provide notice to each subsequent owner that failure to maintain and utilize the rainwater storage component of the Irrigation System shall constitute an Intensification of Use which may result in collection of additional Capacity Fees and debits to a Jurisdiction's Allocation or Water Entitlement and/or other enforcement actions. Any modification to the Landscaping that results in an Intensification of Use shall require a Water Permit.~~

3. Calculating Adjusted Water Use Capacity

Water use calculations shall be rounded to the third decimal place.

C. WATER SUPPLY COST COMPONENT

The water supply cost component used as a monetary multiplier in each Capacity Fee calculation required by this rule shall be \$10,623.20. This water supply cost component shall be adjusted on July 1st of each year beginning in July, 1985, to include the annual increase or decrease of the April Consumer Price Index (CPI), all items, for San Francisco/Oakland, as promulgated by the U.S. Department of Labor Bureau of Statistics. The adjusted multiplier shall apply to each Water Permit application received on or after July 1st of each year. Table 3: Capacity Fee History shall be updated annually by Resolution of the Board to reflect the current year's Capacity Fee.

D. CALCULATION OF CAPACITY FEES

The Capacity Fee paid for a Water Permit shall be determined by multiplying the Adjusted Water Use Capacity by the current Capacity Fee. This charge shall be applied to each application for a Water Permit as follows:

1. Projects served by the California American Water Company System and Seaside Municipal Water ~~Company System~~ shall pay

Draft Ordinance No. 201 – EXHIBIT C

100 percent of the final calculation.

2. All other Water Distribution Systems, including private Wells and other Water Distribution Systems, shall pay 18.67 percent of the final calculation.

E. ADJUSTMENT OF CALCULATIONS WHERE SPECIAL CIRCUMSTANCES EXIST

1. The General Manager may reduce (or increase) the Adjusted Water Use Capacity when Special Circumstances exist with respect to the anticipated water consumption resulting from that Permit. Special Circumstances shall be deemed to exist in the following circumstances:

- a. After project completion and verification that Sub-potable Water or untreated Well water is the exclusive supply for all exterior uses, the General Manager may make a proportional adjustment for the final Adjusted Water Use Capacity and shall refund that portion of the Capacity Fee and the portion of water debited from an Allocation or Water Entitlement.
- b. Projects that utilize water in conjunction with a manufacturing process.
- c. Non-Residential projects owned by a Public entity.

2. The preliminary Estimated Annual Water Use Capacity Adjustment shall operate to exact a Capacity Fee as it relates to the increment of water which is projected to be available to and subject to use by the Applicant as a function of the Connection or the use of water. In the absence of a comparable water use factor on Table 2, the General Manager may make this adjustment based upon projected use figures supported by historical use or other relevant documentation. In the absence of Special Circumstances, calculation of the Estimated Annual Water Use Capacity shall be made by use of Non-Residential Water Use Factors shown on Table 2.

Draft Ordinance No. 201 – EXHIBIT C

3. The General Manager shall be granted authority to factor Adjusted Water Use Capacity and Capacity Fees for Industrial and Public Projects based upon the actual average annual water use record following 60 months of occupancy and use without the necessity of a hearing before the Board of Directors. The process shall require payment of an estimated Capacity Fee and corresponding Allocation or Water Entitlement debit. The final Capacity Fee and corresponding Allocation or Water Entitlement debit shall be adjusted upon the actual annual water use record for that Connection.
4. For all situations where the General Manager finds Special Circumstances with Substantial Uncertainty exist regarding the Estimated Annual Water Use Capacity proposed by the permit Applicant, the Board shall consider approving a Water Permit upon payment of an estimated Capacity Fee and corresponding Allocation or Water Entitlement debit. The final Capacity Fee and corresponding Allocation or Water Entitlement debit shall be adjusted upon the actual average annual water use record for that Connection.
5. This Rule shall not apply where a single meter supplies more than one water User.
6. All Water Permits issued with a finding of Special Circumstances shall be subject to the following conditions:
 - a. A deed restriction listing the conditions of the Permit shall be recorded on the property prior to issuance of a Water Permit.
 - b. By written communication, the Jurisdiction shall authorize the District to issue a Water Permit based on a finding of Special Circumstances consistent with CEQA compliance for the approved Project.
 - c. The Jurisdiction shall acknowledge in writing to the District that annual average water use above the

Draft Ordinance No. 201 – EXHIBIT C

preliminary Estimated Annual Water Use Capacity shall either result in a debit to its Allocation or shall require additional action to reduce or offset water use as authorized by the District Board.

- d. Approval of Special Circumstances with Substantial Uncertainty is valid for thirty-six (36) months. The project shall be completed within thirty six (36) months of District approval. One extension of time for twelve (12) months will be granted by the General Manager upon evidence of due diligence by the Applicant.
- e. The Project shall be exclusively equipped with all reasonable conservation measures as determined by the General Manager.
- f. The property owner shall agree to allow public access to water consumption records for the life of the Project. Access shall be authorized by recordation of the appropriate deed restriction.
- g. A Landscape Documentation Package, shall be included with the Water Permit application.
- h. Prior to issuance of a Water Permit, the Water Permit Applicant shall submit Capacity Fees and processing fees as outlined in Rule 24 and Rule 60.
- i. A water meter shall be installed to monitor exterior water use, apart from any interior use. District staff shall have access to the water meters and consumption reports upon reasonable request.
- j. The property owner or his agent shall annually complete and submit a Special Circumstances Review Form and applicable attachments to the District by February 1. The Special Circumstances Review Form shall require the property owner to provide information about the Project's annual water use and practices, copies of the past year's

Draft Ordinance No. 201 – EXHIBIT C

water bills, information about the performance of any special appliances, and other information useful in reviewing Project-related water demand. The Special Circumstances Review Form shall be submitted each year during construction and for ten years following full occupancy after completion of the Project.

- k. Water use will be reviewed annually after occupancy. If actual water use exceeds the preliminary Water Use Capacity estimate during any annual review, the District will debit the Jurisdiction's Allocation for the difference. At the end of the monitoring period, if the average annual water use exceeds the preliminary Water Use Capacity estimate, the District will determine whether the Jurisdiction shall transfer some of its Allocation to the Project, or whether the Applicant shall pay the cost of District-approved water conservation projects within the District or on the Project Site to establish Water Use Credits to offset the increased increment of water needed by the Project.
 1. The Applicant and any successor in interest to the Water Permit shall enter into an indemnification agreement with the District, whereby the Applicant agrees to indemnify, defend and hold harmless the District from any and all legal and financial responsibility that may arise in connection with approval of the application, including but not limited to attorney's fees and costs that the District may incur.
7. The Board shall specify the appropriate number of years to monitor actual annual water use when it finds Special Circumstances with Substantial Uncertainty exist.
8. In all applications where evidence does not support the finding that Special Circumstances with Substantial Uncertainty exist regarding a Project's Water Use Capacity, it shall be presumed that the Non-Residential Water Use Factors as shown on Table 2 apply to the Permit.

Draft Ordinance No. 201 – EXHIBIT C

9. Determinations of the General Manager pursuant to this Rule may be appealed to the Board.

F. CAPACITY FEE REFUNDS

1. The Capacity Fee paid for a Water Permit under these Rules and Regulations shall be a fee retained by the District in consideration of, and as reimbursement for the costs and expenses incurred by the District in planning for, acquiring, reserving, and maintaining capacity in the water distribution facilities existing or to be constructed within the District.
2. If a Project, as built, eliminates all or a portion of the Adjusted Water Use Capacity upon which the Water Permit was originally calculated, a refund of that portion of the Capacity Fee may occur.
3. Refunds of Capacity Fees shall occur if the Permit is abandoned prior to construction.
4. Refunds will only occur if a reduction in the Water Use Capacity is documented, or for abandoned Projects, if the Applicant has permanently removed the Water Meter and canceled the building permit.
5. Requests for refunds shall be in writing, and shall include the Water Permit number and the reason a refund is requested. Refunds are subject to fees under Rule 60.
6. All refunds shall be made to the then-current titleholder of the real property to which the Water Permit was issued.
7. Refunds requested for Capacity Fees paid for a Conditional Water Permit shall be processed under the following time lines:
 - a. Refunds of less than fifty thousand dollars (\$50,000) shall be processed within thirty (30) days;
 - b. Refunds between fifty thousand dollars (\$50,000) and one hundred thousand dollars (\$100,000) shall be processed

Draft Ordinance No. 201 – EXHIBIT C

within forty-five (45) days;

- c. Refunds over one hundred thousand dollars (\$100,000) shall be processed within sixty (60) days.

G. CAPACITY FEE FUND ACCOUNTING

1. The District shall maintain separate accounts in its general fund for Capacity Fees received. Those separate fund accounts shall be maintained and designated as Capacity Fee accounts “A” and “B”. Account “A” shall receive 18.67% of all Capacity Fees collected. Account “B” shall receive 81.33% of all Capacity Fees collected. The proceeds of any connection surcharge shall be transferred to the District’s general fund, without restriction.
2. Capacity Fee funds shall be expended from Capacity Fee accounts “A” and “B” for the sole purpose of planning for, acquiring and/or reserving augmented water supply capacity for District water distribution facilities. It is recognized that such purposes include engineering, hydrologic, geologic, fishery, appraisal, financial, and property acquisition endeavors. Capacity Fee funds may further be used to acquire, maintain, and/or reserve capacity in existing water distribution facilities existing within the District.

H. PERMIT FEE PAYMENT PLANS

1. Except as may be required by operation of law, or as approved by the Board of Directors on a case-by-case basis pursuant to this Rule, the District shall not authorize a payment plan for fees and charges due for the issuance of a Water Permit. This means that no Permit will be issued by the District unless all required fees and charges have first been paid in full to the District. In any circumstance where a Permit has been issued on less than full payment of all fees and charges due from that Parcel, that Permit shall immediately be Suspended and thereafter Revoked. Revocation of a Water Permit shall cause removal or limitation of water service to that Connection.
2. Notwithstanding any provision of this Rule, the Board, on a case-

Draft Ordinance No. 201 – EXHIBIT C

by-case basis, may authorize delayed payment for Projects which are solely undertaken by California Non-Profit Public Benefit Corporations provided each such plan shall ensure, by recorded deed restriction which includes the consent of each property owner, that all fees and charges due for the issuance of a Water Permit, together with deferred interest at the rate to be set by the Board, shall be paid in full in the event Project-ownership or occupancy is transferred to any entity other than a California Non-Profit Public Benefit Corporation. This provision is intended for use only in the presence of a substantial financial hardship to the Project proponent such that the development of the Project would be jeopardized by the present assessment of the full fees and charges due for the issuance of a Water Permit.

Rule added by Ordinance No. 8 (1/14/81); amended by Ordinance No. 9 (2/14/83); Ordinance No. 17 (9/24/84); Ordinance No. 18 (11/12/84); Ordinance No. 20 (12/10/84); Ordinance No. 21 (3/11/85); Ordinance No. 26 (9/8/86); Ordinance No. 33 (3/14/88); Ordinance No. 34 (5/9/88); Ordinance No. 40 (4/10/89); Ordinance No. 60 (6/15/92); Ordinance No. 71 (12/20/93); Ordinance No. 76 (5/15/95); Ordinance No. 80 (11/20/95); Ordinance No. 98 (4/16/2001); Ordinance No. 111 (1/29/2004); Ordinance No. 114 (5/17/2004); Ordinance No. 125 (9/18/2006); Ordinance No. 145 (9/20/2010); Ordinance No. 157 (12/9/2013); Ordinance No. 162 (8/18/2014); Ordinance No. 164 (4/20/2015); Ordinance No. 170 (5/16/2016); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 182 (5/20/2019); Ordinance No. 185 (5/18/2020); Ordinance No. 189 (12/13/2021); Ordinance No. 193 (8/21/2023); Ordinance No. 198 (7/21/2025)

TABLE 1: RESIDENTIAL FIXTURE UNIT COUNT VALUES

	Water Fixture Description	Fixture Unit Value
1	Washbasin (lavatory sink), each	1
2	Two Washbasins in the Master Bathroom	1
3	Toilet, Ultra Low Flush (1.6 gallons per flush)	1.8
4	Toilet, High Efficiency (HET) (1.3 gallons maximum)	1.3
5	Toilet, Ultra High Efficiency <u>w/Deed Restriction</u> (UHET) (0.8 gallon maximum)	0.8
6	Urinal, (Pint (0.125 gallon maximum))	0.1
7	Urinal, Zero Water Consumption	0
8	Bathtub, (may be Large with Showerhead above Bathtub) & Separate Shower <u>located</u> in the Master Bathroom	3
9	Bathtub, Large (may have Showerhead above)	3
10	Bathtub, Standard (may have Showerhead above) or Shower Stall (one Showerhead)	2
11	Shower, each additional fixture (including additional Showerheads, Body Spray Nozzles, etc.)	2
12	Shower System, Rain Bars, or Custom Shower (varies according to specifications)	2 <u>Inquire</u>
13	Kitchen Sink (including optional adjacent <u>non-High Efficiency</u> Dishwasher) ¹	2
14	Kitchen Sink with adjacent High Efficiency Dishwasher (3.5 gallons maximum per cycle)	1.5
15	Dishwasher, each additional (including optional adjacent sink)	2
16	Dishwasher, High Efficiency, each additional (including optional adjacent sink) 3.5 gallons maximum per cycle	1.5
17	Laundry Sink/Utility Sink (debit/Capacity Fee applies to only one Laundry/Utility Sink per Residential Site)	2
18	Clothes Washer (<u>existing non-High Efficiency Clothes Washer</u>)	2
19	Clothes Washer, Common Laundry Room (per Dwelling Unit with access to the CLR)	2 <u>1</u>
20	Clothes Washer, High Efficiency (HEW) (Water Factor of 4.3 or less)	1
21	Bidet	1 <u>2</u>
22	Bar Sink	1
23	Entertainment Sink	1
24	Vegetable Sink	1
25	Swimming Pool (each 100 square-feet of pool surface area)	1
26	For all new Connections -- Refer to Rule 24-A-5, Exterior Residential Water Demand Calculations.	

¹When a Kitchen Sink exists without the benefit of a Dishwasher, a Dishwasher may be added without a Water Permit.

Table Amended by Resolution 2009-11 (8/17/2009); Ordinance No. 140 (11/16/2009); Resolution 2009-13 (12/14/2009); Resolution 2010-15 (12/13/2010); Ordinance No. 151 (11/19/2012); Ordinance No. 156 (11/18/2013); Resolution 2016-04 (2/17/2016); Resolution 2021-14 (11/15/2021); Resolution 2022-22 (7/18/2022)

TABLE 2: NON-RESIDENTIAL WATER USE FACTORS**Group I** 0.00007 AF/SF

Users in this category are low water uses where water is primarily used for employee hygiene and minimal janitorial uses. Examples are offices, warehouses, and low water use retail businesses.

Group II 0.0002 AF/SF

Users in this category prepare and/or sell food/beverages that are primarily provided to customers in/on disposable tableware. Food with high moisture content and liquid food may be served on reusable tableware. Glassware may be used to serve beverages. Users in this category are not full-service restaurants.

Group III

Assisted Living (more than 6 beds) ²	0.085 AF/Bed
Bar (limited food/not a full-service restaurant)	0.0002 AF/SF ¹
Dog Grooming	0.0567 AF/Grooming Station
Child/Dependent Adult Day Care	0.0072 AF/Person
Dry Cleaner w/on-Site laundry	0.0002 AF/SF
Dormitory Beds @ Educational Institution ³	0.02 AF/Bed
Laundromat	0.12 AF/Machine
Motel/Hotel/Bed & Breakfast	0.064 AF/Bedroom
Large Bathtub (Add to bedroom factor)	0.03 AF/Tub
Each additional Showerhead beyond one per stall (Add to bedroom factor)	0.02 AF/Showerhead
Nail and/or Beauty Salon	0.00007 AF/SF
Irrigated Areas/Landscaping	ETWU (See Rule 142.1)
Plant Nursery	0.00009 AF/SF Land Area
Public Toilet	0.058 AF/Toilet
Public Urinal	0.036 AF/Urinal
Zero Water Consumption Urinal	No Value
Recreational Vehicle Water Hookup	0.064 AF
Restaurant - Full Service (including associated Bar Seats)	0.02 AF/Interior Restaurant Seat
Exterior Restaurant Seats above the “Standard Exterior Seat Allowance” ⁴	0.01 AF/Exterior Restaurant Seat
Exterior Restaurant Seats within the “Standard Exterior Seat Allowance”	No Value
Restaurant (24-Hour and Fast Food)	0.038 AF/Interior Restaurant Seat
School or Church	0.00007 AF/SF
Self-Storage	0.0002 AF/100 SF
Skilled Nursing/Alzheimer’s Care	0.12 AF/Bed
Spa	0.05 AF/Spa
Swimming Pool	0.02 AF/100 SF of Surface Area
Theater	0.0012 AF/Seat

Group IV - MODIFIED NON-RESIDENTIAL USES

Users in this category have a reduced water Capacity compared to the Groups I-III and have received a Water Use Credit for modifications (Rule 25.5-F-4-d) or the permanent installation of validated technology that results in a quantifiable reduction in Water Use Capacity. Please inquire for specific property information.

Group V - INDUSTRIAL USES

Users in this category use water during the production process for either creating their products or cooling equipment. Industrial water may also be used for fabricating, processing, washing, diluting, cooling, or transporting a product.

¹ ABC Licensed Premises Diagram area shall be used for calculation of square-footage.

² Assisted living Dwelling Units shall be permitted as Residential uses per Table 1, Residential Fixture Unit Count Values.

³ Dormitory water use at educational facilities is a Residential use, although the factor is shown on Table 2.

⁴ See Rule 24-B-1 and Rule 25.5 for information about the “Standard Exterior Seat Allowance”.

This includes industries involved in the production of chemicals and food products, as well as certain hospital uses. The Water Use Capacity shall be determined after reviewing the project’s construction and business plans, along with estimated water r use, and may be considered under Rule 24 Special Circumstances.

Notes: Any Non-Residential water use which cannot be characterized by one of the use categories set forth in Table 2 shall be designated as “other” and assigned a factor which has a positive correlation to the anticipated Water use Capacity for that Site. When a Non-Residential project proposes two or more of the uses set forth in Table 2, each proposed use shall be subject to a separate calculation. When the proposed use appears to fall into more than one group or use, the higher factor shall be used.

Table amended by Ordinance No. 125 (9/29/2006); Resolution 2008-01 (1/24/2008); Resolution 2010-15 (12/13/2010); Resolution 2013-16 (9/16/2013); Resolution 2014-04 (3/17/2014); Resolution 2014-12 (7/21/2014); Ordinance No. 164 (4/20/2015); Resolution 2016-06 (3/21/2016); Ordinance No. 176 (1/25/2017); Resolution 2017-14 (7/21/2017); Resolution 2017-16 (12/11/2017); Resolution 2018-21 (11/19/2018); Ordinance No. 182 (5/20/2019); Resolution 2019-10 (7/15/2019); Resolution 2019-15 (9/16/2019); Resolution 2021-15 (11/15/2021); Resolution 2022-27 (9/19/2022); Resolution 2022-33 (11/14/2022); Resolution 2024-14 (12/16/2024)

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RULE 24 - CALCULATION OF WATER USE CAPACITY AND CAPACITY FEES**A. RESIDENTIAL CALCULATION OF WATER USE CAPACITY**

Residential Water Use Capacity shall be calculated using a fixture unit methodology whereby each water fixture is assigned a fixture unit value that corresponds to its approximate annual Water Use Capacity. Residential applications shall be reviewed to determine if there is an increase in fixture units as a result of the proposed Project.

1. Methodology for Determining Water Use Capacity

The following process shall be used to determine if there is an increase in Water Use Capacity:

- a. The General Manager shall estimate Water Use Capacity of the proposed Project using the fixture unit values and outdoor water uses calculation from Table 1: Residential Fixture Unit Count Values.
- b. If the application includes a Residential water fixture that is not specifically exempt from the Residential Permit requirements, and no factor is shown on Table 1: Residential Fixture Unit Count Values, for a proposed water fixture, the General Manager shall research the projected annual consumption of the fixture and shall recommend a fixture unit count value to the Board that corresponds to the Estimated Annual Water Use Capacity of the fixture. Table 1 shall subsequently be amended by Resolution of the Board of Directors to assign a value to the new fixture.
- c. Using Table 1: Residential Fixture Unit Count Values, the General Manager shall compare the pre-Project fixture unit count against the fixture unit count shown on the Construction Plans submitted with the Water Release Form and Water Permit application. Pre-Project Estimated Annual Water Use Capacity shall be verified by inspection.
- d. The General Manager shall reduce the Estimated Annual

Draft Ordinance No. 201 – EXHIBIT C-1

Water Use Capacity by any verified Water Use Credit or On-Site Water Credit applicable to the application as shown on the Water Release Form and Water Permit application and shall determine the Adjusted Water Use Capacity of the proposed Project.

- e. Based upon the review conducted in Rule 24-A-1, the General Manager shall determine if Project will result in a positive, neutral or reduced Water Use Capacity on the Site.
- (1) An increase in Capacity (Intensification of Use) shall cause the calculation and collection of a Capacity Fee prior to issuance of a Water Permit.
 - (2) No Capacity Fee shall be assessed when there is no increase in Water Use Capacity.
 - (3) A reduction in Water Use Capacity shall result in a Water Use Credit upon verification that the former use has been permanently abandoned. This credit shall be established in conformance with Rule 25.5.

2. Exempt Residential Water Fixtures

The following water fixtures shall be exempt from the Residential Permit requirements and shall have no fixture unit value: Portable Water Fixtures, fountains, ponds, hot tub/spas, drinking fountains, pot fillers behind a cooktop, darkroom sinks, outdoor showers, outdoor sinks, hose bibs, pet/livestock wash racks and water troughs, and multiple Utility Sinks (more than one per Site).

3. Second Bathroom Addition

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

Draft Ordinance No. 201 – EXHIBIT C-1

- a. The second Bathroom protocol shall be limited and shall apply only to the following water appliances if they are installed in a second Bathroom as an expansion or remodel of an existing Dwelling Unit:
 - (a) a single toilet, and (b) a single Standard Bathtub, or single Shower Stall, or a single standard tub-shower combination, and (c) one or two Washbasins.
- b. The second Bathroom protocol shall further apply to a Residential application that proposes to add one or more of the water fixtures referenced above to a second Bathroom which lacks that fixture(s) within a Dwelling Unit that has less than two full Bathrooms.
- c. The second Bathroom protocol shall apply only to a Dwelling Unit that has less than two full Bathrooms and that has not removed basic Bathroom water fixtures (i.e., a toilet, a Standard Bathtub or Shower Stall or a Washbasin) to enable the addition of water fixtures elsewhere on the Site.
- d. The second Bathroom protocol shall not apply to any Multi-Family Dwelling or Multi-Family Residential Site with four or more units. Water fixtures installed pursuant to this provision shall be installed within the Dwelling Unit. The second Bathroom protocol shall not be used to create a new Accessory Dwelling Unit. This includes the addition of a second Bathroom elsewhere in the Dwelling Unit that would allow a Bathroom to be used by an Accessory Dwelling Unit or Junior Accessory Dwelling Unit. The protocol was adopted to recognize that a second Bathroom is for convenience. It is not intended to support a new User.
- e. Under this second Bathroom protocol, the General Manager shall not debit the Jurisdiction's Allocation for the installation of the water fixtures in the second Bathroom.
- f. Capacity Fees shall nonetheless be collected for the

Draft Ordinance No. 201 – EXHIBIT C-1

addition of fixture units in the second Bathroom.

- g. No credit shall be granted for removal or retrofit of any fixture added pursuant to this second Bathroom protocol.
- h. Use of the second Bathroom protocol is voluntary. Any Dwelling Unit installing a second Bathroom pursuant to this provision shall be limited to two Bathrooms unless the fixtures permitted by this protocol in the second Bathroom are permitted by debit to a Jurisdiction's Allocation, an Entitlement, or offset by a credit. A Notice and Deed Restriction Regarding Limitation on Use of Water on a Property shall be recorded on the real property as a condition of the Water Permit.
- i. All Water Permits issued pursuant to this Rule shall include a Notice and Deed Restriction titled "Provide Public Access to Water Use Data" pursuant to Rule 23. In addition, permits utilizing the second Bathroom protocol shall authorize access to water records for the sixty (60) months prior to the date the Water Permit is issued.
- j. The provisions of this second Bathroom protocol shall take precedence and supersede any contrary provision of the Water Management District Rules and Regulations.

4. Master Bathroom Fixture Unit Accounting

- a. All fixtures utilizing a Master Bathroom fixture unit value as shown in Table 1: Residential Fixture Unit Count Values shall occur in the same Bathroom, and that Bathroom shall be designated as the "Master Bathroom." Each Dwelling Unit shall have no more than one Master Bathroom.
- b. The Master Bathroom fixture unit value shall not apply to second Bathrooms utilizing the second Bathroom protocol.

5. Exterior Residential Water Demand Calculations

Draft Ordinance No. 201 – EXHIBIT C-1

See Rule 142.1, Water Efficient Landscape Requirements, for calculation of landscape water demand. An additional 0.01 Acre-Foot of water shall be added for outdoor water uses other than irrigation.

- a. Exterior water demand shall be calculated according to Rule 142.1.

6. Swimming Pools Filled By Mobile Water Distribution System

Swimming Pools constructed with a condition prohibiting use of the local Potable Water Distribution System to fill the pool shall be required to secure their water supply from an entity that holds a current and valid Water Hauler's License from the California Department of Public Health, Food and Drug Branch (FDB). The Water Hauler's License is required to haul more than 250 gallons by any means of transportation for drinking, culinary, or other purposes involving a likelihood of the water being ingested by humans. There shall be a minimum deduction to the Water Distribution System serving the property in the amount of 0.01 Acre-Foot Annually to offset potential maintenance demand in addition to the requirement to fill and maintain the pool using a licensed Mobile Water Distribution System.

7. Calculating Adjusted Water Use Capacity

- a. Each fixture unit shall have a value of 0.01 Acre-Foot of water.
- b. Water use calculations shall be rounded to the third decimal place.

8. Multi-Family Dwelling Clothes Washers

Installation of a High Efficiency Clothes Washer within a Dwelling Unit constructed prior to January 1, 2022, on a Multi-Family Residential Site or Common Interest Development served by a Common Laundry Room does not increase Capacity.

B. NON-RESIDENTIAL CALCULATION OF WATER USE CAPACITY

Non-Residential Water Use Capacity shall be calculated using Table 2: Non-Residential Water Use Factors. Each Non-Residential use shall be assigned a factor that when multiplied by a specified measurement shown on Table 2 (i.e., square-footage, number of rooms/seats, etc.) results in an estimate of the approximate annual Water Use Capacity in Acre-Feet. Non-Residential applications shall be reviewed to determine if there is an increase in water demand as a result of the proposed Project. Amendments to Table 2 shall be made by Resolution of the Board of Directors.

1. Methodology for Determining Water Use Capacity

The following process shall be used to determine if there is an increase in Water Use Capacity:

a. The General Manager shall estimate Water Use Capacity of the proposed Project using the Water Use Factors from Table 2: Non-Residential Water Use Factors.

(1) New Construction: When the Non-Residential Water Use Factor is based on a square-footage factor, the gross square-footage shall be applied to the factor for construction of a new building.

(2) Tenant Improvements within a defined lease space: When the Non-Residential Water Use Factor is based on square-footage for a Tenant Improvement in a defined lease space, the useable square-footage shall be applied to the factor. This calculation does not affect the remaining Capacity of the building and is to be used only to identify the Capacity of the area being remodeled.

b. When a Non-Residential Project proposes two or more of the uses set forth in Table 2, each proposed use shall be subject to a separate calculation. By way of example, a hotel with a restaurant would be subject to both the hotel use by unit and the restaurant use by seat calculation.

Draft Ordinance No. 201 – EXHIBIT C-1

Where a proposed use can be placed in more than one group, the group which most accurately depicts overall projected water use shall be selected or the uses shall be calculated based on the square-footage or other factor for each area in which the use occurs. When the proposed use appears to fall into more than one group or use, the higher factor shall be used.

- c. If the application includes a Non-Residential use that is not identical to or similar to those uses shown on Table 2: Non-Residential Water Use Factors, the General Manager shall research the projected annual consumption of the use and shall recommend a value to the Board that corresponds to the Estimated Annual Water Use Capacity.
- d. The General Manager shall compare the pre-Project Estimated Annual Water Use Capacity against the Estimated Annual Water Use Capacity shown on the Construction Plans submitted with the Water Release Form and Water Permit application. Pre-Project Estimated Annual Water Use Capacity may be verified by inspection.
- e. The General Manager may reduce the Estimated Annual Water Use Capacity for the permanent installation and use of known and validated technology that results in a quantifiable reduction in Water Use Capacity above that anticipated with Best Management Practices.
- f. The General Manager shall reduce the Estimated Annual Water Use Capacity by any verified Water Use Credit or On-Site Water Credit applicable to the application as shown on the Water Release Form and Water Permit application and shall determine the Adjusted Water Use Capacity of the proposed project.
- g. Based upon the review conducted in 24-B-1-f, the General Manager shall determine if the Project will result in a positive, neutral or reduced Water Use Capacity on the Site.

Draft Ordinance No. 201 – EXHIBIT C-1

- (1) An increase in Capacity (Intensification of Use) shall cause the calculation and collection of a Capacity Fee prior to issuance of a Water Permit.
- (2) No Capacity Fee shall be assessed when there is no increase in Water Use Capacity.
- (3) A reduction in Water Use Capacity shall result in a Water Credit upon verification that the former use has been abandoned. This credit shall be established in conformance with Rule 25.5.

h. Non-Residential Projects at Public School District Sites acquired prior to 2020 shall be considered to have a zero Adjusted Water Use Capacity when the entire Public School District Site meets or exceeds Rule 143 Water Efficiency Standards for Existing Non-Residential Uses.

i. A Restaurant's Water Use Capacity shall be determined by the maximum Interior Restaurant Seat count authorized by the Jurisdiction and District. Exterior Restaurant Seats may be maintained for al fresco dining without a requirement for a new or amended Water Permit provided the maximum number of Exterior Restaurant Seats does not exceed one-half the number of authorized Interior Restaurant Seats (the "standard exterior seat allowance"). Exterior Restaurant Seating not in compliance with this paragraph shall require a new or amended Water Permit.

2. Exterior Water Demand Shall be Calculated According to Rule 142.1

3. Calculating Adjusted Water Use Capacity

Water use calculations shall be rounded to the third decimal place.

C. WATER SUPPLY COST COMPONENT

Draft Ordinance No. 201 – EXHIBIT C-1

The water supply cost component used as a monetary multiplier in each Capacity Fee calculation required by this rule shall be \$10,623.20. This water supply cost component shall be adjusted on July 1st of each year beginning in July, 1985, to include the annual increase or decrease of the April Consumer Price Index (CPI), all items, for San Francisco/Oakland, as promulgated by the U.S. Department of Labor Bureau of Statistics. The adjusted multiplier shall apply to each Water Permit application received on or after July 1st of each year. Table 3: Capacity Fee History shall be updated annually by Resolution of the Board to reflect the current year's Capacity Fee.

D. CALCULATION OF CAPACITY FEES

The Capacity Fee paid for a Water Permit shall be determined by multiplying the Adjusted Water Use Capacity by the current Capacity Fee. This charge shall be applied to each application for a Water Permit as follows:

1. Projects served by the California American Water Company System and Seaside Municipal Water System shall pay 100 percent of the final calculation.
2. All other Water Distribution Systems, including private Wells and other Water Distribution Systems, shall pay 18.67 percent of the final calculation.

E. ADJUSTMENT OF CALCULATIONS WHERE SPECIAL CIRCUMSTANCES EXIST

1. The General Manager may reduce (or increase) the Adjusted Water Use Capacity when Special Circumstances exist with respect to the anticipated water consumption resulting from that Permit. Special Circumstances shall be deemed to exist in the following circumstances:
 - a. After project completion and verification that Sub-potable Water or untreated Well water is the exclusive supply for all

Draft Ordinance No. 201 – EXHIBIT C-1

exterior uses, the General Manager may make a proportional adjustment for the final Adjusted Water Use Capacity and shall refund that portion of the Capacity Fee and the portion of water debited from an Allocation or Water Entitlement.

- b. Projects that utilize water in conjunction with a manufacturing process.
 - c. Non-Residential projects owned by a Public entity.
2. The preliminary Estimated Annual Water Use Capacity Adjustment shall operate to exact a Capacity Fee as it relates to the increment of water which is projected to be available to and subject to use by the Applicant as a function of the Connection or the use of water. In the absence of a comparable water use factor on Table 2, the General Manager may make this adjustment based upon projected use figures supported by historical use or other relevant documentation. In the absence of Special Circumstances, calculation of the Estimated Annual Water Use Capacity shall be made by use of Non-Residential Water Use Factors shown on Table 2.
 3. The General Manager shall be granted authority to factor Adjusted Water Use Capacity and Capacity Fees for Industrial and Public Projects based upon the actual average annual water use record following 60 months of occupancy and use without the necessity of a hearing before the Board of Directors. The process shall require payment of an estimated Capacity Fee and corresponding Allocation or Water Entitlement debit. The final Capacity Fee and corresponding Allocation or Water Entitlement debit shall be adjusted upon the actual annual water use record for that Connection.
 4. For all situations where the General Manager finds Special Circumstances with Substantial Uncertainty exist regarding the Estimated Annual Water Use Capacity proposed by the permit Applicant, the Board shall consider approving a Water Permit upon payment of an estimated Capacity Fee and corresponding

Draft Ordinance No. 201 – EXHIBIT C-1

Allocation or Water Entitlement debit. The final Capacity Fee and corresponding Allocation or Water Entitlement debit shall be adjusted upon the actual average annual water use record for that Connection.

5. This Rule shall not apply where a single meter supplies more than one water User.
6. All Water Permits issued with a finding of Special Circumstances shall be subject to the following conditions:
 - a. A deed restriction listing the conditions of the Permit shall be recorded on the property prior to issuance of a Water Permit.
 - b. By written communication, the Jurisdiction shall authorize the District to issue a Water Permit based on a finding of Special Circumstances consistent with CEQA compliance for the approved Project.
 - c. The Jurisdiction shall acknowledge in writing to the District that annual average water use above the preliminary Estimated Annual Water Use Capacity shall either result in a debit to its Allocation or shall require additional action to reduce or offset water use as authorized by the District Board.
 - d. Approval of Special Circumstances with Substantial Uncertainty is valid for thirty-six (36) months. The project shall be completed within thirty six (36) months of District approval. One extension of time for twelve (12) months will be granted by the General Manager upon evidence of due diligence by the Applicant.
 - e. The Project shall be exclusively equipped with all reasonable conservation measures as determined by the General Manager.
 - f. The property owner shall agree to allow public access to

Draft Ordinance No. 201 – EXHIBIT C-1

water consumption records for the life of the Project. Access shall be authorized by recordation of the appropriate deed restriction.

- g. A Landscape Documentation Package, shall be included with the Water Permit application.
- h. Prior to issuance of a Water Permit, the Water Permit Applicant shall submit Capacity Fees and processing fees as outlined in Rule 24 and Rule 60.
- i. A water meter shall be installed to monitor exterior water use, apart from any interior use. District staff shall have access to the water meters and consumption reports upon reasonable request.
- j. The property owner or his agent shall annually complete and submit a Special Circumstances Review Form and applicable attachments to the District by February 1. The Special Circumstances Review Form shall require the property owner to provide information about the Project's annual water use and practices, copies of the past year's water bills, information about the performance of any special appliances, and other information useful in reviewing Project-related water demand. The Special Circumstances Review Form shall be submitted each year during construction and for ten years following full occupancy after completion of the Project.
- k. Water use will be reviewed annually after occupancy. If actual water use exceeds the preliminary Water Use Capacity estimate during any annual review, the District will debit the Jurisdiction's Allocation for the difference. At the end of the monitoring period, if the average annual water use exceeds the preliminary Water Use Capacity estimate, the District will determine whether the Jurisdiction shall transfer some of its Allocation to the Project, or whether the Applicant shall pay the cost of District-approved water conservation projects within the

Draft Ordinance No. 201 – EXHIBIT C-1

District or on the Project Site to establish Water Use Credits to offset the increased increment of water needed by the Project.

1. The Applicant and any successor in interest to the Water Permit shall enter into an indemnification agreement with the District, whereby the Applicant agrees to indemnify, defend and hold harmless the District from any and all legal and financial responsibility that may arise in connection with approval of the application, including but not limited to attorney's fees and costs that the District may incur.
7. The Board shall specify the appropriate number of years to monitor actual annual water use when it finds Special Circumstances with Substantial Uncertainty exist.
8. In all applications where evidence does not support the finding that Special Circumstances with Substantial Uncertainty exist regarding a Project's Water Use Capacity, it shall be presumed that the Non-Residential Water Use Factors as shown on Table 2 apply to the Permit.
9. Determinations of the General Manager pursuant to this Rule may be appealed to the Board.

F. CAPACITY FEE REFUNDS

1. The Capacity Fee paid for a Water Permit under these Rules and Regulations shall be a fee retained by the District in consideration of, and as reimbursement for the costs and expenses incurred by the District in planning for, acquiring, reserving, and maintaining capacity in the water distribution facilities existing or to be constructed within the District.
2. If a Project, as built, eliminates all or a portion of the Adjusted Water Use Capacity upon which the Water Permit was originally calculated, a refund of that portion of the Capacity Fee may occur.
3. Refunds of Capacity Fees shall occur if the Permit is abandoned

Draft Ordinance No. 201 – EXHIBIT C-1

prior to construction.

4. Refunds will only occur if a reduction in the Water Use Capacity is documented, or for abandoned Projects, if the Applicant has permanently removed the Water Meter and canceled the building permit.
5. Requests for refunds shall be in writing, and shall include the Water Permit number and the reason a refund is requested. Refunds are subject to fees under Rule 60.
6. All refunds shall be made to the then-current titleholder of the real property to which the Water Permit was issued.
7. Refunds requested for Capacity Fees paid for a Conditional Water Permit shall be processed under the following time lines:
 - a. Refunds of less than fifty thousand dollars (\$50,000) shall be processed within thirty (30) days;
 - b. Refunds between fifty thousand dollars (\$50,000) and one hundred thousand dollars (\$100,000) shall be processed within forty-five (45) days;
 - c. Refunds over one hundred thousand dollars (\$100,000) shall be processed within sixty (60) days.

G. CAPACITY FEE FUND ACCOUNTING

1. The District shall maintain separate accounts in its general fund for Capacity Fees received. Those separate fund accounts shall be maintained and designated as Capacity Fee accounts “A” and “B”. Account “A” shall receive 18.67% of all Capacity Fees collected. Account “B” shall receive 81.33% of all Capacity Fees collected. The proceeds of any connection surcharge shall be transferred to the District’s general fund, without restriction.
2. Capacity Fee funds shall be expended from Capacity Fee accounts “A” and “B” for the sole purpose of planning for, acquiring and/or

Draft Ordinance No. 201 – EXHIBIT C-1

reserving augmented water supply capacity for District water distribution facilities. It is recognized that such purposes include engineering, hydrologic, geologic, fishery, appraisal, financial, and property acquisition endeavors. Capacity Fee funds may further be used to acquire, maintain, and/or reserve capacity in existing water distribution facilities existing within the District.

H. PERMIT FEE PAYMENT PLANS

1. Except as may be required by operation of law, or as approved by the Board of Directors on a case-by-case basis pursuant to this Rule, the District shall not authorize a payment plan for fees and charges due for the issuance of a Water Permit. This means that no Permit will be issued by the District unless all required fees and charges have first been paid in full to the District. In any circumstance where a Permit has been issued on less than full payment of all fees and charges due from that Parcel, that Permit shall immediately be Suspended and thereafter Revoked. Revocation of a Water Permit shall cause removal or limitation of water service to that Connection.
2. Notwithstanding any provision of this Rule, the Board, on a case-by-case basis, may authorize delayed payment for Projects which are solely undertaken by California Non-Profit Public Benefit Corporations provided each such plan shall ensure, by recorded deed restriction which includes the consent of each property owner, that all fees and charges due for the issuance of a Water Permit, together with deferred interest at the rate to be set by the Board, shall be paid in full in the event Project-ownership or occupancy is transferred to any entity other than a California Non-Profit Public Benefit Corporation. This provision is intended for use only in the presence of a substantial financial hardship to the Project proponent such that the development of the Project would be jeopardized by the present assessment of the full fees and charges due for the issuance of a Water Permit.

Rule added by Ordinance No. 8 (1/14/81); amended by Ordinance No. 9 (2/14/83); Ordinance No. 17 (9/24/84); Ordinance No. 18 (11/12/84); Ordinance No. 20 (12/10/84); Ordinance No. 21 (3/11/85); Ordinance No. 26 (9/8/86); Ordinance No. 33 (3/14/88); Ordinance 34 (5/9/88); Ordinance No. 40 (4/10/89); Ordinance No. 60 (6/15/92); Ordinance No. 71 (12/20/93); Ordinance No. 76 (5/15/95); Ordinance No. 80 (11/20/95); Ordinance No. 98 (4/16/2001); Ordinance

Draft Ordinance No. 201 – EXHIBIT C-1

No. 111 (1/29/2004); Ordinance No. 114 (5/17/2004); Ordinance No. 125 (9/18/2006); Ordinance No. 145 (9/20/2010); Ordinance No. 157 (12/9/2013); Ordinance No. 162 (8/18/2014); Ordinance No. 164 (4/20/2015); Ordinance No. 170 (5/16/2016); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 182 (5/20/2019); Ordinance No. 185 (5/18/2020); Ordinance No. 189 (12/13/2021); Ordinance No. 193 (8/21/2023); Ordinance No. 198 (7/21/2025)

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TABLE 1: RESIDENTIAL FIXTURE UNIT COUNT VALUES

	Water Fixture Description	Fixture Unit Value
1	Washbasin , each	1
2	Two Washbasins in the Master Bathroom	1
3		
4	Toilet	1.3
5	Toilet, Ultra High Efficiency w/Deed Restriction (UHET) (0.8 gallon maximum)	0.8
6	Urinal, (Pint (0.125 gallon maximum))	0.1
7	Urinal, Zero Water Consumption	0
8	Bathtub, (may be Large Bathtub) & Separate Shower located in the Master Bathroom	3
9	Bathtub, Large (may have Showerhead above)	3
10	Bathtub, Standard (may have Showerhead above) or Shower Stall (one Showerhead)	2
11	Shower, each additional fixture (including additional Showerheads, Body Spray Nozzles, etc.)	2
12	Shower System, Rain Bars, or Custom Shower (varies according to specifications)	Inquire
13	Kitchen Sink (including optional adjacent non-High Efficiency Dishwasher)	2
14	Kitchen Sink with adjacent High Efficiency Dishwasher ¹	1.5
16	Dishwasher, High Efficiency, each additional (including optional adjacent sink	1.5
17	Laundry Sink/Utility Sink (debit/Capacity Fee applies to only one Laundry/Utility Sink per Residential Site)	2
18	Clothes Washer (existing non-High Efficiency Clothes Washer)	2
19	Clothes Washer, Common Laundry Room (per Dwelling Unit with access to the CLR)	1
20	Clothes Washer, High Efficiency (HEW)	1
21	Bidet	1
22	Bar Sink	1
23	Entertainment Sink	1
24	Vegetable Sink	1
25	Swimming Pool (each 100 square-feet of pool surface area)	1
26	For all new Connections -- Refer to Rule 24-A-5, Exterior Residential Water Demand Calculations.	

¹When a Kitchen Sink exists without the benefit of a Dishwasher, a Dishwasher may be added without a Water Permit.

Table Amended by Resolution 2009-11 (8/17/2009); Ordinance No. 140 (11/16/2009); Resolution 2009-13 (12/14/2009); Resolution 2010-15 (12/13/2010); Ordinance No. 151 (11/19/2012); Ordinance No. 156 (11/18/2013); Resolution 2016-04 (2/17/2016); Resolution 2021-14 (11/15/2021); Resolution 2022-22 (7/18/2022)

TABLE 2: NON-RESIDENTIAL WATER USE FACTORS**Group I** 0.00007 AF/SF

Users in this category are low water uses where water is primarily used for employee hygiene and minimal janitorial uses. Examples are offices, warehouses, and low water use retail businesses.

Group II 0.0002 AF/SF

Users in this category prepare and/or sell food/beverages that are primarily provided to customers in/on disposable tableware. Food with high moisture content and liquid food may be served on reusable tableware. Glassware may be used to serve beverages. Users in this category are not full-service restaurants.

Group III

Assisted Living (more than 6 beds) ²	0.085 AF/Bed
Bar (limited food/not a full-service restaurant)	0.0002 AF/SF ¹
Dog Grooming	0.0567 AF/Grooming Station
Child/Dependent Adult Day Care	0.0072 AF/Person
Dry Cleaner w/on-Site laundry	0.0002 AF/SF
Dormitory Beds @ Educational Institution ³	0.02 AF/Bed
Laundromat	0.12 AF/Machine
Motel/Hotel/Bed & Breakfast	0.064 AF/Bedroom
Large Bathtub (Add to bedroom factor)	0.03 AF/Tub
Each additional Showerhead beyond one per stall (Add to bedroom factor)	0.02 AF/Showerhead
Nail and/or Beauty Salon	0.00007 AF/SF
Irrigated Areas/Landscaping	ETWU (See Rule 142.1)
Plant Nursery	0.00009 AF/SF Land Area
Public Toilet	0.058 AF/Toilet
Public Urinal	0.036 AF/Urinal
Zero Water Consumption Urinal	No Value
Recreational Vehicle Water Hookup	0.064 AF
Restaurant - Full Service (including associated Bar Seats)	0.02 AF/Interior Restaurant Seat
Exterior Restaurant Seats above the “Standard Exterior Seat Allowance” ⁴	0.01 AF/Exterior Restaurant Seat
Exterior Restaurant Seats within the “Standard Exterior Seat Allowance”	No Value
Restaurant (24-Hour and Fast Food)	0.038 AF/Interior Restaurant Seat
School or Church	0.00007 AF/SF
Self-Storage	0.0002 AF/100 SF
Skilled Nursing/Alzheimer’s Care	0.12 AF/Bed
Spa	0.05 AF/Spa
Swimming Pool	0.02 AF/100 SF of Surface Area
Theater	0.0012 AF/Seat

Group IV - MODIFIED NON-RESIDENTIAL USES

Users in this category have a reduced water Capacity compared to Groups I-III and have received a Water Use Credit for modifications (Rule 25.5-F-4-d) or the permanent installation of validated technology that results in a quantifiable reduction in Water Use Capacity. Please inquire for specific property information.

Group V - INDUSTRIAL USES

Users in this category use water during the production process for either creating their products or cooling equipment. Industrial water may also be used for fabricating, processing, washing, diluting, cooling, or transporting a product.

¹ ABC Licensed Premises Diagram area shall be used for calculation of square-footage.

² Assisted living Dwelling Units shall be permitted as Residential uses per Table 1, Residential Fixture Unit Count Values.

³ Dormitory water use at educational facilities is a Residential use, although the factor is shown on Table 2.

⁴ See Rule 24-B-1 and Rule 25.5 for information about the “Standard Exterior Seat Allowance”.

This includes industries involved in the production of chemicals and food products, as well as certain hospital uses. The Water Use Capacity shall be determined after reviewing the project’s construction and business plans, along with estimated water use, and may be considered under Rule 24 Special Circumstances.

Notes: Any Non-Residential water use which cannot be characterized by one of the use categories set forth in Table 2 shall be designated as “other” and assigned a factor which has a positive correlation to the anticipated Water use Capacity for that Site. When a Non-Residential project proposes two or more of the uses set forth in Table 2, each proposed use shall be subject to a separate calculation. When the proposed use appears to fall into more than one group or use, the higher factor shall be used.

Table amended by Ordinance No. 125 (9/29/2006); Resolution 2008-01 (1/24/2008); Resolution 2010-15 (12/13/2010); Resolution 2013-16 (9/16/2013); Resolution 2014-04 (3/17/2014); Resolution 2014-12 (7/21/2014); Ordinance No. 164 (4/20/2015); Resolution 2016-06 (3/21/2016); Ordinance No. 176 (1/25/2017); Resolution 2017-14 (7/21/2017); Resolution 2017-16 (12/11/2017); Resolution 2018-21 (11/19/2018); Ordinance No. 182 (5/20/2019); Resolution 2019-10 (7/15/2019); Resolution 2019-15 (9/16/2019); Resolution 2021-15 (11/15/2021); Resolution 2022-27 (9/19/2022); Resolution 2022-33 (11/14/2022); Resolution 2024-14 (12/16/2024)

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RULE 25.5 - WATER USE CREDITS AND WATER CREDITS

- A. Except where a Water Permit has been abandoned, expired, Revoked, Suspended, or canceled under these Rules, a Person may apply to receive a documented Water Use Credit for the permanent abandonment of some or all prior water use on that Site by one of the methods set forth in this Rule. Water Use Credits pursuant to this Rule shall be documented by written correspondence between the District and the property owner, and shall remain valid unless expired or prohibited ~~by this Rule~~. Documented Water Use Credits shall not be ~~documented-recorded~~ by notice on a property title, except as specified in Rule 25.5-H. Except as allowed by Rule 28, Water Use Credits shall not be transferable to any other Site. When applicable, a Water Use Credit shall reference the factor shown on Rule 24 Table 1 or Table 2 as the basis for the credit. A documented Water Use Credit shall not be effected by any future change to that factor.
- B. Water savings resulting from mandatory compliance with Regulation XIV, Water Conservation, shall not result in a Water Use Credit, ~~with the exception of Table 4 retrofits.~~ Water Use Credits for required retrofits shall expire upon the date mandated by any District, State, or Federal law. Such savings shall be set aside as permanent water conservation savings.
- C. A Water Use Credit may be applied to and shall allow future water use on that Site at any time within a period of ten years following the Permanent Abandonment of Use documented by a demolition permit or other credible evidence of removal. In the absence of documentation, the date of the last MPWMD inspection documenting the existence of the fixture shall be used as the date of Permanent Abandonment. A one-year extension of time may be granted by the General Manager for justifiable cause. Subsequently, any remaining unused Water Use Credit shall expire.
- ~~D. A Water Use Credit on a Redevelopment Project that was documented prior to February 1, 2012, may, in addition to the time limits and in the manner set forth above, have its expiration date extended for two (2) additional periods of 60 months each, to afford any such Redevelopment Project a maximum period of two hundred forty (240) months to use that credit.~~
- E.D. A Water Use Credit at a Department of Defense Site shall expire after twenty (20) years.
- F.E. The following types of Permanent Abandonment of Capacity shall qualify for a Water Use Credit under this Rule:
1. Demolition of a building or use that has been recognized by the District as being a lawful water use;
 2. Demolition or permanent removal of Exterior Restaurant Seats specifically permitted by debiting Water Use Capacity from an Allocation or; Entitlement,

Water Credit or Water Use Credit;

3. Permanent disconnection of a lawful water use from a Water Distribution System;
4. Residential removal of District-documented and lawful water fixtures listed in Rule 24, Table 1: Residential Fixture Unit Count Values and the associated plumbing for those fixtures so there is no evidence of the removed water fixture;
5. Permanent installation of water fixtures or appliances that are designed to achieve greater water efficiency than mandated in District Rule 142 and Rule 143.
6. Removal of established Lawn on sports fields at a Public School District Site.

G.F. To determine a Water Use Credit, the General Manager shall:

1. Verify that the reduction is one which is permanent (i.e. Permanent Abandonment of Use) and the date that Permanent Abandonment of Use occurred.
2. Quantify the Water Use Capacity of the Site using the water use factors from Rule 24, Tables 1 and/or 2. If no factor is available on Table 2 or if the use is substantially different than any of the uses shown on Table 2, the General Manager may make an estimate based upon water records showing the average use over a minimum of eight (8) years.
3. Grant a Residential Water Use Credit for the permanent removal of water using fixtures if the fixture was properly and lawfully installed. ~~Credit for fixtures listed in Rule 24 A 2 shall only receive a Water Use Credit upon evidence of a Water Permit showing a debit to a Jurisdiction's Allocation and payment of related Capacity Fees.~~
 - a. Water Use Credits for multiple Showerheads shall be limited to a maximum of four (4) fixture units per Separate Stall Shower or Bathtub unless permitted using a Water Entitlement documented on an Assignment Document. A Shower System shall be considered a component of a Separate Stall Shower or Bathtub for purposes of this Rule.
 - b. Credit shall not be given for any reduction which occurs as the result of the removal of landscaping installed without a Water Permit or installed pursuant to a Water Permit for New Construction. An exception to this limitation shall be made for Non-Residential landscaping that was specifically identified, quantified, and permitted by the District. Any Water

Use Credit granted under this subdivision shall be determined using the Estimated Applied Water for the increment of landscaping being permanently abandoned.

4. Quantify the water use reduction (the abandoned Capacity) using the following methods:
 - a. Residential Water Use Credit for demolitions, permanent disconnection of water service, and permanent removal of water fixtures shall be determined using the current Fixture Unit Values from Rule 24, Table 1: Residential Fixture Unit Count Values.
 - ~~b. Residential Water Use Credits shall only be granted for installation of the ultra low consumption appliances listed in Table 4: High Efficiency Appliance Credits. This table may be amended by Resolution of the Board of Directors.~~

TABLE 4: HIGH EFFICIENCY APPLIANCE CREDITS

Appliance	Description	Water Use Credit in Fixture Units (FU)
High Efficiency Toilets	A toilet designed to have an average maximum flush of 1.28 gallons and that is labeled by the U.S. Environmental Protection Agency's WaterSense program.	0.5 FU
Ultra High Efficiency Toilet	A toilet designed and manufactured to flush with a maximum of 0.8 gallon of water and that is labeled by the U.S. Environmental Protection Agency's WaterSense program.	1 FU
Instant Access Hot Water System	A recirculating hot water system or other device(s) that results in hot water contact at every point of access throughout the Dwelling Unit within ten (10) seconds. Instant Access Hot Water Systems shall be installed in each auxiliary building plumbed with hot water on a Single-Family Residential Site. There shall be no Water Use Credit for installation of Instant Access Hot Water Systems for New Structures.	0.5 FU
High Efficiency Dishwasher	A dishwasher designed to use a maximum of 3.5 gallons per cycle. A High Efficiency Dishwasher shall have Energy Star certification.	0.5 FU
High Efficiency Clothes Washer	A Clothes Washer with a Water Factor of 4.3 or less that has Energy Star certification.	1 FU

Table 4 amended by Resolution 2008-03 (2/28/2008); Resolution 2009-10 (7/20/2009); Ordinance No. 140 (11/16/2009); Resolution 2009-14 (12/14/2009); Ordinance No. 151 (11/19/2012); Ordinance No. 156 (11/18/2013); Resolution 2019-09 (7/15/2019); Resolution 2020-01 (1/23/2020); Resolution 2022-08 (3/21/2022)

e.b. Non-Residential Water Use Credit for demolition and for permanent disconnection of water service shall be determined using current Table 2: Non-Residential Water Use Factors.

d.c. Non-Residential Water Use Credit for retrofits with Ultra-Low Consumption Technology shall be documented under the following circumstances and shall be granted for the increment of water savings

beyond the water savings anticipated from the installation of Low Water Use Plumbing Fixtures and other District mandates:

- i. Application for Water Use Credit Post-Retrofit. The Applicant shall submit clear and convincing evidence of water savings. This shall be accomplished by providing the District with a minimum of eight (8) years of documented pre-retrofit water history for the use from the Water Distribution System (i.e. bills or correspondence from the Water Distribution System Operator) along with two or more years of post-retrofit water history for the use (i.e. bills or correspondence from the Water Distribution System Operator). When eight (8) years of water history for a use is unavailable or when less than two years of post-retrofit water history is available, the Applicant shall obtain an independent third party's review of the projected water savings, subject to review and acceptance by the District. The District shall maintain a list of Persons qualified to prepare a third party water conservation analysis. The District shall verify the installation of Ultra-Low Consumption Technology by conducting an inspection.
- ii. Application for Water Use Credit Pre-Retrofit. The Applicant shall submit clear and convincing evidence of water savings. This shall be accomplished by providing the District with a minimum of eight (8) years of documented pre-retrofit water history for the use from the Water Distribution System (i.e. bills or correspondence from the Water Distribution System Operator) to establish a baseline consumption level and documentation of the dates of previous retrofits done pursuant to Regulation XIV. When eight (8) years of pre-retrofit water history for a use is unavailable, the factor from Rule 24, Table 2: Non-Residential Water Use Factors shall be used as the historic use baseline. To substantiate projected water savings resulting from the proposed retrofit(s), the Applicant shall submit additional documentation to support the estimated water savings. When District staff is not able to verify the estimated water savings, the Applicant may be required to reimburse the District for costs to obtain an independent third party's review of the projected water savings. The District shall verify the installation of Ultra-Low Consumption Technology by conducting an inspection.
- iii. When a Non-Residential Water Use Credit is requested for a Site that cannot demonstrate that the Site was equipped with Low Water Use Plumbing Fixtures for the full period of the water records used, there shall be a 15 percent reduction of the final calculated Water Use Credit.

- iv. In the event that the General Manager disagrees with the amount of water savings resulting from the installation of Ultra-Low Consumption Technology, the complete Water Use Credit application shall be presented to the Board for further consideration.
- 5. Written notification of the quantity and expiration of a Water Use Credit shall be provided to the Applicant and to the property owner.
- 6. No Water Use Credit or reduced Water Use Capacity shall be granted for the removal of a Non-Residential associated use to an out of District location or to another Water Distribution System. For example: No reduction in Water Use Capacity or Water Use Credit shall be granted for laundering hotel textiles at another location.

H.G. A valid Water Use Credit may provide the basis for the General Manager to issue a Water Permit for new, modified, or Intensified Water Use on that Site.

- 1. There shall be no Capacity Fee assessed for any Water Use Credit. Capacity Fees, however, shall apply to the Capacity for water use which exceeds the Water Use Credit, or for any Expansion of Use following the expiration of the Water Use Credit.
- ~~2. Use of a documented Residential Water Use Credit that originates from Table 4, High Efficiency Appliance Credits, or that originates from a Non-Residential Water Use Credit resulting from installation of Ultra Low Consumption Technology to offset an Expansion of Use shall cause recordation of a Notice and Deed Restriction Regarding Limitation on Use of Water on a Property. There shall be an exception to this requirement when the credit originates from installation of High Efficiency Toilets.~~
- 3.2. No Capacity Fee refund shall accrue by reason of a water use reduction or abandonment of Capacity, whether or not reflected by a Water Use Credit.
- 4.3. Issuance of a Water Use Credit shall not result in any change to a Jurisdiction's Allocation or to any Water Entitlement. Use of any Water Use Credit shall similarly not result in a change to a Jurisdiction's Allocation or any Water Entitlement.
- ~~5. When a Water Use Credit or On-Site Credit applied to a Water Permit originates from a Qualifying Device for which a Rebate has been issued, the District shall collect the amount of the Rebate as a Water Permit fee surcharge, in addition to~~

~~any other fee that may apply to that Water Permit. This fee surcharge shall be deposited in the Rebate Account.~~

I.H. When a Water Use Credit on a Site results from demolition of a building that straddled a lot line, the property owner shall specify in writing the quantity of ~~w~~Water Use Credit assigned to each of the lots formerly occupied by that building. ~~When a Site with a valid documented Water Use Credit is assigned new Assessor's Parcel Numbers and the original Assessor's Parcel Number becomes inactive, the Site owner shall specify in writing the quantity of Water Use Credit assigned to each of the Parcels.~~ Such designation shall ~~may~~ be recorded upon the title of each Parcel and shall specify the date the credit expires.

I.I. A Water Use Credit shall enable reuse of saved water on the Site.

1. Water Use Credits may be moved between one or more structures on the same Site or may be used to construct new uses on the same Site.
2. The District shall not require an additional increment of water for exterior water usage on a ~~Vacant~~ vacant Lot or lot containing an uninhabitable structure when the owner of the Site has submitted clear and convincing evidence of landscaping and irrigation that was installed by and has been consistently maintained since March 11, 1985. Examples of acceptable evidence are dated photographs, official documents, permits or correspondence of the Jurisdiction, receipts or invoices for gardening services or purchases related to landscaping and maintaining landscaping on the Site. Credit shall only apply to the portion of the Site for which evidence has been provided.
3. A Water Use Credit for disconnection from a Potable Water Distribution System shall be granted by the General Manager only upon the removal of the Connection and written confirmation of such removal by the Water Distribution System Owner or Operator.
4. Water Use Credits shall remain on the Department of Defense Site where the credit originated unless there is agreement between the parties to allow use of a Water use Credit at a different Department of Defense Site.

K.J. An on-Site Water Credit resulting from the non-permanent removal of a lawful use that occurred on or after March 1, 1985, may be applied to, and shall allow, the future reuse of that increment of water on that Site. A Water Permit for reinstating the former use shall be required and allowed.

Rule added by Ordinance No. 60 (6/15/92); amended by Ordinance No. 64 (10/05/92); Ordinance No. 71 (12/20/93); Ordinance No. 110 (9/30/2003); Ordinance No. 115 (05/17/2004); Ordinance No. 121 (8/15/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 128 (6/18/2007); Ordinance No. 139 (5/12/2009); Ordinance No. 145 (9/20/2010); Ordinance No. 155 (3/18/2013); Ordinance No. 156 (11/18/2013); Ordinance No. 157 (12/9/2013); Ordinance No. 162 (8/18/2014); Ordinance No. 164 (4/20/2015); Ordinance No. 170 (5/16/2016); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 182 (5/20/2019); Ordinance No. 187 (6/21/2021); Ordinance No. 189 (12/13/2021).

RULE 25.5 - WATER USE CREDITS AND WATER CREDITS

- A. Except where a Water Permit has been abandoned, expired, Revoked, Suspended, or canceled under these Rules, a Person may apply to receive a documented Water Use Credit for the permanent abandonment of some or all prior water use on that Site by one of the methods set forth in this Rule. Water Use Credits pursuant to this Rule shall be documented by written correspondence between the District and the property owner, and shall remain valid unless expired or prohibited. Documented Water Use Credits shall not be recorded by notice on a property title, except as specified in Rule 25.5-H. Except as allowed by Rule 28, Water Use Credits shall not be transferable to any other Site. When applicable, a Water Use Credit shall reference the factor shown on Rule 24 Table 1 or Table 2 as the basis for the credit. A documented Water Use Credit shall not be effected by any future change to that factor.
- B. Water savings resulting from mandatory compliance with Regulation XIV, Water Conservation, shall not result in a Water Use Credit. Water Use Credits for required retrofits shall expire upon the date mandated by any District, State, or Federal law. Such savings shall be set aside as permanent water conservation savings.
- C. A Water Use Credit may be applied to and shall allow future water use on that Site at any time within a period of ten years following the Permanent Abandonment of Use documented by a demolition permit or other credible evidence of removal. In the absence of documentation, the date of the last MPWMD inspection documenting the existence of the fixture shall be used as the date of Permanent Abandonment. A one-year extension of time may be granted by the General Manager for justifiable cause. Subsequently, any remaining unused Water Use Credit shall expire.
- D. A Water Use Credit at a Department of Defense Site shall expire after twenty (20) years.
- E. The following types of Permanent Abandonment of Capacity shall qualify for a Water Use Credit under this Rule:
1. Demolition of a building or use that has been recognized by the District as being a lawful water use;
 2. Demolition or permanent removal of Exterior Restaurant Seats specifically permitted by debiting Water Use Capacity from an Allocation or Entitlement, Water Credit or Water Use Credit;
 3. Permanent disconnection of a lawful water use from a Water Distribution System;
 4. Residential removal of District-documented and lawful water fixtures listed in

Rule 24, Table 1: Residential Fixture Unit Count Values and the associated plumbing for those fixtures so there is no evidence of the removed water fixture;

5. Permanent installation of water fixtures or appliances that are designed to achieve greater water efficiency than mandated in District Rule 142 and Rule 143.
 6. Removal of established Lawn on sports fields at a Public School District Site.
- F. To determine a Water Use Credit, the General Manager shall:
1. Verify that the reduction is one which is permanent (i.e. Permanent Abandonment of Use) and the date that Permanent Abandonment of Use occurred.
 2. Quantify the Water Use Capacity of the Site using the water use factors from Rule 24, Tables 1 and/or 2. If no factor is available on Table 2 or if the use is substantially different than any of the uses shown on Table 2, the General Manager may make an estimate based upon water records showing the average use over a minimum of eight (8) years.
 3. Grant a Residential Water Use Credit for the permanent removal of water using fixtures if the fixture was properly and lawfully installed.
 - a. Water Use Credits for multiple Showerheads shall be limited to a maximum of four (4) fixture units per Separate Stall Shower or Bathtub unless permitted using a Water Entitlement documented on an Assignment Document. A Shower System shall be considered a component of a Separate Stall Shower or Bathtub for purposes of this Rule.
 - b. Credit shall not be given for any reduction which occurs as the result of the removal of landscaping installed without a Water Permit or installed pursuant to a Water Permit for New Construction. An exception to this limitation shall be made for Non-Residential landscaping that was specifically identified, quantified, and permitted by the District. Any Water Use Credit granted under this subdivision shall be determined using the Estimated Applied Water for the increment of landscaping being permanently abandoned.
 4. Quantify the water use reduction (the abandoned Capacity) using the following methods:
 - a. Residential Water Use Credit for demolitions, permanent disconnection of water service, and permanent removal of water fixtures shall be determined

using the current Fixture Unit Values from Rule 24, Table 1: Residential
Fixture Unit Count Values.

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Table 4 amended by Resolution 2008-03 (2/28/2008); Resolution 2009-10 (7/20/2009); Ordinance No. 140 (11/16/2009); Resolution 2009-14 (12/14/2009); Ordinance No. 151 (11/19/2012); Ordinance No. 156 (11/18/2013); Resolution 2019-09 (7/15/2019); Resolution 2020-01 (1/23/2020); Resolution 2022-08 (3/21/2022)

- b. Non-Residential Water Use Credit for demolition and for permanent disconnection of water service shall be determined using current Table 2: Non-Residential Water Use Factors.
- c. Non-Residential Water Use Credit for retrofits with Ultra-Low Consumption Technology shall be documented under the following circumstances and shall be granted for the increment of water savings beyond the water savings anticipated from the installation of Low Water Use Plumbing Fixtures and other District mandates:
 - i. Application for Water Use Credit Post-Retrofit. The Applicant shall submit clear and convincing evidence of water savings. This shall be accomplished by providing the District with a minimum of eight (8) years of documented pre-retrofit water history for the use from the Water Distribution System (i.e. bills or correspondence from the Water Distribution System Operator) along with two or more years of post-retrofit water history for the use (i.e. bills or correspondence from the Water Distribution System Operator). When eight (8) years of water history for a use is unavailable or when less than two years of post-retrofit water history is available, the Applicant shall obtain an independent third party's review of the projected water savings, subject to review and acceptance by the District. The District shall verify the installation of Ultra-Low Consumption Technology by conducting an inspection.
 - ii. Application for Water Use Credit Pre-Retrofit. The Applicant shall submit clear and convincing evidence of water savings. This shall be accomplished by providing the District with a minimum of eight (8) years of documented pre-retrofit water history for the use from the Water Distribution System (i.e. bills or correspondence from the Water Distribution System Operator) to establish a baseline consumption level and documentation of the dates of previous retrofits done pursuant to Regulation XIV. When eight (8) years of pre-retrofit water history for a use is unavailable, the factor from Rule 24, Table 2: Non-Residential Water Use Factors shall be used as the historic use baseline. To substantiate projected water savings resulting from the proposed retrofit(s), the Applicant shall submit additional documentation to support the estimated water savings. When District staff is not able to verify the estimated water savings, the Applicant may be required to reimburse the District for costs to obtain an

independent third party's review of the projected water savings. The District shall verify the installation of Ultra-Low Consumption Technology by conducting an inspection.

- iii. When a Non-Residential Water Use Credit is requested for a Site that cannot demonstrate that the Site was equipped with Low Water Use Plumbing Fixtures for the full period of the water records used, there shall be a 15 percent reduction of the final calculated Water Use Credit.
 - iv. In the event that the General Manager disagrees with the amount of water savings resulting from the installation of Ultra-Low Consumption Technology, the complete Water Use Credit application shall be presented to the Board for further consideration.
5. Written notification of the quantity and expiration of a Water Use Credit shall be provided to the Applicant and to the property owner.
 6. No Water Use Credit or reduced Water Use Capacity shall be granted for the removal of a Non-Residential associated use to an out of District location or to another Water Distribution System. For example: No reduction in Water Use Capacity or Water Use Credit shall be granted for laundering hotel textiles at another location.
- G. A valid Water Use Credit may provide the basis for the General Manager to issue a Water Permit for new, modified, or Intensified Water Use on that Site.
1. There shall be no Capacity Fee assessed for any Water Use Credit. Capacity Fees, however, shall apply to the Capacity for water use which exceeds the Water Use Credit, or for any Expansion of Use following the expiration of the Water Use Credit.
 2. No Capacity Fee refund shall accrue by reason of a water use reduction or abandonment of Capacity, whether or not reflected by a Water Use Credit.
 3. Issuance of a Water Use Credit shall not result in any change to a Jurisdiction's Allocation or to any Water Entitlement. Use of any Water Use Credit shall similarly not result in a change to a Jurisdiction's Allocation or any Water Entitlement.
- H. When a Water Use Credit on a Site results from demolition of a building that straddled a lot line, the property owner shall specify in writing the quantity of Water Use Credit

assigned to each of the lots formerly occupied by that building. Such designation may be recorded upon the title of each Parcel and shall specify the date the credit expires.

- I. A Water Use Credit shall enable reuse of saved water on the Site.
1. Water Use Credits may be moved between one or more structures on the same Site or may be used to construct new uses on the same Site.
 2. The District shall not require an additional increment of water for exterior water usage on a vacant lot or lot containing an uninhabitable structure when the owner of the Site has submitted clear and convincing evidence of landscaping and irrigation that was installed by and has been consistently maintained since March 11, 1985. Examples of acceptable evidence are dated photographs, official documents, permits or correspondence of the Jurisdiction, receipts or invoices for gardening services or purchases related to landscaping and maintaining landscaping on the Site. Credit shall only apply to the portion of the Site for which evidence has been provided.
 3. A Water Use Credit for disconnection from a Potable Water Distribution System shall be granted by the General Manager only upon the removal of the Connection and written confirmation of such removal by the Water Distribution System Owner or Operator.
 4. Water Use Credits shall remain on the Department of Defense Site where the credit originated unless there is agreement between the parties to allow use of a Water use Credit at a different Department of Defense Site.
- J. An on-Site Water Credit resulting from the non-permanent removal of a lawful use that occurred on or after March 1, 1985, may be applied to, and shall allow, the future reuse of that increment of water on that Site. A Water Permit for reinstating the former use shall be required and allowed.

Rule added by Ordinance No. 60 (6/15/92); amended by Ordinance No. 64 (10/05/92); Ordinance No. 71 (12/20/93); Ordinance No. 110 (9/30/2003); Ordinance No. 115 (05/17/2004); Ordinance No. 121 (8/15/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 128 (6/18/2007); Ordinance No. 139 (5/12/2009); Ordinance No. 145 (9/20/2010); Ordinance No. 155 (3/18/2013); Ordinance No. 156 (11/18/2013); Ordinance No. 157 (12/9/2013); Ordinance No. 162 (8/18/2014); Ordinance No. 164 (4/20/2015); Ordinance No. 170 (5/16/2016); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 182 (5/20/2019); Ordinance No. 187 (6/21/2021); Ordinance No. 189 (12/13/2021).

RULE 33 - JURISDICTIONAL AND RESERVE WATER ALLOCATIONS**A. JURISDICTIONAL ALLOCATIONS**

Permits to authorize new or Intensified Water Use from the California-American Water Company shall be issued by the District for use in any Jurisdiction pursuant to the application and approval process set forth in District Regulation II. The total quantity of new or Intensified Water Use in each respective Jurisdiction shall not exceed the amounts set forth in Table 5, MPWMD Cal-Am Water Allocations by Jurisdiction:

Table 5
MPWMD Cal-Am Water Allocations by Jurisdiction March
1, 2025

Jurisdiction	Proposed PWM Expansion Allocation	Existing Allocation as of 3/1/25	Total Jurisdictional Allocation
Carmel	14 AF	2.479 AF	16.479 AF
Del Rey Oaks	6 AF	0 AF	6.000 AF
Monterey	141 AF	0.543 AF	141.543 AF
Pacific Grove	32 AF	0.024 AF	32.024 AF
Sand City	14 AF	0 AF	14.000 AF
Seaside	21 AF	29.157 AF	50.157 AF
Unincorporated Monterey County	72 AF	10.930 AF	82.930 AF
Monterey Peninsula Airport District	44 AF	5.197 AF	49.197 AF
Department of Defense Sites	27 AF	0 AF	27.000 AF
District Reserve	2,086 AF	8.044 AF	2,094.044 AF

Rule added by Ordinance No. 70 (6/21/93); amended by Ordinance No. 73 (2/23/95); Ordinance No. 84 (8/16/96); Ordinance No. 86 (12/12/96); Ordinance No. 197 (1/27/2025)

B. DISTRICT RESERVE ALLOCATION

The District Reserve Allocation shall refer to a quantity of water available for use at the District's discretion. The District Reserve Allocation can be augmented by dedications of water from a Water Entitlement, Water Use Credit, Water Credit, or a new Source of Supply.

Projects subject to approval by the Division of the State Architect (i.e., K-12 public schools, Community Colleges, State essential services buildings, State-funded facilities such as California courts and state-owned buildings), as well as employee

housing undertaken on Public School District Sites, shall qualify for District Reserve water. A request for water from the Allocation shall be made by submitting the request with building plans and an analysis of water needed. A request for more than ten Acre-Feet for a Site shall be considered by the Board of Directors.

Rule added by Ordinance No. 70 (6/21/93); deleted by Ordinance No. 73 (2/23/95); amended by Ordinance No. 182 (5/20/2019)

C. WATER WEST RESERVE

A special reserve has been established separate from the Monterey County Allocation for new and intensified water use approved by Monterey County which occurs within the boundaries of the former Water West Water Distribution System in Carmel Valley. The total quantity of water available pursuant to this paragraph shall not exceed 12.76 acre feet (sales).

See Ordinance No. 70, Section 4-C (6/21/93); confirmed in Currier v. MPWMD (Case No. M59299); amended by Ordinance No. 197 (1/27/2025)

D. COST OF ALLOCATION

There shall be no sale of water from an Allocation by a Jurisdiction. Water permitted from an Allocation shall, however, be subject to the Capacity Fee collected by the District.

Rule added by Ordinance No. 84 (8/16/96); amended by Ordinance No. 197 (1.27/2025)

E. RELEASE OF ALLOCATION

A Jurisdiction shall release water from an Allocation by use of the Water Release Form approved by the District. A Water Release Form shall expire after five years or more frequently as determined by the Jurisdiction. Jurisdictions are encourage to maintain records of the release of water and expiration.

F. DETERMINATION OF ALLOCATIONS

1. The District began the process of determining Jurisdictional Allocations in 2023, culminating in a meeting on September 12, 2024, to provide a detailed overview of the District's methodology and process for distribution of the new supplies. The process was summarized for Jurisdictions' boards and councils at subsequent public meetings.

The methodology used by the District to determine the Allocations of water to be available in 2025 included, but was not limited to:

- a. The recent 5-year average water demand by Jurisdiction.
 - b. Total water supplies, inclusive of the Pure Water Monterey Expansion, were calculated and the existing recent 5-year average total demand was subtracted. Of the difference, 1,000 AF was identified to be held in the District Reserve as a “factor of safety.” The remainder was considered “available” for allocation.
 - c. The 25-year growth rate in water demand by Jurisdiction was forecasted based upon the Association of Monterey Bay Area Governments (AMBAG) Regional Growth Forecast, utilizing population growth for future Residential water use and job growth for future Non-Residential water use.
 - d. The alternate methodology of a survey was used for determining future demands for the Monterey Peninsula Airport District and the Army, Navy, and Coast Guard (Department of Defense Sites).
 - e. Adjustments, if any, were made for the 6th Cycle Regional Housing Needs Allocation (RHNA).
 - f. It was determined that the 25-year total increase in demand was less than the new supplies available for allocation. Based on each Jurisdiction’s forecasted 25-year demand, a portion of its future demand has been Allocated from the new available supply (Pure Water Monterey Expansion) and the remainder is retained in the District Reserve for future allocation.
 - g. Existing unused Jurisdictional Allocations of the effective date of this Ordinance were left intact.
2. The Board of Directors shall examine the Allocations at least every four years following the AMBAG Regional Growth Forecast. Allocations may be reviewed more frequently at the discretion of the Board.

G. BISHOP AND RYAN RANCH SUB-UNITS

Henceforth, water Connections in the Bishop and Ryan Ranch subsystems of Cal-Am shall be tracked and accounted for using the same methodology as the Main California American Water System described in Regulation II, including the requirement for authorization of water from the Jurisdiction’s Allocation as described in Rule 23 and calculated in Rule 24.

RULE 33 - JURISDICTIONAL AND RESERVE WATER ALLOCATIONS**A. JURISDICTIONAL ALLOCATIONS**

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The District Reserve Allocation shall refer to a quantity of water available for use at the District's discretion. The District Reserve Allocation can be augmented by dedications of water from a Water Entitlement, Water Use Credit, Water Credit, or a new Source of Supply.

Projects subject to approval by the Division of the State Architect (i.e., K-12 public schools, Community Colleges, State essential services buildings, State-funded facilities such as California courts and state-owned buildings), as well as employee housing undertaken on Public School District Sites, shall qualify for District Reserve water. A request for water from the Allocation shall be made by submitting the

request with building plans and an analysis of water needed. A request for more than ten Acre-Feet for a Site shall be considered by the Board of Directors.

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There shall be no sale of water from an Allocation by a Jurisdiction. Water permitted from an Allocation shall, however, be subject to the Capacity Fee collected by the District.

Rule added by Ordinance No. 84 (8/16/96); amended by Ordinance No. 197 (1.27/2025)

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F. DETERMINATION OF ALLOCATIONS

1. The District began the process of determining Jurisdictional Allocations in 2023, culminating in a meeting on September 12, 2024, to provide a detailed overview of the District's methodology and process for distribution of the new supplies. The process was summarized for Jurisdictions' boards and councils at subsequent public meetings.

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- a. The recent 5-year average water demand by Jurisdiction.

- b. Total water supplies, inclusive of the Pure Water Monterey Expansion, were calculated and the existing recent 5-year average total demand was subtracted. Of the difference, 1,000 AF was identified to be held in the District Reserve as a “factor of safety.” The remainder was considered “available” for allocation.
 - c. The 25-year growth rate in water demand by Jurisdiction was forecasted based upon the Association of Monterey Bay Area Governments (AMBAG) Regional Growth Forecast, utilizing population growth for future Residential water use and job growth for future Non-Residential water use.
 - d. The alternate methodology of a survey was used for determining future demands for the Monterey Peninsula Airport District and the Army, Navy, and Coast Guard (Department of Defense Sites).
 - e. Adjustments, if any, were made for the 6th Cycle Regional Housing Needs Allocation (RHNA).
 - f. It was determined that the 25-year total increase in demand was less than the new supplies available for allocation. Based on each Jurisdiction’s forecasted 25-year demand, a portion of its future demand has been Allocated from the new available supply (Pure Water Monterey Expansion) and the remainder is retained in the District Reserve for future allocation.
 - g. Existing unused Jurisdictional Allocations of the effective date of this Ordinance were left intact.
2. The Board of Directors shall examine the Allocations at least every four years following the AMBAG Regional Growth Forecast. Allocations may be reviewed more frequently at the discretion of the Board.

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Henceforth, water Connections in the Bishop and Ryan Ranch subsystems of Cal-Am shall be tracked and accounted for using the same methodology as the Main California American Water System described in Regulation II, including the requirement for authorization of water from the Jurisdiction’s Allocation as described in Rule 23 and calculated in Rule 24.

Rule added by Ordinance No. 197 (1/27/2025)

RULE 141 - DEFINITIONS

Definitions relocated from Rule 141 to Rule 11 by Ordinance No. 71 (12/20/93)

RULE 141 - WATER CONSERVATION REBATES**A. QUALIFYING DEVICES**

Rebates are available for purchase of the following Qualifying Devices within the boundaries of the Monterey Peninsula Water Management District. Qualifying Devices and the associated Rebate amount are shown in Table XIV-1.

B. REBATE AMOUNTS

Rebates shall be issued by the District on a first-come, first-served basis as long as funds remain available. Rebate amounts shall be listed in Table XIV-1 which may be modified from time to time by resolution of the Board. At no time shall a Rebate exceed the purchase price of the Qualifying Device.

Table XIV-1
Rebate Amounts
 Updated ~~February 13, 2023~~ April 20, 2026

Qualifying Device	Maximum Rebate
High Efficiency Toilet	\$75
Ultra High Efficiency Toilet	\$125 <u>75</u>
Toilet Flapper	\$15
Pint Urinal (in a Residential use only)	\$250 <u>75</u>
Zero Water Consumption Urinal	\$250
High Efficiency Dishwasher (Residential)	\$125
High Efficiency Clothes Washer (Residential)	\$500
Instant-Access Hot Water System (per Qualifying Property)	\$200
On-demand hot water pump or point of source water heater (maximum of two per Qualifying Property)	\$100
Smart Flowmeter (one per User on a Site)	\$200
Smart Flowmeter with System Shut-Off (one per User on a Site)	\$500
Graywater Irrigation System supplied by one Clothes Washer	\$100
Graywater Irrigation System supplied by one or more Bathrooms that have a Bathtub/Shower connected to a Graywater Irrigation System. Residential limit: 4.	\$100 per Bathroom
Non-Residential Graywater system	Case-by-case basis
Weather Based or Smart Irrigation Controller	\$100 for up to four stations. An additional \$10 shall be available per station up to twenty (20) stations
Soil Moisture Sensor(s) on a conventional automatic Irrigation System (gypsum block Soil Moisture Sensors shall not qualify for Rebate)	\$25
Cistern water tanks installed on Sites supplied with water from the Monterey Peninsula Water Resource System (per Qualifying Property)	\$50 per 100 gallons for the first 500 gallons and \$25 per 100 gallons of water storage capacity to a maximum storage capacity of 25,000 gallons
Lawn removal and replacement with low water use plants or permeable surfaces ¹ (Prequalification required - See MPWMD Rule 141-F)	\$1.00 per square-foot to a maximum of 2,500 square-foot
Rotating Sprinkler Nozzle (minimum purchase and installation of ten)	\$4 each
Water Broom	\$150

¹ Lawn removal Rebate at a Public facility may exceed the square-footage limitation subject to Board approval.

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Commercial High Efficiency Clothes Washer ²	\$1,000
Commercial Ozone Laundry System	\$1,000
Cooling Tower Conductivity Controller	\$1,000
Cooling Tower Conductivity/pH Controller	\$2,500
High Efficiency Connectionless Food Steamer (per compartment)	\$1,500
Commercial Waterless Wok Stove	\$5,000
Water Efficient Commercial Steam or Combi Oven	\$2,500
High Efficiency Commercial Dishwasher	
Under counter model	\$1,000
Single tank door type model	\$1,500
Single tank conveyor	\$2,000
Multi-tank conveyor	\$2,500
X-ray film processor recirculation system	\$2,500
Medical equipment steam sterilizer retrofit with a water tempering device	\$1,500
Dry Vacuum Pump (per 0.05 HP to a limit of 4 HP)	\$200
Removal of whirlpool (or jetted water system) bathtub in Visitor-Serving Facility	\$250
Multi-Family Dwelling Meter Split	\$100/dwelling unit
Smart Toilet Leak Detectors installed in Visitor Serving Facilities and Master Metered Multi-Family Housing	25 percent of the cost of 20 or more smart toilet leak detector units to a maximum of \$15,000

2 Available only to Residential Sites with up to three Dwelling Units. Required for all Non-Residential **Users** and Common Laundry Rooms at Multi-Family Sites with four or more units.

Table added by Ordinance No. 163 (3/16/2015) and revised by Resolution 2015-04 (4/20/2015); Resolution 2015-25 (12/14/2015); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Resolution 2021-09 (June 21, 2021); Resolution 2021-16 (12/13/2021); Resolution No. 2023-03 (2/13/2023)

C. REBATE ELIGIBILITY

1. Rebates shall be issued for Qualifying Devices installed on Sites located within the District that are served by Water Distribution Systems regulated by the District. The Site shall be in compliance with District Rules prior to issuance of a Rebate.
2. No Rebate shall be issued for installation of Qualifying Devices that are required to be installed and maintained by Regulation II (Permits) or Regulation XIV (Water Conservation) of the District ~~with the exception of High Efficiency Toilets installed at Sites owned and operated by California Non Profit Corporations~~. No Rebate shall be issued for installation of Qualifying Devices that were required to obtain a Water Permit. Rebates shall be available until the date the retrofit becomes mandatory, such as the date a Change of Ownership or Change of Use occurs or a Water Permit is issued ~~unless modified by the Board of Directors~~. Rebates shall not be available for Qualifying Devices that have been required to be installed and maintained by local, State, or Federal water conservation programs, including state requirements for the sale and installation of High Efficiency Toilets.
3. Rebates shall be available only for the initial purchase of a Qualifying Device. Rebates shall not be issued for replacement of an existing Qualifying Device except for High Efficiency Clothes Washers that have been removed from the Qualifying Property by a previous owner/tenant or that are being replaced after eight or more years and High Efficiency Dishwashers and Ultra High Efficiency Toilets replaced after ten years. Applicants submitting an application for a High Efficiency Clothes Washer Rebate on a Site that has previously qualified for a High Efficiency Clothes Washer Rebate may be required to provide information to substantiate a subsequent Rebate.
4. Ultra High Efficiency Toilets shall meet or exceed the EPA WaterSense labeling criteria and shall bear the WaterSense Label and be listed on the WaterSense website.
5. Rebates shall be available for a maximum of twenty (20) toilets ~~at one Site on all Non-Residential Qualifying Properties with the exception of Qualifying Properties owned and operated by a California Non-Profit Corporation or that participate in the District's High Efficiency Appliance Retrofit Target (HEART) program~~.
6. Outdoor Water Use Rebates
 - a. Rebates for Cisterns shall be limited to 25,000 gallons of rainwater storage capacity on a Qualifying Property. All Cistern Rebate Sites shall have sufficient roof area to fill the capacity of the Cistern(s) after first

flush during a “normal” Water Year and may require verification of usable roof area by Site inspection.

- b. Rebates for Lawn removal shall be available only to Qualifying Properties irrigated with water from the Monterey Peninsula Water Resource System.
 - c. To be eligible for any Rebate for Lawn Removal, Lawns must be green, regularly maintained at a low even height, irrigated regularly, and be well cared for at the time of application for a Rebate. Dead Lawns or Lawns that have been removed prior to issuance of a Lawn Rebate prequalification statement from the District shall not be eligible for a Rebate.
 - d. A minimum of 250 square-feet of Lawn shall be removed to qualify for a Rebate.
 - e. Eligibility for any Lawn Removal Rebate shall be determined upon receipt of a complete application as described in Rule 141-E. The District will notify the Applicant by written prequalification documentation that the proposed Lawn removal and replacement proposal has been “prequalified.”
7. Non-Residential Rebates
- ~~a. An X ray film processor recirculation system shall be listed as a qualifying model by the California Urban Water Conservation Council Resource Center.~~
 - b.a. Rebates for Dry Vacuum Pumps shall be available only when the Qualifying Device is replacing a water (liquid) ring pump.
 - e.b. Rebates for retrofitting medical steam sterilizers with water tempering devices are limited to those sterilizers that use a continuous water flow to cool the steam discharge.

D. CONDITIONS OF APPROVAL

1. Applications for all Rebates with the exception of Lawn removal Rebates, shall be submitted within 120 days of purchase of Qualifying Devices.
2. Applicant shall install the fixture and/or appliance at the property listed on the application form.
3. Applicant shall certify under the penalty of perjury that the information on

the application is true and complete.

4. Rebates shall only be granted for Qualifying Devices that meet the definitions as provided in Rule 11.
5. Applicant agrees that the District may conduct an inspection of the Rebate Site to verify installation of Qualifying Devices.
6. Rebates for Weather Based Irrigation Controllers
 - a. Rebates shall only be granted for Weather Based Irrigation Controllers that meet minimum quality and dependability requirements as determined by product testing conducted by the Irrigation Association.
 - b. Irrigation System shall be a fully operational, and shall be efficiently designed, or modified if necessary, to include proper ~~distribution~~ Distribution uniformityUniformity, matched spray heads or emitters with similar precipitation rates, efficient ~~h~~Hydrozoning, and proper spacing.
 - c. Site shall include at least 1,500 square-feet of automatically irrigated Landscaping.
 - ~~d. Recipients of Rebates for Weather Based Irrigation Controllers shall agree to have a deed restriction recorded on the title of the property allowing public access to water use records prior to issuance of a Rebate. The application shall not be deemed complete until the deed restriction document has been notarized and returned to the District and has been successfully recorded. Rejected notarizations shall void the date of completion until the document has been recorded.~~
7. Rebates for Lawn removal and replacement with low water use plants or permeable surfaces.
 - a. Lawn removal and replacement at a Qualifying Property shall be subject to annual visual verification by the District.
 - b. Determinations of eligibility for Lawn removal and replacement Rebates shall be at the discretion of the General Manager.
 - c. Applications for Lawn removal Rebates shall require prequalification. The prequalification process is explained in Rule 141-F-2, Process.
 - d. Lawn must be replaced with low water use plants or permeable surfaces (e.g., mulch, decomposed granite, Synthetic Turf, permeable pavers).

Concrete and grouted pavers do not qualify.

- e. If converted area is irrigated, a Drip Irrigation System must be installed and maintained. Overhead irrigation shall not be installed.
 - f. Planted areas must be mulched to a minimum depth of three inches from the plant to the drip line of the plant.
 - g. Lawn shall not be relocated to another area on the Site. The total Lawn area shall be listed on the deed restriction that restricts the changed Landscaped Area for fifteen (15) years.
 - h. Recipients of Rebates for Lawn removal shall agree to have a deed restriction recorded on the title of the property allowing public access to water use records prior to issuance of a Rebate. The application shall not be deemed complete until the deed restriction document has been notarized and returned to the District and has been successfully recorded. Rejected notarizations shall void the date of completion until the document has been recorded.
 - i. Lawn removal Rebates shall require recordation of a deed restriction on the title of the property prior to release of Rebate funds that specifies that the property is restricted to the changed Landscaped Area for a period of fifteen (15) years. The deed restriction shall be rescinded upon repayment to the District of the full Rebate amount and any processing fee required pursuant to Regulation VI, Fees. The application shall not be deemed complete until the deed restriction document has been notarized and returned to the District and has been successfully recorded.
8. Graywater Irrigation System Rebates shall be granted when the following conditions have been met:
- a. Applicant shall comply with the Monterey County ~~Department of Health's~~Environmental Health Bureau Graywater Irrigation Systems Permitting Process and Design Criteria.
 - b. Any necessary building/plumbing permits have been completed and copies provided with the Rebate application.
 - c. MPWMD staff may verify Graywater Irrigation Systems by Site inspection or other means.
9. Multi-Family Dwelling Meter Split Rebates shall only be approved and processed after verification that a Water Meter has been installed by the

Water Distribution System Operator.

10. Rebates for Smart Flowmeters. Qualifying Devices shall meet the following requirements:
 - a. Eligible Smart Flowmeters shall measure total water usage at least hourly and report water usage on a web portal or smartphone application.
 - b. Limit of one Smart Flowmeter Rebate per User on a Parcel.
 - c. An Applicant for a Smart Flowmeter shall obtain authorization from the Water Distribution System Operator when a flowmeter is attached to the Water Meter.
 - d. The Smart Flowmeter shall be designed for at least two years of continuous operation.
 - e. Property owner shall agree to keep the flowmeter installed and operational for a minimum of two years.
 - f. Applicant shall submit a photograph of the installed Smart Flowmeter with the Rebate application.

E. APPLICATION

1. A completed application for Rebate shall include the name and address of the Applicant, property owner's name, telephone numbers, address of property where the fixture and/or Qualifying Device is being installed, Assessor's Parcel Number, water company account number, date of retrofit, brand and model of Qualifying Device installed, name of installer and receipt for the purchase of the appliance. The application shall also request information about how the Applicant learned of the Rebate program.
2. Lawn removal Rebate applications shall follow the process shown in Rule 141-F-2.
3. Applications for Rebate shall include either the original or a full copy of the receipt for purchase.
4. Written authorization of the current property owner or property manager shall be required for Applicants who are not the owners of the property for which a Rebate is requested. The authorization must indicate consent to the Applicant receiving a Rebate for installation of the Qualifying Devices. Applications submitted without approval will be denied.

F. PROCESS

1. Upon receipt of an application, the District shall verify completion and accuracy of information and shall verify the purchase of the Qualifying Device(s) by reviewing the purchase receipt(s).
2. Lawn removal Rebate application process.
 - a. Prequalification: Applicants must complete and submit a Lawn Rebate application form that includes the following documents:
 - (1) Water records (either copies of bills or a printout from the Water Distribution System) for the two most recent years;
 - (2) A drawn Site plan showing a detailed description (including measured areas) of the Lawn replacement project, including square-footage of Lawn to be removed, names and numbers of plants or other surfaces to be installed, and the irrigation plan.
 - (3) Two to three current photographs of the Lawn to be removed. A minimum of 250 square-feet of Lawn shall be removed to qualify for Rebate.
 - b. The Lawn Rebate Application shall be reviewed for completeness. The Applicant may be contacted to arrange a Site inspection to verify the Lawn.
 - c. When a determination has been made that removal of Lawn will result in permanent and quantifiable water savings, and when present funding is available in an amount sufficient to fund a Rebate for the Lawn removal, the District shall issue a Lawn Rebate prequalification letter. The Applicant shall have 120 days from the date of the prequalification letter to complete the project and submit receipts, arrange for a final inspection by the District, and successfully record deed restrictions. Applications not completed within 120 days of the date of the prequalification letter shall be denied.
 - d. Rebates shall be subject to availability of funding.
3. The District shall search its records and shall verify compliance with previous retrofit requirements. If no violation is found, a Rebate shall be processed if funds are available in the Rebate Account.

4. Information contained on the application shall be added to the District's records for future use in assessing water savings achieved through the Rebate Program.
5. When funds are available in the Rebate Account, a Rebate check shall be processed and mailed to the Applicant.

Added by Ordinance No. 129 (8/20/2007); amended by Ordinance No. 139 (5/21/2009); Ordinance No. 140 (11/16/2009); Ordinance No. 144 ((8/16/2010); Ordinance No. 148 (4/18/2011); Ordinance No. 149 (9/19/2011); Ordinance No. 153 (6/19/2012); Ordinance No. 156 (11/18/2013); Ordinance No. 159 (4/21/2014); Ordinance No. 163 (3/16/2015); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 179 (8/20/2018); Ordinance No. 182 (5/20/2019); Ordinance No. 189 (12/31/2021)

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**Table XIV-1
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Updated April 20, 2026**

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Ultra High Efficiency Toilet	\$75
Toilet Flapper	\$15
Pint Urinal (in a Residential use only)	\$75
High Efficiency Dishwasher (Residential)	\$125
High Efficiency Clothes Washer (Residential)	\$500
Instant-Access Hot Water System (per Qualifying Property)	\$200
On-demand hot water pump or point of source water heater (maximum of two per Qualifying Property)	\$100
Smart Flowmeter (one per User on a Site)	\$200
Smart Flowmeter with System Shut-Off (one per User on a Site)	\$500
Graywater Irrigation System supplied by one Clothes Washer	\$100
Graywater Irrigation System supplied by one or more Bathrooms that have a Bathtub/Shower connected to a Graywater Irrigation System. Residential limit: 4.	\$100 per Bathroom
Non-Residential Graywater system	Case-by-case basis
Weather Based or Smart Irrigation Controller	\$100 for up to four stations. An additional \$10 shall be available per station up to twenty (20) stations
Soil Moisture Sensor(s) on a conventional automatic Irrigation System (gypsum block Soil Moisture Sensors shall not qualify for Rebate)	\$25
Cistern water tanks installed on Sites supplied with water from the Monterey Peninsula Water Resource System (per Qualifying Property)	\$50 per 100 gallons for the first 500 gallons and \$25 per 100 gallons of water storage capacity to a maximum storage capacity of 25,000 gallons
Lawn removal and replacement with low water use plants or permeable surfaces ¹ (Prequalification required - See MPWMD Rule 141-F)	\$1.00 per square-foot to a maximum of 2,500 square-foot
Rotating Sprinkler Nozzle (minimum purchase and installation of ten)	\$4 each
Water Broom	\$150

¹ Lawn removal Rebate at a Public facility may exceed the square-footage limitation subject to Board approval.

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Commercial High Efficiency Clothes Washer ²	\$1,000
Commercial Ozone Laundry System	\$1,000
Cooling Tower Conductivity Controller	\$1,000
Cooling Tower Conductivity/pH Controller	\$2,500
High Efficiency Connectionless Food Steamer (per compartment)	\$1,500
Commercial Waterless Wok Stove	\$5,000
Water Efficient Commercial Steam or Combi Oven	\$2,500
High Efficiency Commercial Dishwasher	
Under counter model	\$1,000
Single tank door type model	\$1,500
Single tank conveyor	\$2,000
Multi-tank conveyor	\$2,500
Medical equipment steam sterilizer retrofit with a water tempering device	\$1,500
Dry Vacuum Pump (per 0.05 HP to a limit of 4 HP)	\$200
Removal of whirlpool (or jetted water system) bathtub in Visitor-Serving Facility	\$250
Multi-Family Dwelling Meter Split	\$100/dwelling unit
Smart Toilet Leak Detectors installed in Visitor Serving Facilities and Master Metered Multi-Family Housing	25 percent of the cost of 20 or more smart toilet leak detector units to a maximum of \$15,000

² Available only to Residential Sites with up to three Dwelling Units. Required for all Non-Residential Users and Common Laundry Rooms at Multi-Family Sites with four or more units.

Table added by Ordinance No. 163 (3/16/2015) and revised by Resolution 2015-04 (4/20/2015); Resolution 2015-25 (12/14/2015); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Resolution 2021-09 (June 21, 2021); Resolution 2021-16 (12/13/2021); Resolution No. 2023-03 (2/13/2023)

C. REBATE ELIGIBILITY

1. Rebates shall be issued for Qualifying Devices installed on Sites located within the District that are served by Water Distribution Systems regulated by the District. The Site shall be in compliance with District Rules prior to issuance of a Rebate.
2. No Rebate shall be issued for installation of Qualifying Devices that are required to be installed and maintained by Regulation II (Permits) or Regulation XIV (Water Conservation) of the District. No Rebate shall be issued for installation of Qualifying Devices that were required to obtain a Water Permit. Rebates shall be available until the date the retrofit becomes mandatory, such as the date a Change of Ownership or Change of Use occurs or a Water Permit is issued. Rebates shall not be available for Qualifying Devices that have been required to be installed and maintained by local, State, or Federal water conservation programs, including state requirements for the sale and installation of High Efficiency Toilets.
3. Rebates shall be available only for the initial purchase of a Qualifying Device. Rebates shall not be issued for replacement of an existing Qualifying Device except for High Efficiency Clothes Washers that have been removed from the Qualifying Property by a previous owner/tenant or that are being replaced after eight or more years and High Efficiency Dishwashers and Ultra High Efficiency Toilets replaced after ten years. Applicants submitting an application for a High Efficiency Clothes Washer Rebate on a Site that has previously qualified for a High Efficiency Clothes Washer Rebate may be required to provide information to substantiate a subsequent Rebate.
4. Ultra High Efficiency Toilets shall meet or exceed the EPA WaterSense labeling criteria and shall bear the WaterSense Label and be listed on the WaterSense website.
5. Rebates shall be available for a maximum of twenty (20) toilets at one Site .
6. Outdoor Water Use Rebates
 - a. Rebates for Cisterns shall be limited to 25,000 gallons of rain water storage capacity on a Qualifying Property. All Cistern Rebate Sites shall have sufficient roof area to fill the capacity of the Cistern(s) after first flush during a “normal” Water Year and may require verification of usable roof area by Site inspection.
 - b. Rebates for Lawn removal shall be available only to Qualifying Properties irrigated with water from the Monterey Peninsula Water Resource System.

- c. To be eligible for any Rebate for Lawn Removal, Lawns must be green, regularly maintained at a low even height, irrigated regularly, and be well cared for at the time of application for a Rebate. Dead Lawns or Lawns that have been removed prior to issuance of a Lawn Rebate prequalification statement from the District shall not be eligible for a Rebate.
 - d. A minimum of 250 square-feet of Lawn shall be removed to qualify for a Rebate.
 - e. Eligibility for any Lawn Removal Rebate shall be determined upon receipt of a complete application as described in Rule 141-E. The District will notify the Applicant by written prequalification documentation that the proposed Lawn removal and replacement proposal has been “prequalified.”
7. Non-Residential Rebates
- a. Rebates for Dry Vacuum Pumps shall be available only when the Qualifying Device is replacing a water (liquid) ring pump.
 - b. Rebates for retrofitting medical steam sterilizers with water tempering devices are limited to those sterilizers that use a continuous water flow to cool the steam discharge.

D. CONDITIONS OF APPROVAL

- 1. Applications for all Rebates with the exception of Lawn removal Rebates, shall be submitted within 120 days of purchase of Qualifying Devices.
- 2. Applicant shall install the fixture and/or appliance at the property listed on the application form.
- 3. Applicant shall certify under the penalty of perjury that the information on the application is true and complete.
- 4. Rebates shall only be granted for Qualifying Devices that meet the definitions as provided in Rule 11.
- 5. Applicant agrees that the District may conduct an inspection of the Rebate Site to verify installation of Qualifying Devices.
- 6. Rebates for Weather Based Irrigation Controllers

- a. Rebates shall only be granted for Weather Based Irrigation Controllers that meet minimum quality and dependability requirements as determined by product testing conducted by the Irrigation Association.
 - b. Irrigation System shall be a fully operational, and shall be efficiently designed, or modified if necessary, to include proper Distribution Uniformity, matched spray heads or emitters with similar precipitation rates, efficient Hydrozoning, and proper spacing.
 - c. Site shall include at least 1,500 square-feet of automatically irrigated Landscaping.
7. Rebates for Lawn removal and replacement with low water use plants or permeable surfaces.
- a. Lawn removal and replacement at a Qualifying Property shall be subject to annual visual verification by the District.
 - b. Determinations of eligibility for Lawn removal and replacement Rebates shall be at the discretion of the General Manager.
 - c. Applications for Lawn removal Rebates shall require prequalification. The prequalification process is explained in Rule 141-F-2, Process.
 - d. Lawn must be replaced with low water use plants or permeable surfaces (e.g., mulch, decomposed granite, Synthetic Turf, permeable pavers). Concrete and grouted pavers do not qualify.
 - e. If converted area is irrigated, a Drip Irrigation System must be installed and maintained. Overhead irrigation shall not be installed.
 - f. Planted areas must be mulched to a minimum depth of three inches from the plant to the drip line of the plant.
 - g. Lawn shall not be relocated to another area on the Site. The total Lawn area shall be listed on the deed restriction that restricts the changed Landscaped Area for fifteen (15) years.
 - h. Recipients of Rebates for Lawn removal shall agree to have a deed restriction recorded on the title of the property allowing public access to water use records prior to issuance of a Rebate. The application shall not be deemed complete until the deed restriction document has been notarized and returned to the District and has been successfully

recorded. Rejected notarizations shall void the date of completion until the document has been recorded.

- i. Lawn removal Rebates shall require recordation of a deed restriction on the title of the property prior to release of Rebate funds that specifies that the property is restricted to the changed Landscaped Area for a period of fifteen (15) years. The deed restriction shall be rescinded upon repayment to the District of the full Rebate amount and any processing fee required pursuant to Regulation VI, Fees. The application shall not be deemed complete until the deed restriction document has been notarized and returned to the District and has been successfully recorded.
8. Graywater Irrigation System Rebates shall be granted when the following conditions have been met:
 - a. Applicant shall comply with the Monterey County Environmental Health Bureau Graywater Irrigation Systems Permitting Process and Design Criteria.
 - b. Any necessary building/plumbing permits have been completed and copies provided with the Rebate application.
 - c. MPWMD staff may verify Graywater Irrigation Systems by Site inspection or other means.
 9. Multi-Family Dwelling Meter Split Rebates shall only be approved and processed after verification that a Water Meter has been installed by the Water Distribution System Operator.
 10. Rebates for Smart Flowmeters. Qualifying Devices shall meet the following requirements:
 - a. Eligible Smart Flowmeters shall measure total water usage at least hourly and report water usage on a web portal or smartphone application.
 - b. Limit of one Smart Flowmeter Rebate per User on a Parcel.
 - c. An Applicant for a Smart Flowmeter shall obtain authorization from the Water Distribution System Operator when a flowmeter is attached to the Water Meter.
 - d. The Smart Flowmeter shall be designed for at least two years of continuous operation.

- e. Property owner shall agree to keep the flowmeter installed and operational for a minimum of two years.
- f. Applicant shall submit a photograph of the installed Smart Flowmeter with the Rebate application.

E. APPLICATION

- 1. A completed application for Rebate shall include the name and address of the Applicant, property owner's name, telephone numbers, address of property where the fixture and/or Qualifying Device is being installed, Assessor's Parcel Number, water company account number, date of retrofit, brand and model of Qualifying Device installed, name of installer and receipt for the purchase of the appliance. The application shall also request information about how the Applicant learned of the Rebate program.
- 2. Lawn removal Rebate applications shall follow the process shown in Rule 141-F-2.
- 3. Applications for Rebate shall include either the original or a full copy of the receipt for purchase.
- 4. Written authorization of the current property owner or property manager shall be required for Applicants who are not the owners of the property for which a Rebate is requested. The authorization must indicate consent to the Applicant receiving a Rebate for installation of the Qualifying Devices. Applications submitted without approval will be denied.

F. PROCESS

- 1. Upon receipt of an application, the District shall verify completion and accuracy of information and shall verify the purchase of the Qualifying Device(s) by reviewing the purchase receipt(s).
- 2. Lawn removal Rebate application process.
 - a. Prequalification: Applicants must complete and submit a Lawn Rebate application form that includes the following documents:
 - (1) Water records (either copies of bills or a printout from the Water Distribution System) for the two most recent years;
 - (2) A drawn Site plan showing a detailed description (including measured areas) of the Lawn replacement project, including

square-footage of Lawn to be removed, names and numbers of plants or other surfaces to be installed, and the irrigation plan.

- (3) Two to three current photographs of the Lawn to be removed. A minimum of 250 square-feet of Lawn shall be removed to qualify for Rebate.
- b. The Lawn Rebate Application shall be reviewed for completeness. The Applicant may be contacted to arrange a Site inspection to verify the Lawn.
- c. When a determination has been made that removal of Lawn will result in permanent and quantifiable water savings, and when present funding is available in an amount sufficient to fund a Rebate for the Lawn removal, the District shall issue a Lawn Rebate prequalification letter. The Applicant shall have 120 days from the date of the prequalification letter to complete the project and submit receipts, arrange for a final inspection by the District, and successfully record deed restrictions. Applications not completed within 120 days of the date of the prequalification letter shall be denied.
- d. Rebates shall be subject to availability of funding.
3. The District shall search its records and shall verify compliance with previous retrofit requirements. If no violation is found, a Rebate shall be processed if funds are available in the Rebate Account.
4. Information contained on the application shall be added to the District's records for future use in assessing water savings achieved through the Rebate Program.
5. When funds are available in the Rebate Account, a Rebate check shall be processed and mailed to the Applicant.

Added by Ordinance No. 129 (8/20/2007); amended by Ordinance No. 139 (5/21/2009); Ordinance No. 140 (11/16/2009); Ordinance No. 144 ((8/16/2010); Ordinance No. 148 (4/18/2011); Ordinance No. 149 (9/19/2011); Ordinance No. 153 (6/19/2012); Ordinance No. 156 (11/18/2013); Ordinance No. 159 (4/21/2014); Ordinance No. 163 (3/16/2015); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 179 (8/20/2018); Ordinance No. 182 (5/20/2019); Ordinance No. 189 (12/31/2021)

RULE 142 - WATER EFFICIENCY STANDARDSA. Water Efficiency Standards.

1. All Sites supplied with water from a Water Distribution System regulated by the District shall comply with these standards.
2. All New Construction of New Structures shall install and maintain plumbing fixtures and conservation standards as set forth in this Rule.
3. No plumbing fixture shall be replaced with fixtures which allow greater water use.
4. All new and replacement water fixtures shall comply with then-current California plumbing and energy standards/codes when more restrictive than the District's.
5. Manufactured Homes shall be subject to these standards.

B. Former Rules. Water Permit requirements change periodically to reflect current efficiencies. Sites with uncompleted Water Permits that have not received a final inspection shall at a minimum comply with the requirements in place at the time the Water Permit was issued unless required to install more efficient fixtures as a result of a subsequent triggering event (e.g. new/amended Water Permit or Change of Ownership/ Use).C. Residential Water Efficiency Standards for New Structures.

All Residential New Structures receiving a Water Permit, shall meet or exceed the following standards:

1. High Efficiency or Ultra High Efficiency Toilets shall be installed;
2. Urinals, when installed in a Residential use, shall be designed to flush with ~~one (1) gallon of water. After January 1, 2016, newly installed Urinals shall flush with~~ no more than 0.125 gallon per flush;
3. Showerheads, Rain Bars, or Body Spray Nozzles must be designed and manufactured to emit a maximum of 2.0 gallons per minute of water;
4. All shower fixtures should be equipped with scald protection valves rated for 2.0 gallons per minute Showerheads;
5. High Efficiency Clothes Washer(s) and High Efficiency Dishwasher(s) shall be required when installed in a Residential use;

6. Lavatory Sink faucets shall emit a maximum of 1.2 gallons of water per minute at 60 psi;
- ~~7.~~ Kitchen Sink, Utility Sink, and Bar Sink faucets shall emit a maximum of 1.8 gallons of water per minute at 60 psi. ~~Kitchen f~~Faucets may have the capability to temporarily increase flow to 2.2 gallons per minute for filling pots and pans, but must default back to a maximum Flow Rate of 1.8 gallons per minute measured at 60 psi;
- ~~7.8.~~ Instant-Access Hot Water Systems shall be installed;
- ~~8.9.~~ All hot water pipes shall be insulated;
- ~~9.10.~~ Sodium chloride (salt) water softeners shall be discouraged in New Construction. Alternate technologies such as potassium chloride shall be recommended. When a sodium chloride water softener is to be installed within the MPWMD, the unit shall use demand-initiated regeneration which senses when the resin must be re-charged, either electronically or with a meter that measures and calculates usage. This requirement shall be specified on the Construction Drawings;
- ~~10.11.~~ Landscaping. All New Construction (including new buildings with landscape or other new landscape, such as a park, playground, or Greenbelt without an associated building) shall install and maintain landscapes that comply with Rule 142.1.
- ~~11.12.~~ Rainwater collection/Irrigation Systems are encouraged to supplement irrigation for new landscaping. New Structures shall be encouraged to include one or more rainwater Cisterns and a system to provide at least 75 percent of exterior irrigation during normal rainfall years. Systems must be compliant with local catchment system standards.
- ~~12.13.~~ Graywater collection/Irrigation Systems are encouraged to supplement irrigation for new Landscaping. Systems must be compliant with local catchment system standards, including Monterey County Environmental Health Bureau.
- ~~13.14.~~ All Sites utilizing a Graywater reuse system shall install and maintain a Backflow Prevention Device as required by any Water Distribution System Operator that supplies water to the Site.

D. Non-Residential Water Efficiency Standards for New Structures.

All Non-Residential New Structures receiving a Water Permit shall meet or exceed the

following standards:

1. High Efficiency or Ultra High Efficiency Toilets shall be installed;
2. Urinals shall be Pint Urinals or Zero Water Consumption Urinals and shall be clearly specified on the final Construction Drawings. Zero Water Consumption Urinals shall be encouraged in settings where there is a regular maintenance staff;
3. Showerheads, Rain Bars, or Body Spray Nozzles must be designed and manufactured to emit a maximum of 2.0 gallons per minute of water;
4. All shower fixtures should be equipped with scald protection valves rated for 2.0 gallons per minute Showerheads;
5. Public Washbasins shall emit a maximum of 0.5 gallon of water per minute at 60 psi. Private Washbasins (e.g. hotel or motel guest rooms and hospital patient rooms) shall emit a maximum of 1.2 gallons of water per minute at 60 psi. All other sinks shall emit a maximum of 2.2 gallons of water per minute at 60 psi unless higher flow is required by Health and Safety Code;
6. Public Washbasins equipped with automatic shut off devices or sensor faucets shall operate with a maximum flow of 0.25 gallons per cycle;
7. High Efficiency Clothes Washers shall be installed when a Clothes Washer is installed in a New Structure permitted under this Regulation;
8. High Efficiency Dishwashers or High Efficiency Commercial Dishwashers shall be installed and maintained on the Site when a Dishwasher is installed in a New Structure permitted by a Water Permit;
9. Instant-Access Hot Water System(s) shall be installed for hot water access points to ensure that hot water is available within ten (10) seconds;
10. All hot water pipes shall be insulated;
11. Sodium chloride (salt) water softeners shall be discouraged in New Construction. Alternate technologies, such as potassium chloride shall be recommended. When a sodium chloride water softener is to be installed within the MPWMD, the unit shall use demand-initiated regeneration which senses when the resin must be recharged, either electronically or with a meter that measures and calculates usage. This requirement shall be specified on the Construction Drawings;
12. Water Efficient Pre-Rinse Spray Valves shall be utilized when a pre-rinse

spray valve is installed;

13. There shall be no single-pass water use systems in ice machines, hydraulic equipment, refrigeration condensers, X-ray processing equipment, air compressors, vacuum pumps, etc. Air-cooled or better technology shall be installed when available;
14. Water cooled refrigeration equipment shall be prohibited when there is alternative cooling technology available at the time the Water Permit is issued;
15. Cooling Towers shall be equipped with conductivity controllers that are used to increase the number of cycles that can be achieved;
16. Boilerless steamers or connectionless steamers shall be installed in place of boiler-based steamers when a steamer is installed in New Construction;
17. Landscaping. All New Construction (including new buildings with landscape or other new landscape, such as a park, playground, or Greenbelt without an associated building) shall install and maintain landscapes that comply with Rule 142.1.
18. Rainwater collection/Irrigation Systems are encouraged to supplement irrigation for new landscaping. New Structures shall be encouraged to include one or more rainwater Cisterns and a system to provide at least 75 percent of exterior irrigation during normal rainfall years. Systems must be compliant with local catchment system standards.
19. Graywater collection/Irrigation Systems are encouraged to supplement irrigation for new landscaping. Systems must be compliant with local catchment system standards, including Monterey County Environmental Health Bureau.
20. All Sites utilizing a Graywater reuse system shall install and maintain a Backflow Prevention Device as required by any Water Distribution System Operator that supplies water to the Site.
21. The implementation of water conservation Best Management Practices shall be integrated into construction and operation of the project to the extent possible.
22. The use of Alternative Water Sources for indoor toilet flushing and other uses allowed by the Jurisdiction shall be encouraged.
23. Visitor-Serving and Public and Quasi-Public Facilities shall display in visible locations in all restrooms, kitchens, and dining areas, placards or decals approved by the District promoting public awareness of the need for water conservation

and/or advising the public that waste of water is prohibited.

24. The owner and/or manager of rental property shall provide current and new tenants with information about the water conservation requirements, including the Water Waste and Non-Essential Water Use regulations of the District. This information shall be readily accessible on a tenant portal website with annual notification of its presence, or when notice is not provided electronically, the owner and/or manager shall annually provide written information to existing tenants and to new tenants as they move in.
 25. Visitor-Serving Facilities shall promote towel and linen reuse programs by providing written notice in the rooms, whereby towels and linens are changed every three days or as requested by action of the guest.
 26. Visitor-Serving Facilities shall provide written notice that drinking water is available only upon request. Notification of this requirement shall be provided on the table(s) or menu(s) of each facility. Visitor-Serving Facilities shall not provide drinking water from the Monterey Peninsula Water Resource System at the table unless specifically requested.
 27. Facilities utilizing alternative sources of irrigation water (i.e. purified recycled water, Non-Potable Water, rainwater and Graywater, etc.) shall be encouraged to provide notice of the alternative supply, either by erecting a sign in compliance with local codes or by identifying the alternative supply in other venues such as in newsletters, websites, menus, etc.
- E. Residential and Non-Residential Change of Ownership, Change of Use, Remodel/Addition, and Expansion of Use Water Efficiency Standards
- Sites that have a Change of Ownership, or receive a Water Permit for a Change of Use, Remodel/Addition, or Expansion of Use shall meet or exceed the following standards:
1. High Efficiency or Ultra High Efficiency Toilets shall be installed;
 2. Urinals shall be at a minimum High Efficiency Urinals (when installed prior to January 1, 2016). Newly installed Urinals shall be Pint Urinals or Zero Water Consumption Urinals. Zero Water Consumption Urinals shall be encouraged in settings where there is a regular maintenance staff;
 3. Showerhead Flow Rates shall meet or exceed water efficiency standards for New Structures;
 4. Bathroom faucet Flow Rates shall meet or exceed water efficiency standards for New Structures;

5. Kitchen faucet Flow Rates shall meet or exceed water efficiency standards for New Structures;
 6. High Efficiency Clothes Washer(s) shall be installed installed and maintained on the Site as a condition of a Water Permit;
 7. High Efficiency Dishwasher(s) shall be installed and maintained on the Site as a condition of a Water;
 - ~~5.8.~~ Remodels or relocations of water fixtures or appliances that involve hot water shall be encouraged to install an Instant-Access Hot Water System and insulate all new hot water pipes;
 - ~~6.9.~~ Pre-rinse spray valves shall meet or exceed the District's definition for Water Efficient Pre-Rinse Spray Valves;
 - ~~7.10.~~ Changes of Use and Expansions of Use that require a Water Permit shall not install any single-pass water use systems in ice machines, hydraulic equipment, refrigeration condensers, X-ray processing equipment, air compressors, vacuum pumps, etc. Air-cooled or better technology shall be installed when available;
 - ~~8.11.~~ Changes of Use and Expansions of Use that require a Water Permit shall not install any water cooled refrigeration equipment when there is alternative water efficient cooling technology available at the time the Water Permit is issued;
 - ~~9.12.~~ Automatic Irrigation Systems, with the exception of Weather- Based Irrigation Systems, shall be retrofit to include a Rain Sensor;
 - ~~10.13.~~ The implementation of Non-Residential Best Management Practices shall be integrated into construction and operation of Non-Residential uses to the extent possible;
 - ~~11.14.~~ Projects that include Rehabilitated Landscapes (modified Landscape Area is equal to or greater than two thousand five hundred (2,500) square feet) shall comply with Rule 20-B and Rule 142.1
- F. Water Efficiency Standards for Existing Multi-Family Residential Sites and Common Interest Developments:
1. Multi-Family Residential Sites and Common Interest Developments with four or more Dwelling Units; shall meet or exceed the following water efficiency

standards ~~before January 1, 2019¹~~ until subject to other provisions of Rule 142¹:

- a. High Efficiency or Ultra High Efficiency Toilets shall be installed. Multi-Family Residential Sites and Common Interest Developments with Ultra-Low Flush Toilets installed prior to January 1, 2014, shall be exempt from this toilet retrofit requirement. Replacement shall be with High Efficiency or Ultra High Efficiency Toilets;
- b. Urinals shall be at a minimum High Efficiency Urinals (if installed prior to January 1, 2016). Newly installed Urinals shall be Pint Urinals or Zero Water Consumption Urinals;
- c. Showerheads, Rain Bars, or Body Spray Nozzles must be designed and manufactured to emit a maximum of 2.0 gallons per minute of water at 60 psi;
- d. Washbasin faucets shall emit a maximum of 1.2 gallons of water per minute at 60 psi;
- e. Kitchen Sink, Utility Sink, and Bar Sink faucets shall emit a maximum of 1.8 gallons of water per minute at 60 psi. Faucets may have the capability to temporarily increase flow to 2.2 gallons per minute for filling pots and pans, but must default back to a maximum Flow Rate of 1.8 gallons per minute measured at 60 psi;
- f. Common Laundry Rooms. By January 1, 2019 all Clothes Washers installed in Common Laundry Rooms within the District shall meet the definition of High Efficiency Clothes Washer rated with a Water Factor of 5.0. Washer/extractors that do not comply with the 5.0 Water Factor shall be programmed by a manufacturer/vendor technician to only function on the low water setting (non-user selected setting). A written statement shall be provided to MPWMD by the manufacturer/vendor's technician stating that the machines have been programmed to only use the low water setting and that there is no way to manipulate the water usage via a user setting. This statement shall be maintained by MPWMD.
- g. Clothes Washers located inside Dwelling Units should be encouraged to replace Clothes Washers with High Efficiency Clothes Washers.
- h. Water Pressure Regulating Devices shall be installed and maintained to maintain water pressure between 50 and 65 psi.

¹ Individually owned condominiums and cooperatives that are subject to Rule 142-E shall be exempt from this requirement.

- i. Automatic Irrigation Controllers properly adjusted to adhere to the District's Stage 1 Water Conservation Requirements (Rule 162) shall be installed, used, and maintained.
2. The owner (or his authorized agent) of a Multi-Family Residential Site or Common Interest Development manager shall certify compliance with this regulation by one of the following methods:
 - a. Provide the District with a District-certified inspection report that provides all Site information required by the District and that verifies installation of Low Water Use Plumbing Fixtures throughout the Site, as required by Regulation XIV and Regulation XV; or
 - b. Provide documentation to the District from a District-certified city or county building official that provides all Site information required by the District and that certifies installation of Low Water Use Plumbing Fixtures throughout the Site, as required by Regulation XIV and Regulation XV; or
 - c. Provide owner/association certification that plumbing fixtures throughout the Site have been retrofitted in compliance with Regulation XIV and Regulation XV. The owner, his authorized agent, or CID manager shall forward a copy of this certification, together with a dated copy of the purchase receipt for each Low Water Use Plumbing Fixture and a dated copy of the labor contract or a statement of self-installation which evidences complete installation to the District. The District may verify certification by an onsite inspection.

Rule added by Ordinance No. 30 (7/13/87); amended by Ordinance No. 71 (12/20/1993); Ordinance No. 125 (9/18/2006); Ordinance No. 141 (11/16/2009); Ordinance No. 151 (11/19/2012); Ordinance No. 170 (5/16/2016); Ordinance No. 172 (8/15/2016); Ordinance No. 177 (9/18/2017); Ordinance No. 178 (11/13/2017); Ordinance No. 182 (5/20/2019)

RULE 142 - WATER EFFICIENCY STANDARDSA. Water Efficiency Standards.

1. All Sites supplied with water from a Water Distribution System regulated by the District shall comply with these standards.
2. All New Construction of New Structures shall install and maintain plumbing fixtures and conservation standards as set forth in this Rule.
3. No plumbing fixture shall be replaced with fixtures which allow greater water use.
4. All new and replacement water fixtures shall comply with then-current California plumbing and energy standards/codes when more restrictive than the District's.
5. Manufactured Homes shall be subject to these standards.

B. Former Rules. Water Permit requirements change periodically to reflect current efficiencies. Sites with uncompleted Water Permits that have not received a final inspection shall at a minimum comply with the requirements in place at the time the Water Permit was issued unless required to install more efficient fixtures as a result of a subsequent triggering event (e.g. new/amended Water Permit or Change of Ownership/ Use).C. Residential Water Efficiency Standards for New Structures.

All Residential New Structures receiving a Water Permit, shall meet or exceed the following standards:

1. High Efficiency or Ultra High Efficiency Toilets shall be installed;
2. Urinals, when installed in a Residential use, shall be designed to flush with no more than 0.125 gallon per flush;
3. Showerheads, Rain Bars, or Body Spray Nozzles must be designed and manufactured to emit a maximum of 2.0 gallons per minute of water;
4. All shower fixtures should be equipped with scald protection valves rated for 2.0 gallons per minute Showerheads;
5. High Efficiency Clothes Washer(s) and High Efficiency Dishwasher(s) shall be required when installed in a Residential use;

6. Lavatory Sink faucets shall emit a maximum of 1.2 gallons of water per minute at 60 psi;
 7. Kitchen Sink, Utility Sink, and Bar Sink faucets shall emit a maximum of 1.8 gallons of water per minute at 60 psi. Kitchen faucets may have the capability to temporarily increase flow to 2.2 gallons per minute for filling pots and pans, but must default back to a maximum Flow Rate of 1.8 gallons per minute measured at 60 psi;
 8. Instant-Access Hot Water Systems shall be installed;
 9. All hot water pipes shall be insulated;
 10. Sodium chloride (salt) water softeners shall be discouraged in New Construction. Alternate technologies such as potassium chloride shall be recommended. When a sodium chloride water softener is to be installed within the MPWMD, the unit shall use demand-initiated regeneration which senses when the resin must be re-charged, either electronically or with a meter that measures and calculates usage. This requirement shall be specified on the Construction Drawings;
 11. Landscaping. All New Construction (including new buildings with landscape or other new landscape, such as a park, playground, or Greenbelt without an associated building) shall install and maintain landscapes that comply with Rule 142.1.
 12. Rainwater collection/Irrigation Systems are encouraged to supplement irrigation for new landscaping. New Structures shall be encouraged to include one or more rainwater Cisterns and a system to provide at least 75 percent of exterior irrigation during normal rainfall years. Systems must be compliant with local catchment system standards.
 13. Graywater collection/Irrigation Systems are encouraged to supplement irrigation for new Landscaping. Systems must be compliant with local catchment system standards, including Monterey County Environmental Health Bureau.
 14. All Sites utilizing a Graywater reuse system shall install and maintain a Backflow Prevention Device as required by any Water Distribution System Operator that supplies water to the Site.
- D. Non-Residential Water Efficiency Standards for New Structures.

All Non-Residential New Structures receiving a Water Permit shall meet or exceed the following standards:

1. High Efficiency or Ultra High Efficiency Toilets shall be installed;
2. Urinals shall be Pint Urinals or Zero Water Consumption Urinals and shall be clearly specified on the final Construction Drawings. Zero Water Consumption Urinals shall be encouraged in settings where there is a regular maintenance staff;
3. Showerheads, Rain Bars, or Body Spray Nozzles must be designed and manufactured to emit a maximum of 2.0 gallons per minute of water;
4. All shower fixtures should be equipped with scald protection valves rated for 2.0 gallons per minute Showerheads;
5. Public Washbasins shall emit a maximum of 0.5 gallon of water per minute at 60 psi. Private Washbasins (e.g. hotel or motel guest rooms and hospital patient rooms) shall emit a maximum of 1.2 gallons of water per minute at 60 psi. All other sinks shall emit a maximum of 2.2 gallons of water per minute at 60 psi unless higher flow is required by Health and Safety Code;
6. Public Washbasins equipped with automatic shut off devices or sensor faucets shall operate with a maximum flow of 0.25 gallons per cycle;
7. High Efficiency Clothes Washers shall be installed when a Clothes Washer is installed in a New Structure permitted under this Regulation;
8. High Efficiency Dishwashers or High Efficiency Commercial Dishwashers shall be installed and maintained on the Site when a Dishwasher is installed in a New Structure permitted by a Water Permit;
9. Instant-Access Hot Water System(s) shall be installed for hot water access points to ensure that hot water is available within ten (10) seconds;
10. All hot water pipes shall be insulated;
11. Sodium chloride (salt) water softeners shall be discouraged in New Construction. Alternate technologies, such as potassium chloride shall be recommended. When a sodium chloride water softener is to be installed within the MPWMD, the unit shall use demand-initiated regeneration which senses when the resin must be recharged, either electronically or with a meter that measures and calculates usage. This requirement shall be specified on the Construction Drawings;
12. Water Efficient Pre-Rinse Spray Valves shall be utilized when a pre-rinse spray valve is installed;

13. There shall be no single-pass water use systems in ice machines, hydraulic equipment, refrigeration condensers, X-ray processing equipment, air compressors, vacuum pumps, etc. Air-cooled or better technology shall be installed when available;
14. Water cooled refrigeration equipment shall be prohibited when there is alternative cooling technology available at the time the Water Permit is issued;
15. Cooling Towers shall be equipped with conductivity controllers that are used to increase the number of cycles that can be achieved;
16. Boilerless steamers or connectionless steamers shall be installed in place of boiler-based steamers when a steamer is installed in New Construction;
17. Landscaping. All New Construction (including new buildings with landscape or other new landscape, such as a park, playground, or Greenbelt without an associated building) shall install and maintain landscapes that comply with Rule 142.1.
18. Rainwater collection/Irrigation Systems are encouraged to supplement irrigation for new landscaping. New Structures shall be encouraged to include one or more rainwater Cisterns and a system to provide at least 75 percent of exterior irrigation during normal rainfall years. Systems must be compliant with local catchment system standards.
19. Graywater collection/Irrigation Systems are encouraged to supplement irrigation for new landscaping. Systems must be compliant with local catchment system standards, including Monterey County Environmental Health Bureau.
20. All Sites utilizing a Graywater reuse system shall install and maintain a Backflow Prevention Device as required by any Water Distribution System Operator that supplies water to the Site.
21. The implementation of water conservation Best Management Practices shall be integrated into construction and operation of the project to the extent possible.
22. The use of Alternative Water Sources for indoor toilet flushing and other uses allowed by the Jurisdiction shall be encouraged.
23. Visitor-Serving and Public and Quasi-Public Facilities shall display in visible locations in all restrooms, kitchens, and dining areas, placards or decals approved by the District promoting public awareness of the need for water conservation and/or advising the public that waste of water is prohibited.

24. The owner and/or manager of rental property shall provide current and new tenants with information about the water conservation requirements, including the Water Waste and Non-Essential Water Use regulations of the District. This information shall be readily accessible on a tenant portal website with annual notification of its presence, or when notice is not provided electronically, the owner and/or manager shall annually provide written information to existing tenants and to new tenants as they move in.
 25. Visitor-Serving Facilities shall promote towel and linen reuse programs by providing written notice in the rooms, whereby towels and linens are changed every three days or as requested by action of the guest.
 26. Visitor-Serving Facilities shall provide written notice that drinking water is available only upon request. Notification of this requirement shall be provided on the table(s) or menu(s) of each facility. Visitor-Serving Facilities shall not provide drinking water from the Monterey Peninsula Water Resource System at the table unless specifically requested.
 27. Facilities utilizing alternative sources of irrigation water (i.e. purified recycled water, Non-Potable Water, rainwater and Graywater, etc.) shall be encouraged to provide notice of the alternative supply, either by erecting a sign in compliance with local codes or by identifying the alternative supply in other venues such as in newsletters, websites, menus, etc.
- E. Residential and Non-Residential Change of Ownership, Change of Use, Remodel/Addition, and Expansion of Use Water Efficiency Standards

Sites that have a Change of Ownership, or receive a Water Permit for a Change of Use, Remodel/Addition, or Expansion of Use shall meet or exceed the following standards:

1. High Efficiency or Ultra High Efficiency Toilets shall be installed;
2. Urinals shall be at a minimum High Efficiency Urinals (when installed prior to January 1, 2016). Newly installed Urinals shall be Pint Urinals or Zero Water Consumption Urinals. Zero Water Consumption Urinals shall be encouraged in settings where there is a regular maintenance staff;
3. Showerhead Flow Rates shall meet or exceed water efficiency standards for New Structures;
4. Bathroom faucet Flow Rates shall meet or exceed water efficiency standards for New Structures;
5. Kitchen faucet Flow Rates shall meet or exceed water efficiency standards

for New Structures;

6. High Efficiency Clothes Washer(s) shall be installed and maintained on the Site as a condition of a Water Permit;
 7. High Efficiency Dishwasher(s) shall be installed and maintained on the Site as a condition of a Water Permit;
 8. Remodels or relocations of water fixtures or appliances that involve hot water shall be encouraged to install an Instant-Access Hot Water System and insulate all new hot water pipes;
 9. Pre-rinse spray valves shall meet or exceed the District's definition for Water Efficient Pre-Rinse Spray Valves;
 10. Changes of Use and Expansions of Use that require a Water Permit shall not install any single-pass water use systems in ice machines, hydraulic equipment, refrigeration condensers, X-ray processing equipment, air compressors, vacuum pumps, etc. Air-cooled or better technology shall be installed when available;
 11. Changes of Use and Expansions of Use that require a Water Permit shall not install any water cooled refrigeration equipment when there is alternative water efficient cooling technology available at the time the Water Permit is issued;
 12. Automatic Irrigation Systems, with the exception of Weather- Based Irrigation Systems, shall be retrofit to include a Rain Sensor;
 13. The implementation of Non-Residential Best Management Practices shall be integrated into construction and operation of Non-Residential uses to the extent possible;
 14. Projects that include Rehabilitated Landscapes (modified Landscape Area is equal to or greater than two thousand five hundred (2,500) square feet) shall comply with Rule 20-B and Rule 142.1
- F. Water Efficiency Standards for Existing Multi-Family Residential Sites and Common Interest Developments:
1. Multi-Family Residential Sites and Common Interest Developments with four or more Dwelling Units shall meet or exceed the following water efficiency standards until subject to other provisions of Rule 142¹:

¹ Individually owned condominiums and cooperatives that are subject to Rule 142-E shall be exempt from this requirement.

- a. High Efficiency or Ultra High Efficiency Toilets shall be installed. Multi-Family Residential Sites and Common Interest Developments with Ultra-Low Flush Toilets installed prior to January 1, 2014, shall be exempt from this toilet retrofit requirement. Replacement shall be with High Efficiency or Ultra High Efficiency Toilets;
- b. Urinals shall be at a minimum High Efficiency Urinals (if installed prior to January 1, 2016). Newly installed Urinals shall be Pint Urinals or Zero Water Consumption Urinals;
- c. Showerheads, Rain Bars, or Body Spray Nozzles must be designed and manufactured to emit a maximum of 2.0 gallons per minute of water at 60 psi;
- d. Washbasin faucets shall emit a maximum of 1.2 gallons of water per minute at 60 psi;
- e. Kitchen Sink, Utility Sink, and Bar Sink faucets shall emit a maximum of 1.8 gallons of water per minute at 60 psi. Faucets may have the capability to temporarily increase flow to 2.2 gallons per minute for filling pots and pans, but must default back to a maximum Flow Rate of 1.8 gallons per minute measured at 60 psi;
- f. Common Laundry Rooms. By January 1, 2019 all Clothes Washers installed in Common Laundry Rooms within the District shall meet the definition of High Efficiency Clothes Washer rated with a Water Factor of 5.0. Washer/extractors that do not comply with the 5.0 Water Factor shall be programmed by a manufacturer/vendor technician to only function on the low water setting (non-user selected setting). A written statement shall be provided to MPWMD by the manufacturer/vendor's technician stating that the machines have been programmed to only use the low water setting and that there is no way to manipulate the water usage via a user setting. This statement shall be maintained by MPWMD.
- g. Clothes Washers located inside Dwelling Units should be encouraged to replace Clothes Washers with High Efficiency Clothes Washers.
- h. Water Pressure Regulating Devices shall be installed and maintained to maintain water pressure between 50 and 65 psi.
- i. Automatic Irrigation Controllers properly adjusted to adhere to the District's Stage 1 Water Conservation Requirements (Rule 162) shall be installed, used, and maintained.

2. The owner (or his authorized agent) of a Multi-Family Residential Site or Common Interest Development manager shall certify compliance with this regulation by one of the following methods:
 - a. Provide the District with a District-certified inspection report that provides all Site information required by the District and that verifies installation of Low Water Use Plumbing Fixtures throughout the Site, as required by Regulation XIV and Regulation XV; or
 - b. Provide documentation to the District from a District-certified city or county building official that provides all Site information required by the District and that certifies installation of Low Water Use Plumbing Fixtures throughout the Site, as required by Regulation XIV and Regulation XV; or
 - c. Provide owner/association certification that plumbing fixtures throughout the Site have been retrofitted in compliance with Regulation XIV and Regulation XV. The owner, his authorized agent, or CID manager shall forward a copy of this certification, together with a dated copy of the purchase receipt for each Low Water Use Plumbing Fixture and a dated copy of the labor contract or a statement of self-installation which evidences complete installation to the District. The District may verify certification by an onsite inspection.

Rule added by Ordinance No. 30 (7/13/87); amended by Ordinance No. 71 (12/20/1993); Ordinance No. 125 (9/18/2006); Ordinance No. 141 (11/16/2009); Ordinance No. 151 (11/19/2012); Ordinance No. 170 (5/16/2016); Ordinance No. 172 (8/15/2016); Ordinance No. 177 (9/18/2017); Ordinance No. 178 (11/13/2017); Ordinance No. 182 (5/20/2019)

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RULE 160 - REGULATORY PRODUCTION TARGETS AND PHYSICAL SUPPLY STORAGE TARGET

The monthly distribution of water production from sources within the Monterey Peninsula Water Resource System (MPWRS), as shown in Tables XV-1, XV-2, ~~and XV-3, and XV-4~~ shall be approved by the Board of Directors as part of the Quarterly Water Supply Strategy and Budget process. The Board shall hold public hearings during the Board's regular meetings in September, December, March, and June, at which time the Board may modify Tables XV-1, XV-2, ~~and XV-3, and XV-4~~ by Resolution.

The Physical ~~SupplyStorage~~ Target, as shown in Table XV-~~54~~ shall be approved as of May 1 each year by the Board of Directors. The Board shall hold a public hearing during the Board's regular meeting in May, at which time the Board may modify Table XV-~~54~~ by Resolution.

Rule added by Ordinance No. 92 (1/29/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); Ordinance No. 142 (1/28/2010); deleted by Ordinance No. 169 (2/17/2016); Rule added by Ordinance No. 169 (2/17/2016)

Table XV-1
Regulatory Water Production Targets
for All California American Water Systems from All Sources
Within the Monterey Peninsula Water Resource System

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	<u>783443</u>	<u>783443</u>
November	<u>739363</u>	<u>1,522806</u>
December	<u>602335</u>	<u>2,1241,141</u>
January	<u>800366</u>	<u>2,9251,507</u>
February	<u>868328</u>	<u>3,7921,835</u>
March	<u>1,013383</u>	<u>4,8052,218</u>
April	<u>1,022385</u>	<u>5,8272,603</u>
May	<u>971438</u>	<u>6,7993,041</u>
June	<u>691437</u>	<u>7,4893,478</u>
July	<u>722468</u>	<u>8,2113,946</u>
August	<u>725470</u>	<u>8,9374,416</u>
September	<u>689434</u>	<u>9,6264,850</u>
TOTAL	<u>9,6264,850</u>	—

Notes:

Monthly and year-to date at month-end production targets are based on the annual production limit specified for the California American Water (Cal-Am) systems for Water Year (WY) 2026 from Carmel River sources per State Water Resources Control Board Order WR 2016-0016 (3,376 acre-feet) and adjusted annual production limits specified for ~~the Cal-Am satellite systems from its Coastal Subarea sources~~ of the Seaside Groundwater Basin (1,46674 acre-feet) ~~and Laguna Seca Subarea sources (0 acre feet) of the Seaside Groundwater Basin~~ per the Seaside Basin Adjudication Decision, as adjusted. In addition, included are water to be supplied by the Pure Water Monterey project, the Sand City desalination project, entitlement water from Malpas Water Co LLC, and transfers from small water producers in the Seaside Basin. These values do not include consideration of any carryover credit in the Seaside Basin for WY 2025. This combined total (9,6264,850 acre-feet) was distributed monthly based on Cal-Am's reported monthly average production for its main and satellite systems during the 2013 through 2018 period, as well as forecasted amounts for other sources (see Table XV-4.)

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Table XV-1 amended by Resolution 2007-05 (5/21/2007); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); Resolution 2009-08 (6/15/2009); Resolution 2009-17 (12/14/2009); Resolution 2010-06 (5/17/2010); Resolution 2011-01 (1/27/2011); Resolution 2011-12 (9/19/2011); Resolution 2012-13 (9/17/2012); Resolution 2013-15 (9/16/2013); Resolution 2014-15 (9/15/2014); Resolution 2015-18 (9/21/2015); Resolution 2016-14 (9/19/2016); Resolution 2017-15 (9/18/2017); Resolution 2018-19 (9/17/2018); Resolution 2019-12 (9/16/2019); Resolution No. 2020-13 (9/21/2020); Resolution 2020-19 (12/14/2020); Resolution 2021-10 (6/21/2021); Resolution 2022-25 (9/19/2022); Resolution 2023-14 (9/18/2023); Resolution 2024-11 (9/16/2024); Resolution 2025-07 (9/15/2025)

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Table XV-2
Regulatory Water Production Targets
for ~~All~~ California American Water Satellite ~~Systems from~~ Seaside Basin Sources
Within the Monterey Peninsula Water Resource System

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	<u>0134</u>	<u>0134</u>
November	<u>0110</u>	<u>0245</u>
December	<u>0100</u>	<u>0345</u>
January	<u>0109</u>	<u>0455</u>
February	<u>099</u>	<u>0554</u>
March	<u>0116</u>	<u>0670</u>
April	<u>0116</u>	<u>0787</u>
May	<u>0132</u>	<u>0919</u>
June	<u>0132</u>	<u>01,051</u>
July	<u>0141</u>	<u>01,192</u>
August	<u>0142</u>	<u>01,335</u>
September	<u>0131</u>	<u>01,466</u>
TOTAL	<u>01,466</u>	--

Notes:

Monthly and year-to date at month-end production targets are based on the adjusted annual production limit specified for the California American Water (Cal-Am) ~~satellite~~-systems for Water Year 2026 from its sources in ~~the Laguna Seca Subarea of~~ the Seaside Groundwater Basin per the Seaside Basin Adjudication Decision. This ~~Laguna Seca Subarea~~ total (1,466 acre-feet) was distributed monthly based on Cal-Am's reported monthly average production for its satellite systems during the 2013 through 2018 period.

Table XV-2 added by Ordinance No. 135 (9/22/2008); amended by Ordinance No. 137 (12/8/2008); Resolution 2009-08 (6/15/2009); Resolution 2009-17 (12/14/2009); Resolution 2010-06 (5/17/2010); Resolution 2011-01 (1/27/2011); Resolution 2011-12 (9/19/2011); Resolution 2012-13 (9/17/2012); Resolution 2013-15 (9/16/2013); Resolution 2014-15 (9/15/2014); Resolution 2015-18 (9/21/2015); Resolution 2016-14 (9/19/2016); Resolution 2017-15 (9/18/2017); Resolution 2018-19 ((9/17/2018); Resolution 2019-12 (9/16/2019); Resolution 2020-13 (9/21/2020); Resolution 2020-19 (12/14/2020); Resolution 2022-25 (9/19/2022); Resolution 2023-14 (9/18/2023); Resolution 2024-11 (9/16/2024); Resolution 2025-07 (9/15/2025)

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**Table XV-3
Regulatory Water Production Targets
for All California American Water Systems from Carmel River Sources
Within the Monterey Peninsula Water Resource System**

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	30 9 8	30 9 8
November	25 4 2	56 3 0
December	23 1 4	79 5 4
January	25 2 6	1,04 7 9
February	22 9 8	1,27 6 7
March	26 8 6	1,544
April	26 8 8	1,812
May	305	2,116
June	30 5 4	2,421
July	32 5 6	2,74 6 7
August	32 8 7	3,074
September	302	3,376
TOTAL	3,376	--

Notes:

Monthly and year-to-date at month-end production targets are based on the annual production limit specified for California American Water (Cal-Am) for Water Year (WY) 2026 from its Carmel River system sources per State Water Resources Control Board Order WR 2016-0016 (3,376 acre-feet). This amount was distributed monthly based on Cal-Am’s reported monthly average production for its Main system sources during the 2013 through 2018 period. ~~These values incorporate consideration of the triennial reductions specified for the Cal-Am systems in the Seaside Basin Adjudication Decision, in setting the monthly maximum production targets from each source as part of the MPWMD Quarterly Water Supply Budget Strategy.~~

Table XV-3 added by Resolution 2014-15 (9/15/2014); amended by Resolution 2015-18 (9/21/2015); Resolution 2016-14 (9/19/2016); Resolution 2017-15 (9/18/2017); Resolution 2018-19 (9/17/2018); Resolution 2019-12 (9/16/2019); Resolution 2020-13 (9/21/2020); Resolution 2020-19 (12/14/2020); Resolution 2022-25 (9/19/2022); Resolution 2023-14 (9/18/2023); Resolution 2024-11 (9/16/2024); Resolution 2025-07 (9/15/2025)

Table XV-4
Regulatory Water Production Targets
for All California American Water Systems from Other* Sources
Within the Monterey Peninsula Water Resource System

(All Values in Acre-Feet)

<u>Month</u>	<u>Monthly Target</u> <u>Pure Water</u> <u>Monterey</u>	<u>Monthly Target</u> <u>Sand City</u> <u>Desalination</u>	<u>Monthly Target</u> <u>Malpaso</u>	<u>Monthly Target</u> <u>Other</u> <u>Seaside</u> <u>Basin</u>	<u>Year-to-Date</u> <u>at</u> <u>Month-End</u> <u>Target</u>
<u>October</u>	<u>314</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>340</u>
<u>November</u>	<u>349</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>714</u>
<u>December</u>	<u>244</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>984</u>
<u>January</u>	<u>413</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>1,423</u>
<u>February</u>	<u>513</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>1,962</u>
<u>March</u>	<u>603</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>2,591</u>
<u>April</u>	<u>612</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>3,229</u>
<u>May</u>	<u>509</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>3,763</u>
<u>June</u>	<u>228</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>4,017</u>
<u>July</u>	<u>230</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>4,273</u>
<u>August</u>	<u>230</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>4,528</u>
<u>September</u>	<u>230</u>	<u>17</u>	<u>7</u>	<u>2</u>	<u>4,784</u>
<u>TOTAL</u>	<u>4,476</u>	<u>200</u>	<u>86</u>	<u>22</u>	<u>--</u>

***Notes:**

Monthly and year-to-date at month-end production targets for Other Sources are based on the annual production forecast for the Pure Water Monterey project, the Sand City desalination project, entitlement water from Malpaso Water Co LLC, and transfers from small water producers in the Seaside Basin. limit specified for California American Water (Cal-Am) for Water Year (WY) 2026 from its Carmel River system sources per State Water Resources Control Board Order WR 2016-0016 (3,376 acre-feet). This amount was distributed monthly based on Cal-Am's reported monthly average production for its Main system sources during the 2013 through 2018 period. These values incorporate consideration of the triennial reductions specified for the

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Table XV-54
Physical Storage-Supply Target
for the Monterey Peninsula Water Resource Cal-Am Main System
for the May-September 2025 and all WY 2026

<u>Producer</u>	<u>May-September Demand</u>	<u>Carryover Storage-Supply Needs for Next Year Demand From MPWRS</u>	<u>Total Storage-Supply Required on May 1</u>
<u>California American Water (Cal-Am)</u>	3,688	<u>4,850</u> <u>9,303</u>	<u>8,538</u> <u>12,991</u>
<u>Non-Cal-Am</u>	<u>1,946</u>	<u>3,046</u>	<u>4,992</u>
<u>Total</u>	<u>5,634</u>	<u>7,896</u>	<u>13,530</u>
	<u>Supply Available May-September</u>	<u>Supply Available Next Year</u>	<u>Total Supply Storage Available on May 1</u>
	<u>10,584</u>	<u>16,371</u>	<u>28,380</u> ^s
		<u>Surplus/(Deficit) as of May 1:</u>	<u>13,964</u>

Notes:

- The May-September period refers to the remainder of the current Water Year.
- ~~Carryover Storage refers to the volume of usable surface and Groundwater that is in storage at the end of the current Water Year and is projected to be available for use at the beginning of~~ Supply needs for the following Water Year equals the customer demand in the most recent District adopted Water Supply and Demand Forecast, as amended the following Water Year.
- Total Supply Storage refers to the combination of ~~demand un-used supplies~~ remaining from May 1 to the end of the current Water Year and ~~Carryover Storage~~ supply available for the next Water Year, ~~that is required to avoid imposing various levels of water Rationing.~~ The value in **bold type** represents the supply storage trigger that would be used for the system in the next Water Year ~~2021~~. The value is based on the production limits for California American Water (Cal-Am) from Carmel River sources (~~7,310 Acre Feet in WY 2021 and 3,376 Acre-Feet WY 2022~~) set by State Water Resources Control Board Order WR 2016-0016, the production limit for Cal-Am from the Seaside Groundwater Basin (~~1,46674 Acre-Feet in WY 2021 and 1,474 Acre Feet in WY 2022~~) set by the Court in its March 27, 2006 Adjudication Decision, as adjusted, the available supplies from the Pure Water Monterey project, the Sand City desalination project, entitlement water from Malpaso Water Co LLC, and transfers from small water producers in the Seaside Basin, plus available stored water, and the production limit specified for non-Cal-Am users from the Monterey Peninsula Water Resource System set in the District's Water Allocation Program (Ordinance No. 87).

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4. The rationing trigger is based on physical water availability and does not account for legal or environmental constraints on diversions from the Carmel River system.

~~5. May 1, 2019 System Storage = 28,380 Acre Feet (25,340 Acre Feet Carmel Valley Alluvial Aquifer; 1,390~~

~~6.5. Acre Feet Seaside Groundwater Basin; 1,650 Acre Feet Los Padres Reservoir); this is 90% of average and 86% of System Capacity (33,130 AF). TBD in 10/26.~~

Table XV-4 added by Resolution 2014-07 (5/19/2014); amended by Resolution 2014-15 (9/15/2014); Resolution 2015-08 (5/18/2015); Ordinance No. 169 (2/17/2016); Resolution 2016-09 (5/16/2016); Resolution 2017-08 (5/15/2017); Resolution 2018-09 (5/21/2018); Resolution 2019-04 (5/20/2019); Resolution 2020-05 (5/18/2020); Resolution 2021-04 (5/17/2021)

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RULE 160 - REGULATORY PRODUCTION TARGETS AND PHYSICAL SUPPLY TARGET

The monthly distribution of water production from sources within the Monterey Peninsula Water Resource System (MPWRS), as shown in Tables XV-1, XV-2, XV-3, and XV-4 shall be approved by the Board of Directors as part of the Quarterly Water Supply Strategy and Budget process. The Board shall hold public hearings during the Board's regular meetings in September, December, March, and June, at which time the Board may modify Tables XV-1, XV-2, XV-3, and XV-4 by Resolution.

The Physical Supply Target, as shown in Table XV-5 shall be approved as of May 1 each year by the Board of Directors. The Board shall hold a public hearing during the Board's regular meeting in May, at which time the Board may modify Table XV-5 by Resolution.

Rule added by Ordinance No. 92 (1/29/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); Ordinance No. 142 (1/28/2010); deleted by Ordinance No. 169 (2/17/2016); Rule added by Ordinance No. 169 (2/17/2016)

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**Table XV-1
Regulatory Water Production Targets
for All California American Water Systems from All Sources
Within the Monterey Peninsula Water Resource System**

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	783	783
November	739	1,522
December	602	2,124
January	800	2,925
February	868	3,792
March	1,013	4,805
April	1,022	5,827
May	971	6,799
June	691	7,489
July	722	8,211
August	725	8,937
September	689	9,626
TOTAL	9,626	--

Notes:

Monthly and year-to date at month-end production targets are based on the annual production limit specified for the California American Water (Cal-Am) system for Water Year (WY) 2026 from Carmel River sources per State Water Resources Control Board Order WR 2016-0016 (3,376 acre-feet) and adjusted annual production limits specified for its Coastal Subarea sources of the Seaside Groundwater Basin (1,466 acre-feet) per the Seaside Basin Adjudication Decision, as adjusted. In addition, included are water to be supplied by the Pure Water Monterey project, the Sand City desalination project, entitlement water from Malpaso Water Co LLC, and transfers from small water producers in the Seaside Basin. These values do not include consideration of any carryover credit in the Seaside Basin for WY 2025. This combined total (9,626 acre-feet) was distributed monthly based on Cal-Am’s reported monthly average production for its main and satellite systems during the 2013 through 2018 period, as well as forecasted amounts for other sources (see Table XV-4.)

Table XV-1 amended by Resolution 2007-05 (5/21/2007); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); Resolution 2009-08 (6/15/2009); Resolution 2009-17 (12/14/2009); Resolution 2010-06 (5/17/2010); Resolution 2011-01 (1/27/2011); Resolution 2011-12 (9/19/2011); Resolution 2012-13 (9/17/2012); Resolution 2013-15 (9/16/2013); Resolution 2014-15 (9/15/2014); Resolution 2015-18 (9/21/2015); Resolution 2016-14 (9/19/2016); Resolution 2017-15 (9/18/2017); Resolution 2018-19 (9/17/2018); Resolution 2019-12 (9/16/2019); Resolution No. 2020-13 (9/21/2020); Resolution 2020-19 (12/14/2020); Resolution 2021-10 (6/21/2021); Resolution 2022-25 (9/19/2022); Resolution 2023-14 (9/18/2023); Resolution 2024-11 (9/16/2024); Resolution 2025-07 (9/15/2025)

Table XV-2
Regulatory Water Production Targets
for California American Water Satellite Seaside Basin Sources
Within the Monterey Peninsula Water Resource System

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	134	134
November	110	245
December	100	345
January	109	455
February	99	554
March	116	670
April	116	787
May	132	919
June	132	1,051
July	141	1,192
August	142	1,335
September	131	1,466
TOTAL	1,466	--

Notes:

Monthly and year-to-date month-end production targets are based on the adjusted annual production limit specified for the California American Water (Cal-Am) system for Water Year 2026 from its sources in the Seaside Groundwater Basin per the Seaside Basin Adjudication Decision. This total (1,466 acre-feet) was distributed monthly based on Cal-Am's reported monthly average production for its satellite systems during the 2013 through 2018 period.

Table XV-2 added by Ordinance No. 135 (9/22/2008); amended by Ordinance No. 137 (12/8/2008); Resolution 2009-08 (6/15/2009); Resolution 2009-17 (12/14/2009); Resolution 2010-06 (5/17/2010); Resolution 2011-01 (1/27/2011); Resolution 2011-12 (9/19/2011); Resolution 2012-13 (9/17/2012); Resolution 2013-15 (9/16/2013); Resolution 2014-15 (9/15/2014); Resolution 2015-18 (9/21/2015); Resolution 2016-14 (9/19/2016); Resolution 2017-15 (9/18/2017); Resolution 2018-19 (9/17/2018); Resolution 2019-12 (9/16/2019); Resolution 2020-13 (9/21/2020); Resolution 2020-19 (12/14/2020); Resolution 2022-25 (9/19/2022); Resolution 2023-14 (9/18/2023); Resolution 2024-11 (9/16/2024); Resolution 2025-07 (9/15/2025)

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Table XV-3
Regulatory Water Production Targets
for All California American Water Systems from Carmel River Sources
Within the Monterey Peninsula Water Resource System

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	309	309
November	254	563
December	231	795
January	252	1,047
February	229	1,276
March	268	1,544
April	268	1,812
May	305	2,116
June	305	2,421
July	325	2,746
August	328	3,074
September	302	3,376
TOTAL	3,376	--

Notes:

Monthly and year-to-date at month-end production targets are based on the annual production limit specified for California American Water (Cal-Am) for Water Year (WY) 2026 from its Carmel River system sources per State Water Resources Control Board Order WR 2016-0016 (3,376 acre-feet). This amount was distributed monthly based on Cal-Am's reported monthly average production for its Main system sources during the 2013 through 2018 period.

Table XV-3 added by Resolution 2014-15 (9/15/2014); amended by Resolution 2015-18 (9/21/2015); Resolution 2016-14 (9/19/2016); Resolution 2017-15 (9/18/2017); Resolution 2018-19 (9/17/2018); Resolution 2019-12 (9/16/2019); Resolution 2020-13 (9/21/2020); Resolution 2020-19 (12/14/2020); Resolution 2022-25 (9/19/2022); Resolution 2023-14 (9/18/2023); Resolution 2024-11 (9/16/2024); Resolution 2025-07 (9/15/2025)

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**Table XV-4
Regulatory Water Production Targets
for All California American Water Systems from Other Sources
Within the Monterey Peninsula Water Resource System**

(All Values in Acre-Feet)

Month	Monthly Target Pure Water Monterey	Monthly Target Sand City Desalination	Monthly Target Malpasos	Monthly Target Other Seaside Basin	Year-to-Date at Month-End Target
October	314	17	7	2	340
November	349	17	7	2	714
December	244	17	7	2	984
January	413	17	7	2	1,423
February	513	17	7	2	1,962
March	603	17	7	2	2,591
April	612	17	7	2	3,229
May	509	17	7	2	3,763
June	228	17	7	2	4,017
July	230	17	7	2	4,273
August	230	17	7	2	4,528
September	230	17	7	2	4,784
TOTAL	4,476	200	86	22	--

Notes:

Monthly and year-to-date at month-end production targets for Other Sources are based on the annual production forecast for the Pure Water Monterey project, the Sand City desalination project, entitlement water from Malpasos Water Co LLC, and transfers from small water producers in the Seaside Basin.

Table XV-4 added by Ordinance 201 (3/16/2026);

**Table XV-5
Physical Supply Target
for the Cal-Am Main System
for the May-September 2025 and all WY 2026**

May-September Demand Remaining	Supply Needs for Next Year Customer Demand	Total Supply Required on May 1
3,688	9,303	12,991
Supply Available May-September	Supply Available Next Year	Total Supply Available on May 1
10,584	16,371	26,955
Surplus/(Deficit) as of May 1:		13,964

1. The May-September period refers to the remainder of the current Water Year.
2. Supply needs for the following Water Year equals the customer demand in the most recent District adopted Water Supply and Demand Forecast, as amended.
3. Total Supply refers to the combination of unused supplies remaining from May 1 to the end of the current Water Year and supply available for the next Water Year. The value in **bold type** represents the supply trigger that would be used for the system in the next Water Year. The value is based on the production limits for California American Water (Cal-Am) from Carmel River sources (3,376 Acre-Feet) set by State Water Resources Control Board Order WR 2016-0016, the production limit for Cal-Am from the Seaside Groundwater Basin (1,466 Acre-Feet) set by the Court in its March 27, 2006 Adjudication Decision, as adjusted, the available supplies from the Pure Water Monterey project, the Sand City desalination project, entitlement water from Malpasco Water Co LLC, and transfers from small water producers in the Seaside Basin, plus available stored water.

Table XV-5 added by Resolution 2014-07 (5/19/2014); amended by Resolution 2014-15 (9/15/2014); Resolution 2015-08 (5/18/2015); Ordinance No. 169 (2/17/2016); Resolution 2016-09 (5/16/2016); Resolution 2017-08 (5/15/2017); Resolution 2018-09 (5/21/2018); Resolution 2019-04 (5/20/2019); Resolution 2020-05 (5/18/2020); Resolution 2021-04 (5/17/2021); Ordinance 201 (3/16/2026);

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RULE 163 - STAGE 2 WATER CONSERVATION: VOLUNTARY REDUCTION IN USE

- A. Trigger.
1. Physical Shortage Trigger (California-American Water Company Distribution Systems): Stage 2 shall take effect for all California-American Water Company Water Distribution Systems that rely, in whole or in part, on production or production offsets from the Carmel River System or the Seaside Coastal Subareas, on June 1 or such earlier date as may be set by the Board following the District's May Board meeting if Total ~~StorageSupply~~ Available in Table ~~XV-4~~XV-5 is below the Total ~~StorageSupply~~ Required, but at least 95 percent of Total ~~StorageSupply~~ Required. The amount of voluntary reduction shall equal the percentage shortfall in Total ~~StorageSupply~~ Required.
 2. Physical Shortage Trigger (Non-California-American Water Company Distribution Systems): Stage 2 shall take effect for any Water Distribution System, other than California-American Water Company's Water Distribution Systems, that relies in whole or in part on production or production offsets from the Carmel River System or the Seaside Coastal Subareas on June 1 or such earlier date as may be set by the Board following the District's May Board meeting if Total ~~StorageSupply~~ Available in Table ~~XV-4~~XV-5 is below the Total ~~StorageSupply~~ Required. The amount of voluntary reduction shall equal the percentage shortfall in Total ~~StorageSupply~~ Required.
 3. Regulatory Trigger – Production Targets: Stage 2 shall take effect on the California-American Water Company Water Distribution System when the most recent 12 month California American Water production from the MPWRS is greater than the then-current annual production target as determined in Table XV-1 but no greater than 105 percent of the annual production target. The amount of voluntary reduction shall equal the percentage overage of the annual production.
 4. Regulatory Trigger – Regulatory Order: Stage 2 shall take effect in any Water Distribution System when that system is directed to reduce use by a governmental or regulatory agency. The amount of voluntary reduction shall equal the percentage directed by that governmental or regulatory agency relative to a base year determined by the governmental or regulatory agency.
 5. Emergency Trigger: Stage 2 shall take effect for any Water Distribution System, private Well, or Water User when the Board finds that a Water Supply Emergency exists for a Water Distribution System. Stage 2 shall take effect upon adoption of a Resolution of the District Board of Directors, or a declaration of a Water Supply Emergency by the Water Distribution System

Operator or a State or County entity, due to a catastrophic event. In that Resolution or declaration, there shall be a finding of an immediate need to reduce production and shall name the Water Distribution System(s) affected. The amount of voluntary reduction shall be determined by the Board, the Water Distribution System Operator, or the State or County entity.

- B. The Water Distribution System Owner or Operator shall provide notice of the amount of voluntary reduction requested to affected Water Users pursuant to Rule 161. Additional noticing and public outreach may be provided by the District at the direction of its Board of Directors.
- C. The District and its agents shall increase enforcement activities related to Water Waste prohibitions.
- D. Stage 1 shall remain in effect.
- E. Sunset.
 - 1. Without further action of the Board of Directors, Stage 2, when implemented pursuant to Rule 163-A-1 and Rule 163-A-2, shall sunset and water use restrictions shall revert to Stage 1 when remaining Total ~~Storage~~Supply Available computed consistent with Table ~~XV-4~~XV-5 is greater than remaining Total ~~Storage~~Supply Required for two (2) consecutive months.
 - 2. Without further action of the Board of Directors, Stage 2, when implemented pursuant to Rule 163-A-3, shall sunset for the California American Water Company and water use restrictions shall revert to Stage 1 when that Water Distribution System's 12 month total production has been less than or equal to its then-current annual production target for two (2) consecutive months.
 - 3. Without further action of the Board of Directors, Stage 2, when implemented pursuant to Rule 163-A-4, shall sunset for that Water Distribution System(s) and water use restrictions shall revert to Stage 1 when the governmental or regulatory agency rescinds the request.
 - 4. Stage 2, when implemented pursuant to Rule 163-A-5, shall sunset and water use restrictions shall revert to Stage 1 when the Board finds that a Water Supply Emergency no longer exists.

Rule added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); deleted by Ordinance

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No. 169 (2/17/2016); Rule added by Ordinance No. 169 (2/17/2016)

RULE 163 - STAGE 2 WATER CONSERVATION: VOLUNTARY REDUCTION IN USE

- A. Trigger.
1. Physical Shortage Trigger (California-American Water Company Distribution Systems): Stage 2 shall take effect for all California-American Water Company Water Distribution Systems that rely, in whole or in part, on production or production offsets from the Carmel River System or the Seaside Coastal Subareas, on June 1 or such earlier date as may be set by the Board following the District's May Board meeting if Total Supply Available in Table XV-5 is below the Total Supply Required, but at least 95 percent of Total Supply Required. The amount of voluntary reduction shall equal the percentage shortfall in Total Supply Required.
 2. Physical Shortage Trigger (Non-California-American Water Company Distribution Systems): Stage 2 shall take effect for any Water Distribution System, other than California-American Water Company's Water Distribution Systems, that relies in whole or in part on production or production offsets from the Carmel River System or the Seaside Coastal Subareas on June 1 or such earlier date as may be set by the Board following the District's May Board meeting if Total Supply Available in Table XV-5 is below the Total Supply Required. The amount of voluntary reduction shall equal the percentage shortfall in Total Supply Required.
 3. Regulatory Trigger – Production Targets: Stage 2 shall take effect on the California-American Water Company Water Distribution System when the most recent 12 month California American Water production from the MPWRS is greater than the then-current annual production target as determined in Table XV-1 but no greater than 105 percent of the annual production target. The amount of voluntary reduction shall equal the percentage overage of the annual production.
 4. Regulatory Trigger – Regulatory Order: Stage 2 shall take effect in any Water Distribution System when that system is directed to reduce use by a governmental or regulatory agency. The amount of voluntary reduction shall equal the percentage directed by that governmental or regulatory agency relative to a base year determined by the governmental or regulatory agency.
 5. Emergency Trigger: Stage 2 shall take effect for any Water Distribution System, private Well, or Water User when the Board finds that a Water Supply Emergency exists for a Water Distribution System. Stage 2 shall take effect upon adoption of a Resolution of the District Board of Directors, or a declaration of a Water Supply Emergency by the Water Distribution System Operator or a State or County entity, due to a catastrophic event. In that

Resolution or declaration, there shall be a finding of an immediate need to reduce production and shall name the Water Distribution System(s) affected. The amount of voluntary reduction shall be determined by the Board, the Water Distribution System Operator, or the State or County entity.

- B. The Water Distribution System Owner or Operator shall provide notice of the amount of voluntary reduction requested to affected Water Users pursuant to Rule 161. Additional noticing and public outreach may be provided by the District at the direction of its Board of Directors.
- C. The District and its agents shall increase enforcement activities related to Water Waste prohibitions.
- D. Stage 1 shall remain in effect.
- E. Sunset.
 - 1. Without further action of the Board of Directors, Stage 2, when implemented pursuant to Rule 163-A-1 and Rule 163-A-2, shall sunset and water use restrictions shall revert to Stage 1 when remaining Total Supply Available computed consistent with Table XV-5 is greater than remaining Total Supply Required for two (2) consecutive months.
 - 2. Without further action of the Board of Directors, Stage 2, when implemented pursuant to Rule 163-A-3, shall sunset for the California American Water Company and water use restrictions shall revert to Stage 1 when that Water Distribution System's 12 month total production has been less than or equal to its then-current annual production target for two (2) consecutive months.
 - 3. Without further action of the Board of Directors, Stage 2, when implemented pursuant to Rule 163-A-4, shall sunset for that Water Distribution System(s) and water use restrictions shall revert to Stage 1 when the governmental or regulatory agency rescinds the request.
 - 4. Stage 2, when implemented pursuant to Rule 163-A-5, shall sunset and water use restrictions shall revert to Stage 1 when the Board finds that a Water Supply Emergency no longer exists.

RULE 164 - STAGE 3 WATER CONSERVATION: CONSERVATION RATES

- A. Trigger.
1. Stage 2 Deemed Unsuccessful: Stage 3 shall take effect for all California-American Water Company Water Distribution Systems if Stage 2 has been implemented pursuant to Rule 163-A-1 or Rule 163-A-3 and has failed to sunset after a period of six (6) months.
 2. Physical Shortage Trigger: Stage 3 shall take effect for all California-American Water Company Water Distribution Systems on June 1, or such earlier date as may be set by the Board following the District's May Board meeting, if Total ~~Storage~~Supply Available in Table ~~XV-4~~XV-5 is below 95% of Total ~~Storage~~Supply Required.
 3. Regulatory Trigger – Production Targets: Stage 3 shall take effect for all California-American Water Company Water Distribution Systems when the most recent 12 month California American Water production from the MPWRS is greater than 105 percent of the then-current annual production target as determined in Table XV-1 and Stage 2 has not been implemented.
 4. Regulatory Trigger – Regulatory Order: Stage 3 shall take effect for all California-American Water Company Water Distribution Systems when directed by a governmental or regulatory agency to implement Stage 3.
 5. Emergency Trigger: Stage 3 shall take effect for all California-American Water Company Water Distribution Systems when the Board finds that a Water Supply Emergency exists and upon adoption of a Resolution of the Board of Directors, or a declaration of a Water Supply Emergency by California American Water, or by a State or County entity due to a catastrophic event. In that Resolution or declaration, there shall be a finding of an immediate need to reduce production through the imposition of Stage 3 Conservation Rates.
- B. Stages 1 and 2 shall remain in effect.
- C. If Stage 2 has not already been implemented, Stage 2 shall be triggered simultaneously with Stage 3.
- D. Thirty days prior to implementation of Stage 3, California American Water shall file to implement Level 1 Conservation Rates within its Main California-American Water Company Water Distribution System, the Bishop Water Distribution System, Hidden Hills System, and Ryan Ranch Water Distribution System and shall provide notification to its customers that such rates shall be implemented after thirty (30) days. Prior to an increase to Level 2 Conservation Rates, California American Water shall provide notification to its customers that such rates shall be implemented after thirty (30) days.

1. Level 1 Conservation Rates comprised of a 25 percent surcharge shall be implemented on the then existing rates for a minimum of three (3) months. The surcharge shall not apply to Tier 1 Residential customers.
2. Level 2 Conservation Rates comprised of a 40 percent surcharge shall be implemented on the then existing rates (without the 25 percent Level 1 surcharge) if after the imposition of Level 1 Conservation Rates for three (3) months, the monthly production in the California American Water System exceeds the monthly production target for the previous two (2) consecutive months. The surcharge shall not apply to Tier 1 Residential customers.

E. Sunset.

1. Without further action of the Board of Directors, Stage 3, when implemented pursuant to Rule 164-A-2, shall sunset and water use restrictions shall revert to Stage 1 when remaining Total ~~Storage~~Supply Available computed consistent with Table ~~XV-4~~XV-5 is greater than remaining Total ~~Storage~~Supply Required for two (2) consecutive months.
2. Without further action of the Board of Directors, Stage 3, when implemented pursuant to Rule 164-A-3, shall sunset and water use restrictions shall revert to Stage 1 when the 12 month total production has been less than or equal to its then-current annual production target for two (2) consecutive months.
3. Without further action of the Board of Directors, Stage 3, when implemented pursuant to Rule 164-A-4, shall sunset and water use restrictions shall revert to Stage 1 when the governmental or regulatory agency rescinds the request and Rules 164-A-2 and 164-A-3 do not apply.
4. Stage 3, when implemented pursuant to Rule 164-A-5, shall sunset and water use restrictions shall revert to Stage 1 when the Board finds that a Water Supply Emergency no longer exists and Rules 164-A-2 and 164-A-3 do not apply.

Rule added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); deleted by Ordinance No. 169 (2/17/2016); Rule added by Ordinance No. 169 (2/17/2016)

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RULE 164 - STAGE 3 WATER CONSERVATION: CONSERVATION RATES

- A. Trigger.
 - 1. Stage 2 Deemed Unsuccessful: Stage 3 shall take effect for all California-American Water Company Water Distribution Systems if Stage 2 has been implemented pursuant to Rule 163-A-1 or Rule 163-A-3 and has failed to sunset after a period of six (6) months.
 - 2. Physical Shortage Trigger: Stage 3 shall take effect for all California-American Water Company Water Distribution Systems on June 1, or such earlier date as may be set by the Board following the District's May Board meeting, if Total Supply Available in Table XV-5 is below 95% of Total Supply Required.
 - 3. Regulatory Trigger – Production Targets: Stage 3 shall take effect for all California-American Water Company Water Distribution Systems when the most recent 12 month California American Water production from the MPWRS is greater than 105 percent of the then-current annual production target as determined in Table XV-1 and Stage 2 has not been implemented.
 - 4. Regulatory Trigger – Regulatory Order: Stage 3 shall take effect for all California-American Water Company Water Distribution Systems when directed by a governmental or regulatory agency to implement Stage 3.
 - 5. Emergency Trigger: Stage 3 shall take effect for all California-American Water Company Water Distribution Systems when the Board finds that a Water Supply Emergency exists and upon adoption of a Resolution of the Board of Directors, or a declaration of a Water Supply Emergency by California American Water, or by a State or County entity due to a catastrophic event. In that Resolution or declaration, there shall be a finding of an immediate need to reduce production through the imposition of Stage 3 Conservation Rates.
- B. Stages 1 and 2 shall remain in effect.
- C. If Stage 2 has not already been implemented, Stage 2 shall be triggered simultaneously with Stage 3.
- D. Thirty days prior to implementation of Stage 3, California American Water shall file to implement Level 1 Conservation Rates within its Main California-American Water Company Water Distribution System, the Bishop Water Distribution System, Hidden Hills System, and Ryan Ranch Water Distribution System and shall provide notification to its customers that such rates shall be implemented after thirty (30) days. Prior to an increase to Level 2 Conservation Rates, California American Water shall provide notification to its customers that such rates shall be implemented after thirty (30) days.

1. Level 1 Conservation Rates comprised of a 25 percent surcharge shall be implemented on the then existing rates for a minimum of three (3) months. The surcharge shall not apply to Tier 1 Residential customers.
2. Level 2 Conservation Rates comprised of a 40 percent surcharge shall be implemented on the then existing rates (without the 25 percent Level 1 surcharge) if after the imposition of Level 1 Conservation Rates for three (3) months, the monthly production in the California American Water System exceeds the monthly production target for the previous two (2) consecutive months. The surcharge shall not apply to Tier 1 Residential customers.

E. Sunset.

1. Without further action of the Board of Directors, Stage 3, when implemented pursuant to Rule 164-A-2, shall sunset and water use restrictions shall revert to Stage 1 when remaining Total Supply Available computed consistent with Table XV-5 is greater than remaining Total Supply Required for two (2) consecutive months.
2. Without further action of the Board of Directors, Stage 3, when implemented pursuant to Rule 164-A-3, shall sunset and water use restrictions shall revert to Stage 1 when the 12 month total production has been less than or equal to its then-current annual production target for two (2) consecutive months.
3. Without further action of the Board of Directors, Stage 3, when implemented pursuant to Rule 164-A-4, shall sunset and water use restrictions shall revert to Stage 1 when the governmental or regulatory agency rescinds the request and Rules 164-A-2 and 164-A-3 do not apply.
4. Stage 3, when implemented pursuant to Rule 164-A-5, shall sunset and water use restrictions shall revert to Stage 1 when the Board finds that a Water Supply Emergency no longer exists and Rules 164-A-2 and 164-A-3 do not apply.

Rule added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); deleted by Ordinance No. 169 (2/17/2016); Rule added by Ordinance No. 169 (2/17/2016)

RULE 165 - STAGE 4: WATER RATIONING

- A. Trigger.
1. Stage 3 Deemed Unsuccessful (California-American Water Company Distribution Systems): Stage 4 shall take effect for all California-American Water Company Water Distribution Systems if Stage 3 has been implemented and has failed to sunset after a period of 8 months.
 2. Physical Shortage Trigger. Stage 3 Deemed Unsuccessful for California-American Water Company Distribution Systems and Stage 2 Deemed Unsuccessful for Non-California American Water Systems: Stage 4 shall take effect for any Water Distribution System that relies, in whole or in part, on production or production offsets from the Carmel River System or the Seaside Coastal Subareas if Stage 2 (Non-California-American Water Company Water Distribution Systems, private Wells, or Water Users) and Stage 3 (California-American Water Company Distribution Systems) have been implemented and have failed to sunset after a period of eight (8) months.
 3. Regulatory Trigger: Stage 4 shall take effect in any Water Distribution System when that system is directed by a governmental or regulatory agency to enact Stage 4.
 4. Emergency Trigger: Stage 4 shall take effect for any Water Distribution System, private Well, or Water User when the Board finds that a Water Supply Emergency exists and upon adoption of a Resolution of the Board of Directors, or a declaration of a Water Supply Emergency by the Company, or a State or County entity, due to a catastrophic event. In that Resolution or declaration, there shall be a finding of an immediate need to reduce production through the imposition of Stage 4 Water Rationing.
 5. Stage 4 shall not be triggered if the General Manager determines upon credible evidence that the production targets associated with a final Cease and Desist Order are likely to be met by adhering to the requirements of a lesser Stage. The General Manager shall record this determination and any amendment thereto, by memorandum which may be appealed to the Board in accord with Regulation VII, Appeals.
 6. Delay of Stage Implementation. The Board may delay implementation of Stage 4 Water Rationing for any Water Distribution System to ensure adequate operation of the program. Delays authorized by the Board shall not exceed sixty (60) days.

B. Amount of Reduction.

1. The amount of mandatory reduction shall equal the shortfall in Total Storage

Available as compared to the Total ~~Storage~~Supply Required; or

2. The amount of mandatory reduction shall equal the overage of the last 12 months actual production as compared to the then-current annual production target; or
 3. The amount of mandatory reduction shall equal some other amount as reflected in a governmental or regulatory order.
- C. Stages 1, 2, and 3 (if applicable) shall remain in effect.
- D. Additional Prohibitions.
1. The Board shall consider prohibiting all or specific Non-Essential Water Uses. The Board may enact such prohibitions by Resolution.
 2. California American Water shall maintain Non-Revenue Water at or below seven (7) percent.
 3. Moratorium. Upon implementation of Stage 4, the Board shall declare a moratorium on accepting Water Permit applications within the affected Water Distribution System other than those applications that rely upon a Water Credit, Water Use Credit, or Water Use Permit. The Board may amend the moratorium to include the use of Water Credits and/or Water Use Credits if warranted. All pending Water Permits not issued within 120 days of declaration shall be suspended. Water Use Permits shall be exempt from any moratorium on Water Permits.
 4. No New Potable Water Service: Upon declaration of Stage 4 Water Rationing, no new Potable water service will be provided, no new temporary Water Meters or permanent Water Meters will be provided, and no statements of immediate ability to serve or provide Potable water service (e.g. will-serve letters, certificates, or letters of availability) will be issued by the Water Distribution System Operator, except under the following circumstances:
 - a. The project is necessary to protect the public health, safety, or welfare;
 - b. The setting of meters in the California-American Water Company Water Distribution System shall not be terminated or diminished by reason of any water emergency, water moratorium or other curtailment on the setting of meters for holders of Water Use Permits;
 - c. This provision does not preclude the resetting or turn-on of Water Meters to provide continuation of water service or the restoration of service that has been interrupted for a period of one year or less.

5. No New Annexations: Upon the declaration of a Stage 4, California-American Water Company will suspend annexations to its Service Area. This subsection does not apply to boundary corrections and annexations that will not result in any increased use of water, or annexations required by a regulatory agency.
6. Customers utilizing portable Water Meters or hydrant Water Meters or using hydrants to fill water tanks without the use of a Water Meter, shall be required to cease use of the water, except upon prior approval of the General Manager. Portable Water Meters shall be returned to the Water Distribution System at least thirty (30) days before the implementation of Stage 4.
7. Draining and refilling of swimming pools or spas except: (a) to prevent or correct structural damage or to comply with public health regulations, or (b) upon prior approval of the General Manager.
8. Restriction on Watering or Irrigating: Watering or irrigating of Lawn, landscape or other vegetated area with Potable water will be subject to restriction at the direction of the District. This restriction does not apply to the following categories of use, or where the District has determined that recycled Non-Potable Water is available and may be applied to the use:
 - a. Businesses dependent on watering or irrigating in the course of business such as agriculture, nursery, and similar uses;
 - b. Maintenance of existing landscaping necessary for fire protection;
 - c. Maintenance of existing landscaping for soil erosion control;
 - d. Maintenance of plant materials identified to be rare or essential to the well-being of protected species;
 - e. Maintenance of landscaping within active Public parks and playing fields, Day Care Centers and school grounds, provided that such irrigation does not exceed one (1) day per week;
 - f. Actively irrigated environmental mitigation projects.

E. Residential Rations.

1. Upon adoption of a Resolution by the Board for a specific reduction in Residential water use, daily Household Water Rations shall be set at a level to achieve the necessary reduction. In no case shall daily Household Water Rations be less than 90 gallons per Household. This shall be known as the Minimum Daily Water Ration.

Where two or more Households are served by a Master Meter, it shall be the responsibility of the Water Users to divide the Water Rations among the Water Users.

2. Additional Water Rations for Large Households:

Where four or more Permanent Residents occupy a single Household served by one Water Meter, the Minimum Daily Water Ration may be increased by the amounts listed below:

	Residential Household Gallons per Day
Fourth Permanent Resident	30
Fifth Permanent Resident	25
Sixth Permanent Resident	20
Seven or More Permanent Residents (Per Additional Resident)	15

3. Procedure for Obtaining Additional Water Rations for Large Households:

- a. The Applicant shall complete a Residency Affidavit (obtained from the District) that requests the name, age and verification of full-time Permanent Residents for each resident in the Household for which the additional Water Ration is requested. The information on the application shall be presented under penalty of perjury. The additional Water Ration request shall be submitted to the General Manager, who will approve or disapprove the request within 10 business days of submission of a completed application.
- b. If the application is disapproved, the General Manager will explain in writing the reason for the disapproval, and if the Applicant is not satisfied with the decision of the General Manager, the Applicant may appeal the General Manager’s decision to the Board of Directors.

4. Procedure for Obtaining Additional Water Rations Where Two or More Households are Served by a Master Meter:

- a. The Applicant must fill out the required form that lists the number of Residences served by the Master Meter and submit a use permit issued by the Jurisdiction for the Multi-Residential Dwelling Units served by the

Master Meter. The District shall retain the right to require Residency Affidavits to determine the appropriate Water Rations. The additional Water Ration request shall be submitted to the General Manager, who will approve or disapprove the request within 10 business days of submission of a completed application. The Application shall be submitted under penalty of perjury.

- b. If the application is disapproved, the General Manager will explain in writing the reason for the disapproval, and if the Applicant is not satisfied with the decision of the General Manager, the Applicant may appeal the General Manager's decision to the Board of Directors.
5. Additional Water Ration for Special Needs. Where more water than allowed in Sections 3 or 4 above is necessary to preserve the health or safety of a Household, the General Manager may increase the Water Ration during the period of need according to the needs of the Applicant.
- a. The Applicant or his or her representative may file a request for an additional Water Ration and shall state to the General Manager: (1) the amount of the requested additional Water Ration, and (2) a general statement in support of the need. Where appropriate, Applicant shall provide a letter from a medical doctor stating the need for additional water usage and projected amount and duration of that need, if possible, or other appropriate justification for the special need.
 - b. Additional Water Rations shall require the replacement of inefficient water fixtures to comply with Rule 142-E, Residential and Non-Residential Change of Ownership, Change of Use, and Expansion of Use Water Efficiency Standards.
 - c. Additional Water Rations shall require the Connection have a working Pressure Regulating Valve that maintains water pressure at a maximum of 60 psi.
 - d. If the General Manager does not approve an additional Water Ration, the Applicant may appeal to the Board. An appeal from the General Manager's decision must contain all of the following: (a) a copy of the original application; (b) a copy of the written explanation of the General Manager's decision; and (c) a written explanation of why the Applicant believes the decision should be changed.
6. Misrepresentation. Any Water User intentionally over-reporting the number of Permanent Residents in a Household may be charged with a misdemeanor punishable as an infraction as provided by Section 256 of the Monterey Peninsula Water Management District Law, Statutes of 1981, Chapter 986, as well as fines

and penalties set forth in this Regulation. During this Stage 4, whenever there is a change in the number of Permanent Residents, the Water User shall notify the District.

F. Non-Residential Water Rations.

1. If Residential Water Rationing does not achieve measurable results as expected after a period of six (6) months, upon adoption of a Resolution by the Board for a specific reduction in Non-Residential water use, Non-Residential Water Rations shall be implemented at a level to achieve the necessary reduction in use.
2. Non-Residential Water Rations shall be determined by selection by the District of a previous year for which Stages 2, 3, or 4 Conservation or Rationing was not in place and then reducing each month's water use by a percentage determined by the District to achieve the Non-Residential reduction in use. Where a previous year history is deemed to be unavailable or inappropriate by the District, a Non-Residential Water Ration shall be established by the District based on type of Non-Residential water use, building design, and water fixtures.
3. Exemptions: In the Resolution to implement a level of Non-Residential Rationing, the Board shall include an exemption for compliance with District Rule 143 and an exemption for a Non-Residential establishment whose business requires water in the course of its business practice (e.g. laundromats, nurseries, among others).
4. An Applicant or his or her representative may file a request for an additional Water Ration. The Applicant shall state in a letter to the General Manager: (1) the amount of the requested additional Water Ration, and (2) a general statement in support of the need.
5. Additional Water Rations shall require the Connection have a working Pressure Regulating Valve that maintains water pressure at a maximum of 60 psi.
6. If the request for an additional Water Ration is disapproved, the General Manager will explain in writing the reason for the disapproval, and if the Applicant is not satisfied with the decision of the General Manager, the Applicant may appeal to the Board of Directors for a hearing.

G. Irrigation required by the Mitigation Program adopted when the Water Allocation Program Environmental Impact Report was adopted in 1990, and as required by SWRCB Order No. WR 95-10, shall not be subject to reductions in use. Required irrigation of the Riparian Corridor shall be identified and reported by California American Water separately from other Non-Revenue Water.

- H. CAWD/PBCSD Wastewater Reclamation Project Recycled Water Users. Recycled Water Irrigation Areas receiving water from the CAWD/PBCSD Wastewater Reclamation Project shall be subject to Stage 4 for Potable water used during an Interruption or emergency, in accordance with contractual Agreements between the District and the respective Owners of the Recycled Water Irrigation Areas.
1. The Owners of the Recycled Water Irrigation Areas shall have the respective irrigation requirements thereof satisfied to the same degree as any non-Project Golf Course or open space which derives its Source of Supply from the California American Water system. The irrigation requirements of the Recycled Water Irrigation Areas will be determined based on the most-recent non-Rationed four-year average irrigation water demand, including both Recycled Water and Potable water, for each respective Recycled Water Irrigation Area.
 2. Each Recycled Water Irrigation Area shall be entitled to receive the average irrigation requirement determined above, reduced by the percentage reduction required by the current stage of Water Rationing. If the quantity of Recycled Water that is available is less than the quantity of water that the Recycled Water Irrigation Area is entitled to, Potable water shall be provided to make up the difference and satisfy the irrigation requirements of the Recycled Water Irrigation Areas to the same degree that the irrigation requirements of non-Project Golf Course and open space Users are being satisfied. The preceding sentence shall not apply to the extent that the irrigation requirements of any Recycled Water Irrigation Area are met with water legally available to Buyer from any source other than the Carmel River System or the Seaside Groundwater Basin, including percolating Groundwater underlying Buyer's Property, to make up any such difference.
 3. When Recycled Water (as defined in Rule 23.5) is available in sufficient quantities to satisfy the irrigation requirements of the Recycled Water Irrigation Areas, such irrigation shall not be subject to Stage 4, and neither Potable water nor any water described in the preceding sentence (whether or not it is Potable) shall be used for irrigation of the Recycled Water Irrigation Areas except to the extent allowed in the circumstances described in the next two sentences.
 4. If there is an Interruption in Recycled Water deliveries to any Recycled Water Irrigation Area (as the capitalized terms are defined in Rule 23.5), the temporary use of Potable water for irrigating each such Recycled Water Irrigation Area is authorized in the manner described in Rule 23.5, Subsection F.
 5. If the District has adopted an ordinance in response to any emergency caused by drought, or other threatened or existing water shortage pursuant to section 332 of the Monterey Peninsula Water Management Law, said ordinance shall prevail over contrary provisions of this Rule. Notwithstanding the preceding sentence, Potable water shall be made available for irrigating tees and greens of the

Recycled Water Irrigation Areas in sufficient quantities to maintain them in good health and condition during an Interruption, without any limitation on the duration.

6. The District shall have no obligation to furnish Potable water for irrigation of the Recycled Water Irrigation Areas except in the circumstances set forth above.
7. If (1) an emergency or major disaster is declared by the President of the United States, or (2) a “state of war emergency,” “state of emergency,” or “local emergency,” as those terms are respectively defined in Government Code section 8558, has been duly proclaimed pursuant to the California Emergency Services Act, with respect to all or any portion of the territory of MPWMD, the provisions of this section shall yield as necessary to respond to the conditions giving rise to the declaration or proclamation.

I. Sunset.

1. Without further action of the Board of Directors, Stage 4, when implemented due to non-compliance with regulatory targets, shall sunset for all California-American Water Company Water Distribution Systems and water use restrictions shall revert to Stage 1 when the 12 month total production has been less than or equal to its then-current annual production target for two (2) consecutive months.
2. Physical Shortage Trigger: Without further action of the Board of Directors, Stage 4 shall sunset and water use restrictions shall revert to Stage 1 when remaining Total ~~Storage~~Supply Available computed consistent with Table ~~XV-4~~XV-5 is greater than remaining Total ~~Storage~~Supply Required for two (2) consecutive months.
3. Regulatory Trigger: Without further action of the Board of Directors, Stage 4 shall sunset for that Water Distribution System(s) and water use restrictions shall revert to Stage 1 when the governmental or regulatory agency rescinds the request.
4. Emergency Trigger: Stage 4 shall sunset and water use restrictions shall revert to Stage 1 when the Board finds that a Water Supply Emergency no longer exists.
5. Restoration of Lower Stage. A Resolution causing the sunset of one or more provisions of Stage 4 may also activate any lower Stage as may be warranted for good cause by circumstances affecting a particular Water Distribution System, private Well, or Water User.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); Ordinance No. 142 (1/28/2010); deleted by Ordinance No. 169 (2/17/2016); Rule added by Ordinance No. 169 (2/17/2016); Ordinance No. 177 (9/18/2017)

RULE 165 - STAGE 4: WATER RATIONING

A. Trigger.

1. Stage 3 Deemed Unsuccessful (California-American Water Company Distribution Systems): Stage 4 shall take effect for all California-American Water Company Water Distribution Systems if Stage 3 has been implemented and has failed to sunset after a period of 8 months.
2. Physical Shortage Trigger. Stage 3 Deemed Unsuccessful for California-American Water Company Distribution Systems and Stage 2 Deemed Unsuccessful for Non-California American Water Systems: Stage 4 shall take effect for any Water Distribution System that relies, in whole or in part, on production or production offsets from the Carmel River System or the Seaside Coastal Subareas if Stage 2 (Non-California-American Water Company Water Distribution Systems, private Wells, or Water Users) and Stage 3 (California-American Water Company Distribution Systems) have been implemented and have failed to sunset after a period of eight (8) months.
3. Regulatory Trigger: Stage 4 shall take effect in any Water Distribution System when that system is directed by a governmental or regulatory agency to enact Stage 4.
4. Emergency Trigger: Stage 4 shall take effect for any Water Distribution System, private Well, or Water User when the Board finds that a Water Supply Emergency exists and upon adoption of a Resolution of the Board of Directors, or a declaration of a Water Supply Emergency by the Company, or a State or County entity, due to a catastrophic event. In that Resolution or declaration, there shall be a finding of an immediate need to reduce production through the imposition of Stage 4 Water Rationing.
5. Stage 4 shall not be triggered if the General Manager determines upon credible evidence that the production targets associated with a final Cease and Desist Order are likely to be met by adhering to the requirements of a lesser Stage. The General Manager shall record this determination and any amendment thereto, by memorandum which may be appealed to the Board in accord with Regulation VII, Appeals.
6. Delay of Stage Implementation. The Board may delay implementation of Stage 4 Water Rationing for any Water Distribution System to ensure adequate operation of the program. Delays authorized by the Board shall not exceed sixty (60) days.

B. Amount of Reduction.

1. The amount of mandatory reduction shall equal the shortfall in Total Storage

Available as compared to the Total Supply Required; or

2. The amount of mandatory reduction shall equal the overage of the last 12 months actual production as compared to the then-current annual production target; or
 3. The amount of mandatory reduction shall equal some other amount as reflected in a governmental or regulatory order.
- C. Stages 1, 2, and 3 (if applicable) shall remain in effect.
- D. Additional Prohibitions.
1. The Board shall consider prohibiting all or specific Non-Essential Water Uses. The Board may enact such prohibitions by Resolution.
 2. California American Water shall maintain Non-Revenue Water at or below seven (7) percent.
 3. Moratorium. Upon implementation of Stage 4, the Board shall declare a moratorium on accepting Water Permit applications within the affected Water Distribution System other than those applications that rely upon a Water Credit, Water Use Credit, or Water Use Permit. The Board may amend the moratorium to include the use of Water Credits and/or Water Use Credits if warranted. All pending Water Permits not issued within 120 days of declaration shall be suspended. Water Use Permits shall be exempt from any moratorium on Water Permits.
 4. No New Potable Water Service: Upon declaration of Stage 4 Water Rationing, no new Potable water service will be provided, no new temporary Water Meters or permanent Water Meters will be provided, and no statements of immediate ability to serve or provide Potable water service (e.g. will-serve letters, certificates, or letters of availability) will be issued by the Water Distribution System Operator, except under the following circumstances:
 - a. The project is necessary to protect the public health, safety, or welfare;
 - b. The setting of meters in the California-American Water Company Water Distribution System shall not be terminated or diminished by reason of any water emergency, water moratorium or other curtailment on the setting of meters for holders of Water Use Permits;
 - c. This provision does not preclude the resetting or turn-on of Water Meters to provide continuation of water service or the restoration of service that has been interrupted for a period of one year or less.

5. No New Annexations: Upon the declaration of a Stage 4, California-American Water Company will suspend annexations to its Service Area. This subsection does not apply to boundary corrections and annexations that will not result in any increased use of water, or annexations required by a regulatory agency.
6. Customers utilizing portable Water Meters or hydrant Water Meters or using hydrants to fill water tanks without the use of a Water Meter, shall be required to cease use of the water, except upon prior approval of the General Manager. Portable Water Meters shall be returned to the Water Distribution System at least thirty (30) days before the implementation of Stage 4.
7. Draining and refilling of swimming pools or spas except: (a) to prevent or correct structural damage or to comply with public health regulations, or (b) upon prior approval of the General Manager.
8. Restriction on Watering or Irrigating: Watering or irrigating of Lawn, landscape or other vegetated area with Potable water will be subject to restriction at the direction of the District. This restriction does not apply to the following categories of use, or where the District has determined that recycled Non-Potable Water is available and may be applied to the use:
 - a. Businesses dependent on watering or irrigating in the course of business such as agriculture, nursery, and similar uses;
 - b. Maintenance of existing landscaping necessary for fire protection;
 - c. Maintenance of existing landscaping for soil erosion control;
 - d. Maintenance of plant materials identified to be rare or essential to the well-being of protected species;
 - e. Maintenance of landscaping within active Public parks and playing fields, Day Care Centers and school grounds, provided that such irrigation does not exceed one (1) day per week;
 - f. Actively irrigated environmental mitigation projects.

E. Residential Rations.

1. Upon adoption of a Resolution by the Board for a specific reduction in Residential water use, daily Household Water Rations shall be set at a level to achieve the necessary reduction. In no case shall daily Household Water Rations be less than 90 gallons per Household. This shall be known as the Minimum Daily Water Ration.

Where two or more Households are served by a Master Meter, it shall be the responsibility of the Water Users to divide the Water Rations among the Water Users.

2. Additional Water Rations for Large Households:

Where four or more Permanent Residents occupy a single Household served by one Water Meter, the Minimum Daily Water Ration may be increased by the amounts listed below:

	Residential Household Gallons per Day
Fourth Permanent Resident	30
Fifth Permanent Resident	25
Sixth Permanent Resident	20
Seven or More Permanent Residents (Per Additional Resident)	15

3. Procedure for Obtaining Additional Water Rations for Large Households:

- a. The Applicant shall complete a Residency Affidavit (obtained from the District) that requests the name, age and verification of full-time Permanent Residents for each resident in the Household for which the additional Water Ration is requested. The information on the application shall be presented under penalty of perjury. The additional Water Ration request shall be submitted to the General Manager, who will approve or disapprove the request within 10 business days of submission of a completed application.
- b. If the application is disapproved, the General Manager will explain in writing the reason for the disapproval, and if the Applicant is not satisfied with the decision of the General Manager, the Applicant may appeal the General Manager’s decision to the Board of Directors.

4. Procedure for Obtaining Additional Water Rations Where Two or More Households are Served by a Master Meter:

- a. The Applicant must fill out the required form that lists the number of Residences served by the Master Meter and submit a use permit issued by the Jurisdiction for the Multi-Residential Dwelling Units served by the

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Master Meter. The District shall retain the right to require Residency Affidavits to determine the appropriate Water Rations. The additional Water Ration request shall be submitted to the General Manager, who will approve or disapprove the request within 10 business days of submission of a completed application. The Application shall be submitted under penalty of perjury.

- b. If the application is disapproved, the General Manager will explain in writing the reason for the disapproval, and if the Applicant is not satisfied with the decision of the General Manager, the Applicant may appeal the General Manager's decision to the Board of Directors.
5. Additional Water Ration for Special Needs. Where more water than allowed in Sections 3 or 4 above is necessary to preserve the health or safety of a Household, the General Manager may increase the Water Ration during the period of need according to the needs of the Applicant.
- a. The Applicant or his or her representative may file a request for an additional Water Ration and shall state to the General Manager: (1) the amount of the requested additional Water Ration, and (2) a general statement in support of the need. Where appropriate, Applicant shall provide a letter from a medical doctor stating the need for additional water usage and projected amount and duration of that need, if possible, or other appropriate justification for the special need.
 - b. Additional Water Rations shall require the replacement of inefficient water fixtures to comply with Rule 142-E, Residential and Non-Residential Change of Ownership, Change of Use, and Expansion of Use Water Efficiency Standards.
 - c. Additional Water Rations shall require the Connection have a working Pressure Regulating Valve that maintains water pressure at a maximum of 60 psi.
 - d. If the General Manager does not approve an additional Water Ration, the Applicant may appeal to the Board. An appeal from the General Manager's decision must contain all of the following: (a) a copy of the original application; (b) a copy of the written explanation of the General Manager's decision; and (c) a written explanation of why the Applicant believes the decision should be changed.
6. Misrepresentation. Any Water User intentionally over-reporting the number of Permanent Residents in a Household may be charged with a misdemeanor punishable as an infraction as provided by Section 256 of the Monterey Peninsula Water Management District Law, Statutes of 1981, Chapter 986, as well as fines

and penalties set forth in this Regulation. During this Stage 4, whenever there is a change in the number of Permanent Residents, the Water User shall notify the District.

F. Non-Residential Water Rations.

1. If Residential Water Rationing does not achieve measurable results as expected after a period of six (6) months, upon adoption of a Resolution by the Board for a specific reduction in Non-Residential water use, Non-Residential Water Rations shall be implemented at a level to achieve the necessary reduction in use.
2. Non-Residential Water Rations shall be determined by selection by the District of a previous year for which Stages 2, 3, or 4 Conservation or Rationing was not in place and then reducing each month's water use by a percentage determined by the District to achieve the Non-Residential reduction in use. Where a previous year history is deemed to be unavailable or inappropriate by the District, a Non-Residential Water Ration shall be established by the District based on type of Non-Residential water use, building design, and water fixtures.
3. Exemptions: In the Resolution to implement a level of Non-Residential Rationing, the Board shall include an exemption for compliance with District Rule 143 and an exemption for a Non-Residential establishment whose business requires water in the course of its business practice (e.g. laundromats, nurseries, among others).
4. An Applicant or his or her representative may file a request for an additional Water Ration. The Applicant shall state in a letter to the General Manager: (1) the amount of the requested additional Water Ration, and (2) a general statement in support of the need.
5. Additional Water Rations shall require the Connection have a working Pressure Regulating Valve that maintains water pressure at a maximum of 60 psi.
6. If the request for an additional Water Ration is disapproved, the General Manager will explain in writing the reason for the disapproval, and if the Applicant is not satisfied with the decision of the General Manager, the Applicant may appeal to the Board of Directors for a hearing.

G. Irrigation required by the Mitigation Program adopted when the Water Allocation Program Environmental Impact Report was adopted in 1990, and as required by SWRCB Order No. WR 95-10, shall not be subject to reductions in use. Required irrigation of the Riparian Corridor shall be identified and reported by California American Water separately from other Non-Revenue Water.

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H. CAWD/PBCSD Wastewater Reclamation Project Recycled Water Users. Recycled Water Irrigation Areas receiving water from the CAWD/PBCSD Wastewater Reclamation Project shall be subject to Stage 4 for Potable water used during an Interruption or emergency, in accordance with contractual Agreements between the District and the respective Owners of the Recycled Water Irrigation Areas.

1. The Owners of the Recycled Water Irrigation Areas shall have the respective irrigation requirements thereof satisfied to the same degree as any non-Project Golf Course or open space which derives its Source of Supply from the California American Water system. The irrigation requirements of the Recycled Water Irrigation Areas will be determined based on the most-recent non-Rationed four-year average irrigation water demand, including both Recycled Water and Potable water, for each respective Recycled Water Irrigation Area.
2. Each Recycled Water Irrigation Area shall be entitled to receive the average irrigation requirement determined above, reduced by the percentage reduction required by the current stage of Water Rationing. If the quantity of Recycled Water that is available is less than the quantity of water that the Recycled Water Irrigation Area is entitled to, Potable water shall be provided to make up the difference and satisfy the irrigation requirements of the Recycled Water Irrigation Areas to the same degree that the irrigation requirements of non-Project Golf Course and open space Users are being satisfied. The preceding sentence shall not apply to the extent that the irrigation requirements of any Recycled Water Irrigation Area are met with water legally available to Buyer from any source other than the Carmel River System or the Seaside Groundwater Basin, including percolating Groundwater underlying Buyer's Property, to make up any such difference.
3. When Recycled Water (as defined in Rule 23.5) is available in sufficient quantities to satisfy the irrigation requirements of the Recycled Water Irrigation Areas, such irrigation shall not be subject to Stage 4, and neither Potable water nor any water described in the preceding sentence (whether or not it is Potable) shall be used for irrigation of the Recycled Water Irrigation Areas except to the extent allowed in the circumstances described in the next two sentences.
4. If there is an Interruption in Recycled Water deliveries to any Recycled Water Irrigation Area (as the capitalized terms are defined in Rule 23.5), the temporary use of Potable water for irrigating each such Recycled Water Irrigation Area is authorized in the manner described in Rule 23.5, Subsection F.
5. If the District has adopted an ordinance in response to any emergency caused by drought, or other threatened or existing water shortage pursuant to section 332 of the Monterey Peninsula Water Management Law, said ordinance shall prevail over contrary provisions of this Rule. Notwithstanding the preceding sentence, Potable water shall be made available for irrigating tees and greens of the

Recycled Water Irrigation Areas in sufficient quantities to maintain them in good health and condition during an Interruption, without any limitation on the duration.

6. The District shall have no obligation to furnish Potable water for irrigation of the Recycled Water Irrigation Areas except in the circumstances set forth above.
7. If (1) an emergency or major disaster is declared by the President of the United States, or (2) a “state of war emergency,” “state of emergency,” or “local emergency,” as those terms are respectively defined in Government Code section 8558, has been duly proclaimed pursuant to the California Emergency Services Act, with respect to all or any portion of the territory of MPWMD, the provisions of this section shall yield as necessary to respond to the conditions giving rise to the declaration or proclamation.

I. Sunset.

1. Without further action of the Board of Directors, Stage 4, when implemented due to non-compliance with regulatory targets, shall sunset for all California-American Water Company Water Distribution Systems and water use restrictions shall revert to Stage 1 when the 12 month total production has been less than or equal to its then-current annual production target for two (2) consecutive months.
2. Physical Shortage Trigger: Without further action of the Board of Directors, Stage 4 shall sunset and water use restrictions shall revert to Stage 1 when remaining Total Supply Available computed consistent with Table XV-5 is greater than remaining Total Supply Required for two (2) consecutive months.
3. Regulatory Trigger: Without further action of the Board of Directors, Stage 4 shall sunset for that Water Distribution System(s) and water use restrictions shall revert to Stage 1 when the governmental or regulatory agency rescinds the request.
4. Emergency Trigger: Stage 4 shall sunset and water use restrictions shall revert to Stage 1 when the Board finds that a Water Supply Emergency no longer exists.
5. Restoration of Lower Stage. A Resolution causing the sunset of one or more provisions of Stage 4 may also activate any lower Stage as may be warranted for good cause by circumstances affecting a particular Water Distribution System, private Well, or Water User.

Added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); Ordinance No. 142 (1/28/2010); deleted by Ordinance No. 169 (2/17/2016); Rule added by Ordinance No. 169 (2/17/2016); Ordinance No. 177 (9/18/2017)

RULE 167—DEFINITIONS USED IN REGULATION XV

~~**Acre-Foot**—"Acre-Foot" shall mean an amount of water equal to 325,851 gallons.~~

~~**Administrative Compliance Order**—"Administrative Compliance Order" shall mean a written order issued by the General Manager directing any Person responsible for serious, continuing or recurring violations to take affirmative action to remedy consequences of those violations. Administrative Compliance Orders are in addition to all other legal remedies, criminal or civil, which may be pursued by the Water Management District. An Administrative Compliance Order may be issued in conjunction with a Cease & Desist Order.~~

~~**Applicant**—"Applicant" shall mean the Person or Persons responsible for completing the requirements of an application.~~

~~**Best Management Practices (BMPs)**—"Best Management Practices" shall mean a conservation measure or series of measures that is useful, proven, cost effective, and generally accepted among conservation experts to reduce water consumption and protect water quality.~~

~~**Bishop Water Distribution System**—"Bishop Water Distribution System" or "Bishop" shall mean the California American Water subsystem as described in the purchase agreement between Bishop Water Company and California American Water dated September 1, 1996.~~

~~**California American Water Company Water Distribution System**—"California American Water Company Water Distribution System" shall mean all California American Water Company Water Distribution Systems that rely, in whole or in part, on production or production offsets from the Carmel River System or the Seaside Coastal Subareas.~~

~~**Carmel River System**—"Carmel River System" shall mean water from the Carmel River and underlying alluvial aquifer.~~

~~**CAWD/PBCSD Wastewater Reclamation Project Recycled Water Users**—"CAWD/PBCSD Wastewater Reclamation Project Water Users" shall mean those Users of the wastewater reclamation project undertaken by the Carmel Area Wastewater District and the Pebble Beach Community Services District that supplies Reclaimed Water to the Golf Courses and certain open space areas within Pebble Beach.~~

~~**Cease & Desist Order**—"Cease & Desist Order" shall mean an order issued by the General Manager prohibiting a Person from continuing a particular course of conduct. Cease & Desist Orders are in addition to all other legal remedies, criminal or civil, which may be pursued by the Water Management District. A Cease & Desist Order may be issued in conjunction with an Administrative Compliance Order.~~

~~**CCF**—"CCF" (or one hundred cubic feet) is equivalent to 748 gallons.~~

~~**Conservation Rates**—"Conservation Rates" shall mean the increase in the water rates for California American Water customers at levels of either 25 percent (Level 1 Conservation Rates) or 40 percent (Level 2 Conservation Rates). Conservation Rates do not apply to Residential Tier 1 water use.~~

~~**Conveyor Car Wash**—"Conveyor Car Wash" shall mean a commercial car wash where the vehicle moves on a conveyor belt during the wash and the driver of the vehicle can remain in, or wait outside of, the vehicle.~~

~~**District**—See Monterey Peninsula Water Management District.~~

~~**Dwelling Unit**—"Dwelling Unit" shall mean single or multiple residences suitable for single household occupancy but shall not refer to non permanent student or transient housing, the occupancy of which is projected to average 24 months or less.~~

~~**Extractor**—"Extractor" shall mean a user, or consumer of water delivered by a water Well or Water Gathering Facility, which is not a part of any Water Distribution System.~~

~~**Flagrant Violation**—"Flagrant Violation" shall mean any willful or wanton disregard of the Rules and Regulations of the District which results in unreasonable waste, contamination, or pollution of District waters by any Extractor, User, or by the Owner or Operator of a Well, Water Gathering Facility or Water Distribution System.~~

~~**Flow Restrictor**—"Flow Restrictor" shall mean a device placed into the Water Distribution System by the distribution system Operator, or put into the output of a private Well, that restricts the volume of flow to the User.~~

~~**Graywater Irrigation System**—"Graywater Irrigation System" shall mean an onsite wastewater treatment system designed to collect Graywater and transport it out of the structure for distribution in an Irrigation System.~~

~~**Hidden Hills System**—"Hidden Hills System" shall mean the California American Water subsystem as described in the purchase agreement between Carmel Valley Mutual Water Company and California American Water recorded July 8, 1994, Document #49389, Reel 3125, Page 696.~~

~~**Household**—"Household" shall mean all the people who occupy a housing unit. A housing unit is a house, an apartment, a mobile home, a group of rooms, or a single room occupied (or if vacant, intended for occupancy) as separate living quarters. Separate living quarters are those in which the occupants live separately from any other people in the building and that have direct access from the outside of the building or through a common hall.~~

~~**In-Bay Car Wash**—"In-Bay Car Wash" shall mean a commercial car wash where the driver pulls into bay, parks the car, and the vehicle remains stationary while either a machine moves over the vehicle to clean it or one or more employees of the car wash clean the vehicle,~~

~~instead of the vehicle moving through a tunnel.~~

~~**Interruption**—"Interruption" shall mean an interruption for longer than 12 hours in the supply of Recycled Water to a Recycled Water Irrigation Area.~~

~~**Laguna Seca Subarea**—"Laguna Seca Subarea" shall mean one of the subdivisions of the Southern Seaside Subbasin. Its boundary is shown on a map maintained at the offices of the Water Management District, as that map may be amended from time to time.~~

~~**Landscaping**—Deleted by Ordinance No. 172 (8/15/2016).~~

~~**Lawn**—"Lawn" shall mean an area of land planted with live, healthy grass which is regularly maintained, irrigated and groomed at a low, even height.~~

~~**Main California American Water System**—"Main California American Water System" shall mean the California American Water's Water Distribution System that derives its Source of Supply from the Carmel River System and the Seaside Coastal Subareas of the Seaside Groundwater Basin.~~

~~**Master Meter**—"Master Meter" shall mean a single Water Meter that supplies water to more than one Water User.~~

~~**Measurable Precipitation**—"Measurable Precipitation" shall mean rainfall of 0.1 inch or more.~~

~~**Minimum Daily Water Ration**—"Minimum Daily Water Ration" shall mean a minimum Water Ration of 90 gallons per day per Household.~~

~~**Mobile Water Distribution System**—"Mobile Water Distribution System" shall mean any Potable or Non Potable Water delivery that originates at a location apart from the Site of use and that is delivered via a truck or other movable container. This definition includes, but is not limited to, trucked water. This definition shall not apply to deliveries of water by commercial companies in volumes less than or equal to 55 gallons per container.~~

~~**Model Water Efficient Landscape Ordinance**—"Model Water Efficient Landscape Ordinance" shall mean the ordinance found at California Code of Regulations, Title 23, Waters, Division 2, Department of Water Resources, Chapter 2.7.~~

~~**Monterey Peninsula Water Management District (District)**—"Monterey Peninsula Water Management District" ("District") is a public agency created by the California State Legislature in 1977 and approved by the voters on June 6, 1978. The enabling legislation is found at West's California Water Code, Appendix Chapters 118-1 to 118-901.~~

~~**Monterey Peninsula Water Resource System (MPWRS)**—"Monterey Peninsula Water Resource System" ("MPWRS") shall mean the surface water in the Carmel River and its tributaries, Groundwater in the Carmel Valley Alluvial Aquifer which underlies the Carmel River, and Groundwater in the Seaside Groundwater Basin.~~

~~**MPWMD**—See Monterey Peninsula Water Management District.~~

~~**Multi-Family Household**—"Multi-Family Household" shall mean a Household where two or more Dwelling Units receive water from a Master Meter.~~

~~**Non-Essential Water Use**—"Non-Essential Water Use" shall mean uses of water that are acceptable during times of normal water availability, as long as proper procedures to maximize efficiency are followed. However, when water is in short supply, Non-Essential Water Uses must be curtailed to preserve limited water resources for essential uses. Non-Essential Water Uses do not have health or safety impacts, are not required by regulation, and are not required to meet the core functions of a Non-Residential use.~~

~~**Non-Potable Water**—"Non-Potable Water" shall mean water which is not fit for human consumption.~~

~~**Non-Residential**—"Non-Residential" shall mean water uses not associated with Residential use. These uses include Commercial, Industrial, Public Authority, Golf Course, Other Use, Non-Revenue Metered Use, and Reclaimed Water.~~

~~**Non-Revenue Water**—"Non-Revenue Water" shall mean those components of system input volume that are not billed and produce no revenue; equal to unbilled authorized consumption, plus apparent losses, plus real losses.~~

~~**Open Space**—"Open Space" shall mean public land area left in an un-built state as defined in the California Government Code, Section 65560. Open Space includes plazas, parks, and cemeteries.~~

~~**Owner or Operator**—"Owner or Operator" shall mean the Person to whom a Water Gathering Facility is assessed by the County Assessor, or, if not separately assessed, the Person who owns the land upon which a Water Gathering Facility is located.~~

~~**Permanent Resident**—"Permanent Resident" shall mean a Person who resides continuously in a Dwelling Unit for more than 30 days or a resident that can submit such other evidence to clearly and convincingly demonstrate permanent residency.~~

~~**Positive Action Shut-Off Nozzle**—"Positive Action Shut-Off Nozzle" shall mean a device that completely shuts off the flow of water from a hose when released.~~

~~**Potable**—"Potable" shall mean water that is suitable for drinking.~~

~~**Pressure Regulating Device**—"Pressure Regulating Device" shall mean a water pressure-reducing device installed in the water line after the Water Meter that automatically reduces the pressure from the water supply main to a lower pressure.~~

Production Limit—~~"Production Limit" shall mean the maximum production permitted for a Water Distribution System.~~

Reclaimed Water—~~"Reclaimed Water" shall mean wastewater that has been treated to the tertiary level, including disinfection. Reclaimed Water is a form of Recycled Water.~~

Recycled Water—~~"Recycled Water" shall mean treated or recycled waste water of a quality suitable for Non-Potable uses such as landscape irrigation and Water Features. This water is not intended for human consumption.~~

Recycled Water Irrigation Areas—~~"Recycled Water Irrigation Areas" shall mean the golf courses and other vegetated areas located within the Del Monte Forest that are being irrigated with Recycled Water.~~

Residency Affidavit—~~"Residency Affidavit" shall mean a document attesting to the number of Permanent Residents in a Household.~~

Residential—~~"Residential" shall mean water used for household purposes, including water used on the premises for irrigating lawns, gardens and shrubbery, washing vehicles, and other similar and customary purposes pertaining to Single Family and Multi Family Dwellings.~~

Responsible Party—~~"Responsible Party" shall mean the Person or Persons who assume through the District Permit process legal responsibility for the proper performance of the requirements of a Permit holder as defined in the Rules and Regulations and/or in conditions attached to a Permit. "Responsible Party," when used in the context of The 2016 Monterey Peninsula Water Conservation and Rationing Plan, shall mean the Person who is responsible for paying the water bill. When a property is served by a private Well or a small Water Distribution System, the "Responsible Party" shall be the Water Users of the Well and the small distribution system Operator.~~

Riparian Corridor—~~"Riparian Corridor" shall mean all that area which comprises the Riverbed and riverbanks of the Carmel River which lies within the boundaries of the Carmel River Management Zone (Zone No. 3), and all those areas which lie within 25 lineal feet of the Riverbank Assessment Line, excepting however, all lands which lie outside of the Zone No. 3 boundary, and exempting lawns, landscaping and cultivated areas as shown on the spring 1983 aerial photographs taken by California American Water pursuant to the agreement with the District in accord with MPWMD Rule 123 A.~~

Ryan Ranch Water Distribution System—~~"Ryan Ranch Water Distribution System" or "Ryan Ranch" shall mean the California American Water subsystem as described in the purchase agreement between Neuville Co. N.V. (a Delaware Corporation) and California American Water dated April 30, 1990.~~

Seaside Basin Adjudication Decision—~~"Seaside Basin Adjudication Decision" or "Seaside Decision" shall mean the March 27, 2006 court adjudication, as amended, determining water rights in the Seaside Groundwater Basin that restrict California American Water~~

~~production from the Coastal Subareas and Laguna Seca Subarea of the basin.~~

~~**Seaside Groundwater Basin**—"Seaside Groundwater Basin" shall mean the set of geologic formations that stores, transmits, and yields water in the Seaside area, comprising of the Northern Seaside Subbasin and the Southern Seaside Subbasin. The Seaside Groundwater Basin also includes those areas known as the Northern Coastal Subarea, the Northern Inland Subarea, the Southern Coastal Subarea and the Laguna Seca Subarea.~~

~~**Short-Term Residential Housing**—"Short Term Residential Housing" shall mean one or more Residential Dwelling Units on a property that are occupied by visitors, are operated as a business and for which a fee is charged to occupy the premises.~~

~~**Single Residential Household**—"Single Residential Household" shall mean a Household that receives its water supply through a Water Meter that is not shared with other Households.~~

~~**Site**—"Site" shall mean any unit of land which qualifies as a Parcel or lot under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other Parcel (or are separated only by a road or easement); and (2) which have identical owners; and (3) which have an identical present use.; or (4) are an Accredited Institution of Higher Education Site, a Jurisdiction Site, or a Public School District Site. The term "Site" shall be given the same meaning as the term "Parcel".~~

~~**Smart Controller**—"Smart Controller" shall mean a weather based device (typically a "timer") that automatically controls an outdoor Irrigation System. Smart Controllers use weather, site or soil moisture data as a basis for determining an appropriate watering schedule.~~

~~Smart Controllers (commonly referred to as ET controllers, weather based irrigation controllers, smart sprinkler controllers, and water smart controllers) are a new generation of irrigation controllers that utilize prevailing weather conditions, current and historic Evapotranspiration, soil moisture levels, and other relevant factors to adapt water applications to meet the actual needs of the plants.~~

~~**Source of Supply**—"Source of Supply" shall mean the Groundwater, surface water, Reclaimed Water sources, or any other water resource where a Person, Owner or Operator gains access by a Water Gathering Facility.~~

~~**Sub-potable Water**—Deleted by Ordinance No. 177 (9/18/2017).~~

~~**Total Storage Available**—"Total Storage Available" shall mean the usable water as measured by the District on May 1 in any year that is contained in the Carmel Valley Alluvial Aquifer plus usable water in the Seaside Groundwater Basin and the usable water in the Los Padres Reservoir.~~

~~**Total Storage Required**—"Total Storage Required" shall mean the combination of demand remaining from May 1 to September 30 and carryover storage for the next Water Year that is required to meet the following Water Year production limit for California~~

~~American Water from Carmel River sources set by State Water Resources Control Board Order WR-2009-0060, plus the production limit for California American Water from the Seaside Groundwater Basin set by the Court in its March 27, 2006 Seaside Basin Adjudication Decision and the production limit specified for non-California American Water Users from the Monterey Peninsula Water Resource System set in the District's Water Allocation Program.~~

~~**User**—"User" shall mean a customer or consumer of water delivered by a Water Distribution System. User does not include any Owner or Operator of a Water Distribution System. Each residence, commercial enterprise, or industrial enterprise shall be deemed a separate and distinct User.~~

~~**Visitor-Serving Facility**—"Visitor-Serving Facility" shall include all hotels, motels, restaurants, convention/meeting facilities, and service stations within the Monterey Peninsula Water Management District. Other facilities may be designated as a Visitor-Serving Facility by the General Manager upon finding that such facility exists primarily for the use of tourists and the traveling public. Short term rentals of private property are not included under this definition.~~

~~**Water Broom**—"Water Broom" shall mean a water efficient broom-like cleaning device that uses a combination of water and air to clean hard surfaces with no runoff.~~

~~**Water Credit**—"Water Credit" shall mean a record allowing reuse of a specific quantity of water upon a specific Site. A Water Credit differs from a Water Use Credit in that it is not characterized by a Permanent Abandonment of Use, but may be the result of a temporary cessation of use.~~

~~**Water Distribution System**—"Water Distribution System" shall mean all works within the District used for the collection, storage, transmission or distribution of water from the Source of Supply to the Connection of a system providing water service to any Connection including all Water-Gathering Facilities and Water-Measuring Devices. In systems where there is a Water Meter at the point of Connection, the term "Water Distribution System" shall not refer to the User's piping; in systems where there is no Water Meter at the point of Connection, the term "Water Distribution System" shall refer to the User's piping.~~

~~**Water Distribution System Operator**—"Water Distribution System Operator" shall mean the Person or Persons who assume through the District permit process legal responsibility for the proper performance of the requirements of a Water Distribution System Permit holder as defined in the Rules and Regulations and/or in conditions attached to a permit.~~

~~**Water-Gathering Facility**—"Water-Gathering Facility" shall mean any device or method, mechanical or otherwise, for the production of water from dams, Groundwater, surface water, water courses, Reclaimed Water sources, or any other Source of Supply within the Monterey Peninsula Water Management District or a zone thereof. Water-Gathering Facilities shall include any water production facility as defined in the Monterey Peninsula Water Management District Law. This definition shall not apply to on-site Cisterns that~~

~~serve existing single Connection Residential situations where rainwater is captured for on-site landscape irrigation use.~~

~~**Water Ration**—"Water Ration" shall mean a specific amount of water available to each Water User during Stage 4 Water Rationing~~

~~**Water Supply Emergency**—"Water Supply Emergency" shall mean a declaration pursuant to Regulation XV, The 2016 Monterey Peninsula Water Conservation and Rationing Plan, that a water shortage emergency condition prevails within one or more Water Distribution Systems.~~

~~**Water Use Credit**—"Water Use Credit" shall mean a limited entitlement by a Person to use a specific quantity of water upon a specific Site. Water Use Credits shall be limited by time, and by other conditions as set forth in the District's Rules and Regulations.~~

~~**Water User**—"Water User" shall mean Users of water for domestic or other uses from any Water Distribution System or private Well.~~

~~**Water Waste**—"Water Waste" shall mean the indiscriminate, unreasonable, or excessive running or dissipation of water as defined in Rule 162.~~

~~**Water Year**—"Water Year" shall mean the period from October 1 of one year to September 30 of the succeeding year.~~

~~**Well**—"Well" shall mean any device or method, mechanical or otherwise, for the production of water from Groundwater supplies within the District excluding seepage pits and natural springs.~~

~~**Water Meter**—"Water Meter" shall mean any measuring device intended to measure water usage. The term "Water Meter" shall have the same meaning as the term "Water-Measuring Device."~~

Rule added by Ordinance No. 92 (1128199); amended by Ordinance No. 119 (3121/2005); Ordinance No. 125 (9118/2006); Ordinance No. 134 (8118/2008); Ordinance No. 135 (9122/2008); Ordinance No. 137 (1218/2008); Ordinance No. 142 (1128/2010); deleted by Ordinance No. 169 (211712016); Rule added by Ordinance No. 169 (211712016); Ordinance No. 177(911812017)

ITEM: PUBLIC HEARING**9. CONSIDER ADOPTION OF 2025 MPWMD ANNUAL REPORT**

Meeting Date:	March 16, 2026	Budgeted:	Yes
From:	David J. Stoldt General Manager	Program/ Line Item No.:	4-2-1
Prepared By:	David J. Stoldt	Cost Estimate:	Up to \$12,500

General Counsel Approval: N/A**Committee Recommendation: N/A****CEQA Compliance: Action does not constitute a project as defined by CEQA**

SUMMARY: Attached as **Exhibit 9-A** is the draft MPWMD Annual Report for 2025. The District's enabling legislation requires production of an annual written report of the activities of the District in the protection and augmentation of water supplies of the District. The legislation further requires that a public hearing be held each year regarding the contents of the report before it is finalized.

In addition to posting the report on the District website and distributing it via the email newsletter, it is recommended that the Board approve distribution of the report to the public through the Monterey County Weekly as an insert to one of its publications in April. The printing costs for the report (20,200 copies) are not expected to exceed \$8,000 and insertion and distribution by Monterey County Weekly will be \$2,340 for a total of \$10,340. Funds are budgeted in the current budget for this expenditure. For an additional \$1,800 The Weekly will host the District's annual report for a year and include a newsletter ad highlighting the report once a quarter. They can essentially re-distribute the annual report for twelve months. The Weekly did not raise prices this year. District staff reviewed The Pine Cone's pricing from last year and decided, despite District's good relationship with the publication, it would be too much duplication for the added cost.

RECOMMENDATION: The Board should conduct a public hearing and adopt the proposed 2025 MPWMD Annual Report with any changes or edits as recommended. The Board should also authorize the distribution of the report as recommended.

EXHIBIT**9-A** Draft 2025 Annual Report

EXHIBIT 9-A

2025
Annual
Report

60%



The completed Pure Water Monterey project **NOW** provides 60% of the drinking water needed on the Peninsula for housing, jobs, growth, and drought for years to come.

Water Allocation Releases New Supply for Construction and Remodels

For the first time in over 30 years, the District released water to the seven jurisdictions, the Airport District, and the Department of Defense to support new construction, remodels, and commercial changes. The new supply (over and above existing demand) was allocated through a process led by the District and the passage of Ordinance 197. On March 1, 2025, 371 AF from the Pure Water Monterey (PWM) Expansion was allocated for use in the Cal-Am system.

Projects remain subject to the Cease & Desist Order (CDO) meter moratorium until the State acts on the District's application. The Pure Water Monterey project, funded and built by Monterey One Water, MPWMD (District), and Marina Coast Water, added a 2,250 acre-foot-per-year (AFY) expansion. The completed PWM project now provides 60% of the Peninsula's drinking water needed for housing, jobs, growth, and drought for years to come.

Supply Gets Boost from Storage

Customer demand in 2025 resulted in a production total of 9,096 AF of drinking water, the lowest demand since 1957. Water supply sources included 3,680 AF from PWM, 3,347 AF from the Carmel River, 1,684 AF from Seaside Groundwater sources, and 164 AF from the Sand City Desalination Facility.

At the end of the year, the District had 2,353 AF stored in the PWM Operating Reserve and 4,392 AF in the Aquifer Storage and Recovery banked storage, a total of 6,745 AF of stored water.



District Asks State to Drop Restrictions on New Water Meters

In October of 2025, the District Board voted unanimously to ask the State Water Board to modify its Cease and Desist Order (CDO) on the Carmel River and allow new water meter connections. This effort is intended to clear the way for new housing and jobs on the Peninsula. A decision is expected by summer 2026.

The request came on the heels of the addition of a new water supply, the PWM Expansion, also announced in October, which will now provide 60% of the Monterey Peninsula's drinking water.

The PWM project is expected to provide a permanent replacement water supply to meet the Monterey Peninsula's needs for decades or serve as an adequate bridge until a desalination plant is fully permitted and built. The CDO was originally issued in 2009 as a result of California American's (Cal-Am's) excessive pumping from the river. "Cal Am has not



violated its lawful water rights on the Carmel River in the past four years, said Dave Stoldt, District General Manager. "This is a window of opportunity for the community to ease water restrictions in favor of housing and jobs."

Grants Administered by District Brings New Projects to Peninsula

MPWMD continues to manage grants for the Monterey Peninsula. Duties include: (a) Application coordination and submission; (b) Agreement execution and coordination with the California Department of Water Resources; (c) Invoicing, with documentation, on behalf of the Local Project Sponsors; and (d) Reporting.

In 2025, construction for two grant-funded projects supporting PWM were completed. Final invoicing and reporting will be completed by the District in 2026. The first was an Urban Community Drought Relief Grant from the Department of Water Resources for \$11,935,200, and the other is a Directed Assistance Grant coordinated by the State Water Resources Control Board for \$4,800,000. Overall, the Pure Water Monterey Expansion project garnered over \$40 million in grants, with only \$15 million to be repaid by local ratepayers over 30 years.

Also in 2025, the District continued administering an Integrated Regional Water Management (IRWM)

Implementation Round 2 Grant totaling \$1,488,961 for the Monterey Peninsula region. The two funded projects are:

1. Carmel River Floodplain Restoration and Environmental Enhancement (Carmel River FREE), sponsored by Monterey County
2. Olivier Street Stormwater Diversion Project, sponsored by the City of Monterey

The Carmel River FREE project includes federal funding that has experienced significant delays. However, the City of Monterey's Olivier Street Stormwater Diversion Project remains on schedule and is progressing as planned.

Additionally, an IRWM Implementation Round 1 Grant awarded in 2021 will fund construction of the West End Stormwater Improvement Project in 2026. This project, located in a disadvantaged community, is sponsored by the City of Sand City. Two other projects funded under this grant have been completed for the City of Seaside and the Marina Coast Water District.

Permits and Rebates Assure Greater Water Efficiency

The District approved 577 rebates totaling \$174,900, saving 4.718 AF of water annually, and issued 941 Water Permits plus 68 Water Use Permits. Staff completed nearly 900 inspections to ensure compliance with indoor and landscape water efficiency standards. 26 landscape permits were issued, covering 104,856 sq. ft. of new and 111,150 sq. ft. of rehabilitated landscapes. Three Water Distribution System amendments were approved, and nine exemptions were granted for eligible well users. Efforts to promote water efficiency and compliance continue.



Locals Win Big in Summer Splash

Now in its sixth year, the District, in partnership with Cal-Am, once again hosted the Summer Splash Water Challenge Giveaway, a fun, family-oriented conservation game. Participants completed an educational gameboard by visiting the event website and watching water efficiency videos to find the answers. The challenge was designed for families and timed for summer when children were out of school. Completed gameboards were submitted for a sweepstakes drawing. Prizes including high-efficiency clothes washers, iPads, and gift cards. Gameboards were printed in the newspaper, and promoted in Facebook. The June challenge received 485 entries, 48 more than the previous year.

Water Conservation Classes

Staff continued to engage the community on water conservation through various outreach channels. In partnership with Cal Am, the District hosted 14 virtual classes covering rainwater capture, greywater use, irrigation efficiency, soil improvement through composting, landscape design, and lawn removal. Water-saving devices were distributed at community events, including the Carmel Valley Fiesta, Monterey County Fair, and West End Celebration, and the "Mulch Madness" giveaway was held twice during the year.

The District maintained an active social media presence on Facebook and Instagram, participated in school presentations and assemblies with the Water Awareness Committee for Monterey County, and ran monthly media ads highlighting District programs and activities.

Water Permit Amnesty Program a Huge Success

The Resolution 2024-13 "Amnesty Program" concluded on September 30, 2025. Staff contacted property owners associated with 1,470 open (unfinalized) Water Permits and successfully closed 1,242 permits, achieving an 84% resolution rate. A total of 5.138 acre-feet (AF) of District Reserve Allocation was utilized.

The program was generally well-received and significantly reduced a backlog of permits dating back to 1993. Most property owners responded positively once they understood the opportunity to finalize permits with temporary water availability, fee waivers, and staff assistance. Local jurisdictions were cooperative and assisted as necessary.

Remaining open permits are largely attributable to inspection scheduling delays, property owner inaction, jurisdictional permitting delays, or removal of unpermitted fixtures instead of seeking proper authorization.

Staff will continue follow-up efforts. Remaining properties will not have access to District Reserve water and may require jurisdictional allocations or be subject to Regulation XI enforcement. Property owners remain responsible for arranging final inspections when they have a Water Permit.

Pursuit of Fiscal Responsibility

In response to its strategic objectives, staff proposed a series of financial policies to support the District's financial stability and long-term sustainability. These include a Reserves Policy, Budget Policy, Unclaimed Monies Policy, and Debt Management Policy, as well as strategies to address the District's pension and other post-employment benefit liabilities. Together, these policies are intended to help the District proactively manage financial obligations, mitigate risk, and plan for anticipated liabilities.

In parallel, the District has taken steps to streamline its financial operations, including clearing prior payables, improving the classification of grant billings, and improving transaction reporting. Staff is also actively working to reduce costs associated with purchasing recycled water from Monterey One Water, in accordance with the Pure Water Monterey water purchase agreement.

The District reached a final settlement with the Monterey Peninsula Taxpayers Association regarding its prior collections of the Water Supply Charge. Following a court ruling in September 2024, staff coordinated with the County to rescind the charge from the 2024–25 property tax bills, and under the terms of the settlement, the District will refund approximately \$3.35 million to property owners who paid the Water Supply Charge during the contested period.

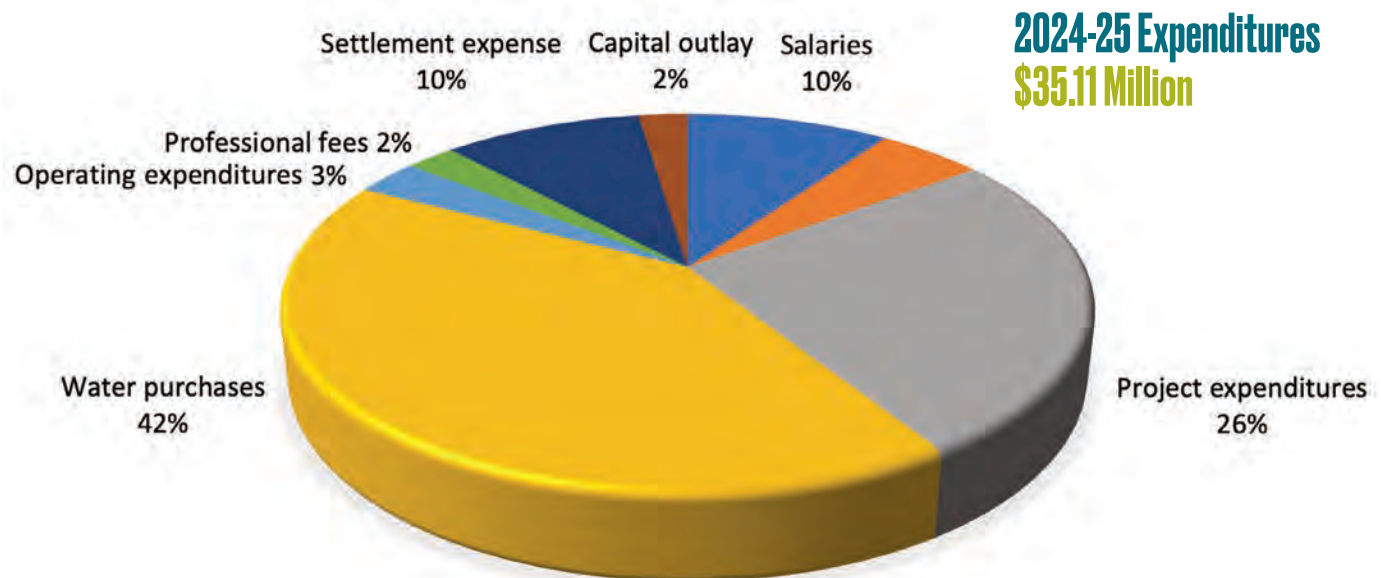
District Awarded Certificate of Financial Excellence

The Pun Group LLP, an independent auditing firm, conducted the District's fiscal year 2024-2025 audit. It received a clean financial audit report with no material weaknesses or deficiencies. The District included the audit in its eleventh consecutive Annual Comprehensive Financial Report (ACFR). The report consists of a set of government financial statements that comply with the accounting requirements promoted by the Government Accounting Standards Board and include relevant statistical information about the District.

In 2025, the Government Finance Officers Association awarded a Certificate of Achievement for Excellence in Financial Reporting to the District for its ACFR for the 2024-2025 fiscal year. The District has received the ACFR award for the tenth consecutive year.

How Your Money is Spent

As of June 30, 2025, the District's total fund balance was \$28,996,316. The Fiscal Year 2025-2026 budget anticipates expenditures of \$42,237,887 as shown below.



Carmel River Environmental Stewardship

In 2025, the District successfully implemented programs to preserve the ecological integrity of the Carmel River by mitigating impacts from water extraction for the community's water supply. They included the Mitigation Program required by the 1990 Water Allocation Environmental Impact Report, the 2006 Aquifer Storage and Recovery (ASR) Phase 1 Environmental Impact Report, and subsequent water rights for ASR diversions. The program comprises river restoration activities, monitoring, and rescuing threatened steelhead from drying sections of the Carmel River and its tributaries. This comprehensive program tracks changes in the riparian corridor, steelhead population, groundwater depth, river flow, and the lagoon environment.

The District continued to monitor dry-back conditions due to impacts from groundwater withdrawal and successfully rescued 7,468 juvenile steelhead from the Carmel River Basin in 2025. Fish were released this season in a variety of locations to track which produces the best adult return rates from the ocean. These release areas included the lagoon, the Carmel River waters that flow year-round, and the Sleepy Hollow Steelhead Rearing Facility. There were 2,379 fish implanted with passive integrated transponder (PIT) tags to track their migration and survival rates. These data are used as performance indicators of the Mitigation Program.

As part of the steelhead monitoring program, staff installed a resistance board weir (adult steelhead counting station) in the lower river in late February. The weir operated 62% of the time while the fish were migrating. Staff counted 79 adult steelhead during this timeframe.

Staff also conducted surveys of redds or steelhead nests. During the 2025 season, 145 steelhead redds, 7 spawning pairs, 14 single adults, and 3 carcasses were observed between the Highway 1 Bridge and Los Padres Dam in the Carmel River. An additional 16 redds were observed upstream of Los Padres Reservoir, and one redd was observed in Garzas Creek. Approximately 29% more Pacific Lamprey redds were observed in 2025 (818) compared to 2024 (632). This could be an indication of a rebounding Pacific Lamprey run in the Carmel River watershed.

Staff continued to work with the National Marine Fisheries Service (NMFS) on field studies to develop a steelhead population life history model for the watershed. This effort includes tagging fish from the fall population surveys, weir operations, and rescues. These tags are then read by tag detection stations (arrays) at various locations along the Carmel River. District fall population densities trended below average this season and 777 fish were implanted with PIT tags to support these studies and help elucidate long-term trends on steelhead survival.



Steelhead Rearing Pools

In addition, staff continued long-term efforts to monitor water quality conditions and fish passage in the Carmel River Basin to assess impacts to habitat from municipal and private pumping along the Carmel River.

In late fall, District crews carried out the Vegetation Management Program in the active channel of the Carmel River to prevent debris dams and erosion. This work is carried out with a Regional General Permit from the Army Corps of Engineers and a Routine Maintenance Agreement with the California Department of Fish and Wildlife. Vegetation Management includes trimming encroaching vegetation and reducing the hazard posed by downed trees by cutting them into smaller sections in preparation for winter flows. In addition, trash and plastic were removed from the river's active channel before winter rains washed them into the ocean.

ITEM: PUBLIC HEARING**10. CONSIDER ADOPTION OF APRIL THROUGH JUNE 2026 QUARTERLY WATER SUPPLY STRATEGY AND BUDGET**

Meeting Date:	March 16, 2026	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: 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 2026** 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 10-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 2026** 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 10-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 2026**. Cal-Am's annual Main system production for Water Year (WY) 2025 will not exceed 4,850 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 3,376 AF from the Carmel River as set by WRO 2016-16. Additional water projects and water rights available are an estimated 990 AF of Pure Water Monterey Injection over this quarter, and 0 AF recovery of ASR from the estimated 4,996 AF from ASR Phase 1 and 2 storage remaining from WY 2020 to WY 2025, 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 925 AF of Pure Water Monterey, so about 350 AF will be added to the Operational Yield 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 10-B, Quarterly Water Supply Strategy Report: April – June 2026**.

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 a below 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 2025. 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

10-A Quarterly Water Supply Strategy and Budget for Cal-Am Main System: April - June 2026

10-B Quarterly Water Supply Strategy and Budget Report: April - June 2026

California American Water Main Distribution System
Quarterly Water Supply Strategy and Budget: April - June 2026
Proposed Production Targets by Source and Projected Use in Acre-Feet

SOURCE/USE	MONTH			YEAR-TO-DATE		
	Apr-26	May-26	Jun-26	Oct-25 to Feb-26	% of YTD	% of Annual Budget
Source						
	ASR Injection					
Carmel Valley Aquifer						
Upper Subunits	75	0	0	133		
Lower Subunits	390	375	360	536	39%	16%
ASR Diversion	0	0	0	566		
Table 13 Diversion (Service)	0	0	0	156		
Total	465	375	360	1,392		
Seaside Groundwater Basin						
Coastal Subareas	20	20	20	215	65%	15%
ASR Recovery	0	0	0	0		
Sand City Desalination	25	25	25	57	45%	19%
Pure Water Monterey	175	390	425	2,193		
Total	220	435	470	272		
Use						
Customer Service	685	810	830	941	26%	19%
Table 13 In Basin use	0	0	0			
ASR Injection	0	0	0	566		
Total	685	810	830			

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 (4,850 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 3,376 AF in WY 2023. The average production percentages were based on monthly data for customer service from WY 2015 to 2020.
- Maximum daily diversion values for ASR are based on an average diversion rate of approximately 13 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 "Wet" 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.

EXHIBIT 10-B**Quarterly Water Supply Strategy and Budget Report California American Water
Main Water Distribution System: April – June 2026**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 2026

On March 9, 2026 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) received the draft Quarterly Water Budget and were invited to provide comments and direction related to 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 2026 began as an aboveaverage precipitation year, and the storms in late January resulted in sustainable flows on that Carmel River that triggered sustained ASR Operations and Table 13 Diversions. The River dropped below flow triggers for diversion of ASR and Table 13 on January 23 and returned to flows allowing injection on February 12. 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 ASR diversions. It was assumed that the low flow trigger could be met at some point during this quarter and continued rainfall in the forecast could push the trigger into June, the group decided to assume the trigger would happen in June 2026 to be conservative. At that point in time, fish rescues will likely be necessary this water year. 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 production limits off the River are greatly reduced when compared to recent history, the Seaside Well Field is being used to recover a mix of Native Groundwater, Pure Water Monterey, and banked ASR water. The bypass pipeline is currently being utilized to allow for simultaneous PWM recovery and ASR injection. At that time, the Seaside wells will be utilized to recover Seaside Native Groundwater, stored Pure Water Monterey water, and inject in ASR 1 and 2. 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**11. CONSIDER DEVELOPMENT OF A PILOT CITIZENS WATER PANEL FOR 2026**

Meeting Date:	March 16, 2026	Budgeted:	N/A
From:	Mike McCullough, Assistant General Manager	Program/ Line Item No.:	Public Outreach GM Outreach Budget
Prepared By:	Mike McCullough	Cost Estimate:	\$10,000

General Counsel Review: N/A**Committee Recommendation: The Public Outreach Committee discussed this item on February 24, 2026 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Staff proposes establishing a Citizens Water Panel in 2026. The purpose of the Panel is to educate appointed stakeholders on the District's policies, regulatory framework, and strategic approach to managing local water resources efficiently.

BACKGROUND: At last years (2025) Strategic Planning Session, the Board highlighted Goal #4 – Increase Public Engagement and Maintain Leadership Role on Water Issues. To help meet one of the four Objectives listed under this Goal – Consider forming a Citizens Panel – District staff developed a conceptual overview of the panel's structure, participation and operations as outlined in **Exhibit 11-A**.

RECOMMENDATION: The Public Outreach Committee recommends that the Board authorize the formation of the Citizens Water Panel and approve expenditures not to exceed \$10,000 for facilitation, materials, logistics, and outreach necessary to launch the inaugural panel.

EXHIBIT**11-A Citizens Water Panel Overview**

EXHIBIT 11-A

Citizens Water Panel – Overview

Objective

Provide citizens, ratepayers, and stakeholders with a clear understanding of the District’s policies, regulations, and strategies for managing local water resources efficiently.

Meetings

Designed to be transparent and informative, while not requiring formal Brown Act compliance.

Program Duration

A 6-month pilot program consisting of three meetings. A field trip may replace one meeting or occur immediately following a scheduled meeting.

Panel Size

Maximum of 12 members

Candidate Identification

Potential recruitment approaches include:

- Board members soliciting interested candidates from their respective districts and selecting one representative each (7 total).
- Requesting recommendations from local stakeholder organizations with Government Affairs Committees (up to 5total).

Topics

Staff will prepare agendas and presentations covering:

- District departments: Water Demand, Water Supply, and Environmental Resources.
- Advocacy and public outreach efforts.
- Collaborative projects: including:
 - Seaside Groundwater Basin management
 - Pure Water Monterey
 - Local water projects
- Measure J

Meeting Format

Meetings will begin at the District’s Administrative Office with topic discussions. One field trip will be included to visit District water-related infrastructure sites, which may include:

- Fish Weir
- Riverbank stabilization mitigation projects
- Sleepy Hollow Fish Rearing Facility
- Aquifer Storage and Recovery sites
- Local stormwater diversion projects

Cost

Program expenses include shuttle transportation for the field trip. Development of program materials will not exceed \$10,000.

ITEM: ACTION ITEM**12. CONSIDER ADOPTION OF DISTRICT STRATEGIC GOALS AND OBJECTIVES FOR 2026****Meeting Date: March 16, 2026 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.**

SUMMARY: The Board met on March 6th in a public meeting workshop setting at Pearl Works in Monterey where strategic goals were discussed.

The plan for the 2026 Strategic Goals workshop was as follows:

- Review 2025 Goals and Objectives
- Go over the Goal-setting process and Board role
- Brainstorm concepts for 2026
- Suggest and prioritize goals for 2026
- Wrap-Up & Lunch

A presentation was provided by Assistant General Manager Mike McCullough that (i) Summarized last year's achievements and shortfalls; (ii) Reviewed the goal-setting process; (iii) Reinforced definitions of "Goal" v "Objective"; (iv) Reviewed how Goals and Objectives can be delivered within a calendar year. (v) Provided an opportunity for an individual Board member exercise where Directors identified "Top 3" front burner goals for the calendar year and identified the "Top 2-3" back burner goals; (vi) Results were tallied; (vii) Discussion occurred – Key Questions: · Do we think similarly or are there differences? What's missing? Too many? Can we rank priority? (viii) Staff was then instructed to develop appropriate objectives for each goal and avoid duplication if possible; objectives are to be clear and achievable, and objectives are to be properly aligned with goals. The General Manager was asked to prepare a clean list of agreed upon goals and objectives for subsequent Board discussion and/or adoption.

Exhibit 12-A summarizes the recommended Strategic Goals and Objectives for 2026.

RECOMMENDATION: The Board should review the draft proposed goals and objectives for 2026, provide edits and suggestions, and either adopt with minor edits or request revisions be brought back for adoption in April.

EXHIBIT

12-A DRAFT Recommended Strategic Goals and Objectives for 2026

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EXHIBIT 12-A

Monterey Peninsula Water Management District
DRAFT 2026 Strategic Goals and Objectives
Proposed

Highest Priority Goals**Goal #1: Seek Modification of Cease and Desist Order***Objectives:*

- Engage State Water Board on modifying the Cease and Desist Order (CDO) & moratorium on new meters, regulatory triggers, and reporting.
- Exert legal rights to a timely hearing, if necessary.
- Keep local jurisdictions and public aware of progress.
- Develop strategy to ensure Advice Letter gets filed at CPUC if successful at State Water Board.

Goal #2: Implement Public Ownership of Monterey Water System as Directed by the Voters*Objectives:*

- Pursue “bench trial” on the public “right to take,” including discovery and due diligence.
- Resolve latent powers (LAFCO) issue.
- Plan for financing, rates, staffing, and operations.
- Provide timely information to the public.

Goal #3: Collaborate on Protecting Assets in the Seaside Groundwater Basin*Objectives:*

- Collaborate with Seaside Basin Watermaster, and other stakeholders.
- Evaluate requirements for additional storage of water – sources, cost, infrastructure, amounts, timing.
- Communicate District activities, studies, and/or results to public.

Mid-Level Goals

Goal #4: Implement State Policies Related to “Conservation as a California Way of Life”

Objectives:

- Maintain focus on long-term supply and demand forecasting to inform future needs.
- Implement/monitor new regulatory requirements (Urban Water Management Plan, Water Use Efficiency Standards, Non-Functional Turf policy, annual Supply and Demand Assessment, etc.)
- Provide timely information to the public on programs.

Goal #5: Optimize ASR (Aquifer Storage & Recovery)

Objectives:

- Examine alternatives for increasing ASR injection capacity.
- Implement preferred alternative.

Goal #6: Update & Prioritize District Rules & Regulations

Objectives:

- Conform District rules to new State regulatory requirements.
- Identify and revise outdated rules & regulations.
- Simplify where possible.

Goal #7: Advance Los Padres Dam Alternatives

Objectives:

- Engage with Cal-Am, consultant AECOM, and fisheries regulators on (i) flood study, and (ii) cultural resources study.
- Continue working with County Water Resources Agency on flood safety study.
- Ensure public outreach on any proposed alternative with respect to cost, timing, and outcomes.
- Develop strategy and timing for possible change petition to water rights.

Ongoing Goals

Goal #8: Protect, Enhance, and Maintain District's Financial Health

Objectives:

- Complete refund of Water Supply Charge to District constituents.
- Consider cost of service analysis of District capacity fees and permit fees.
- Ensure fiscal stability in face of litigation activities, Pure Water Monterey reserve accumulation, refunds, & other.
- Regularly report on exposure, risk policy, grants.
- Maintain GFOA award and CSDA transparency certificate of compliance.
- Continue to develop strategy for PERS and OPEB liabilities in budget planning.

Goal #9: Provide Ratepayer Advocacy

Objectives:

- Provide testimony in General Rate Case.
- Communicate rate-related issues through public outreach.
- Monitor costs and conditions of approval of desalination project.
- Monitor proposed legislation as may affect constituents.

ITEM: ACTION ITEM**13. CONSIDER APPROVAL OF ADDITIONAL BUDGET FOR LEGAL SERVICES FROM SHUTE MIHALY & WEINBERGER AND RICHARDS WATSON GERSHON (RWG LAW)**

Meeting Date:	March 16, 2026	Budgeted:	No
From:	David J. Stoldt, General Manager	Program/ Line Item:	N/A
Prepared By:	David J. Stoldt	Cost Estimate:	\$100,000

General Counsel Review: N/A**Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: On December 23, 2020 in connection with California American Water (Cal-Am) Company's challenge to the environmental review of the potential acquisition of the Monterey Water System, Monterey County Superior Court Case No. 20CV003201 the District hired Shute Mihaly & Weinberger for representation with a budget up to \$25,000. That environmental review was in support of the District's Local Agency Formation Commission (LAFCO) application.

On January 5, 2022 the District signed an engagement letter with the firm for services related to litigation over LAFCO's decision rejecting the activation of latent powers of the District to sell water retail. The budget was set at \$125,000. That engagement resulted in a lawsuit: MPWMD v. Local Agency Formation Commission (LAFCO) & Cal-Am, 22CV000925. The District brought this lawsuit to challenge LAFCO's conduct and administrative decisions regarding exercise of District powers to acquire Cal-Am water system facilities in accord with the voter mandate in Measure J. On December 7, 2023 Judge Thomas Wills ruled in favor of the District, and against LAFCO. The matter is now on appeal before the Sixth District Court of Appeal (H051849.)

In March 2025, the District Board authorized an additional \$100,000 for work by Shute Mihaly & Weinberger related to the separate eminent domain lawsuit, both in filing a Motion for Summary Adjudication, as well as combatting Cal-Am's Motion for Summary Judgement.

In December 2025, the District Board authorized another \$100,000 for work by Shute Mihaly & Weinberger.

The budget for Shute Mihaly & Weinberger has been exhausted due to the filings, participation in the hearing, case management conference, and meetings with the District team. However, the District believes that the firm continues to add value in both the appeal of the LAFCO decision, as well as "latent power" issues in the eminent domain proceeding, as co-counsel.

Estimating the level of legal activity is difficult, but the District is entering a complex and very active part of the bench trial which has been bifurcated into two trials: (i) the activation of latent

powers (LAFCO), and (ii) the “Right-to-Take” trial. It is recommended that an additional authorization of \$130,000 for the remainder of the fiscal year be approved.

Separately, in *City of Marina, Marina Coast Water District (the Parties), v. California Coastal Commission (CCC) and Cal-Am (Case 22CV004063)* the trial court entered judgment in this case on May 29, 2025, finding the CCC did not exceed its jurisdiction or abuse its discretion in this matter. The Parties jointly filed a Notice of Appeal on July 24, 2025. Appellants are jointly represented by T. Peter Pierce of Richards, Watson, Gershon (RWG Law) in San Francisco. Most recently, on March 2nd the Opening Brief was timely lodged with the Appellate Court.

The District and the other Parties are sharing this expense 1/3rd – 1/3rd – 1/3rd. The initial District budget of \$25,000 for RWG Law has been exhausted. It is recommended that an additional authorization of \$40,000 for the remainder of the fiscal year be approved.

Amounts for all attorneys’ budgets for next fiscal year will be addressed in the FY 2026-27 budget process.

RECOMMENDATION: The General Manager recommends the Board approve an additional budget for Shute Mihaly & Weinberger of \$130,000 and approve an additional budget for RWG Law of \$40,000.

EXHIBIT 14-A

**Monterey Peninsula Water Management District
Status on District Open Contracts and Grants
For The Period January 2026**

Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending*	Total Expended To Date	Current Period Activity	P.O. Number
1	Shute, Mihaly & Weinberger LLP	LAFCO Litigation	3/17/2025 \$ 255,000.00	\$ 211,937.47	\$ -	\$ 211,937.47		PO03882
2	Albert A. Webb Associates	Consultant for Public's Acquisition of Monterey Water System (Cal-Am)	11/18/2024 \$ 1,200,000.00	\$ 116,675.00	\$ 197.50	\$ 116,872.50	Current period billing	PO03880
3	Close and Associates	Utility consultant for Public's Acquisition of Monterey Water System	11/18/2024 \$ 965,000.00	\$ 80,881.03	\$ 7,072.50	\$ 87,953.53	Current period billing	PO03876
4	TM Process & Controls	ASR Well Turbidity Control	8/19/2024 \$ 57,749.00	\$ 54,390.49	\$ -	\$ 54,390.49		PO03852
5	TJC and Associates	Perform a review of our electrical system, capacity, and provide overall support for the ASR project	6/27/2024 \$ 45,000.00	\$ 8,682.00	\$ -	\$ 8,682.00		PO03829
8	Montgomery & Associates	Groundwater Modeling Montgomery Contract	6/27/2024 \$ 55,000.00	\$ -	\$ -	\$ -		PO03750
9	Colantuono, Highsmith, & Whatley, PC	MTA Legal services for appeal to Water Supply Charge	9/15/2021 \$ 100,000.00	\$ 93,820.22	\$ 630.00	\$ 94,450.22	Current period billing	PO03715
10	Rutan & Tucker, LLP	Measure J/Rule 19.8 Eminent Domain Phase IV	2/24/2023 \$ 450,000.00	\$ 332,348.96	\$ -	\$ 332,348.96		PO03639
11	Raftelis Financial Consultants	Measure J/Rule 19.8 Appraisal/Rate Study Phase 4	8/21/2023 \$ 200,000.00	\$ 33,415.00	\$ -	\$ 33,415.00		PO03491
12	Schaaf & Wheeler	Drawing Support Services	4/23/2023 \$ 30,000.00	\$ 29,425.00	\$ -	\$ 29,425.00		PO03474
13	Maggiora Bros. Drilling, Inc	ASR Support from Maggiora Bros for Well Work	6/20/2023 \$ 50,000.00	\$ -	\$ -	\$ -		PO03407
14	Pueblo Water Resources, Inc.	ASR Operations Support	6/20/2023 \$ 25,000.00	\$ 1,997.50	\$ -	\$ 1,997.50		PO03406
15	Montgomery & Associates	Tularcitos ASR Feasibility Study	3/20/2023 \$ 119,200.00	\$ 119,872.00	\$ -	\$ 119,872.00		PO03368
16	Kevin Robert Knapp/ Tierra Plan LLC	Surface Water Data Portal	11/14/2022 \$ 27,730.00	\$ 27,400.81	\$ -	\$ 27,400.81		PO03302
17	Montgomery & Associates	Annual Groundwater Modeling Support	6/20/2022 \$ 50,000.00	\$ 37,929.00	\$ -	\$ 37,929.00		PO03193
19	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018 \$ 68,679.00	\$ 57,168.85	\$ -	\$ 57,168.85		PO01628
20	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017 \$ 94,437.70	\$ 47,282.61	\$ -	\$ 47,282.61		PO01510
21	CSC	Recording Fees	7/1/2025 \$ 60,000.00	\$ 20,000.00	\$ -	\$ 20,000.00		PO03957
22	The Ferguson Group LLC	Contract for Legislative Services for FY 2025-2026	7/1/2025 \$ 75,600.00	\$ 37,800.00	\$ 6,300.00	\$ 44,100.00	Current period billing	PO03979
23	John K. Cohan dba Telemetry	Consultant Services for Sleepy Hollow Facility 25-26	7/1/2025 \$ 35,408.00	\$ -	\$ -	\$ -		PO03974
24	WellmanAD	Public Outreach Consultant 25-26	7/1/2025 \$ 94,500.00	\$ 47,250.00	\$ 7,875.00	\$ 55,125.00	Current period billing	PO03965
25	Lynx Technologies, Inc	GIS Consultant Contract for 2025-2026	7/1/2025 \$ 35,000.00	\$ 20,550.00	\$ 2,250.00	\$ 22,800.00	Current period billing	PO03938
26	JEA & Associates	Legislative and Administrative Services 25-26	7/1/2025 \$ 54,000.00	\$ 27,000.00	\$ 4,500.00	\$ 31,500.00	Current period billing	PO03890
27	Kennedy/Jenks Consultants, Inc.	Urban Water Management Plan Services	7/1/2025 \$ 134,860.00	\$ 25,116.52	\$ 13,741.25	\$ 38,857.77	Current period billing	PO04025
28	The Pun Group LLP	Financial Audit Services	7/1/2025 \$ 78,000.00	\$ 75,500.00	\$ -	\$ 75,500.00		PO04014
29	Deveera Inc	IT Managed Services & Subscriptions	7/2/2025 \$ 95,500.00	\$ 47,759.76	\$ 7,968.89	\$ 55,728.65	Current period billing	PO03982

Monterey Peninsula Water Management District
Status on District Open Contracts and Grants
For The Period January 2026

Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending*	Total Expended To Date	Current Period Activity	P.O. Number
Contracts related to District Grants								
1	Monterey One Water	Urban Community Drought Grant	9/22/2022	\$ 11,935,206.00	\$ 10,422,465.86	\$ -	\$ 10,422,465.86	PO03726
2	Monterey One Water	PWM Expansion State Water Control Board Grant	9/22/2022	\$ 4,800,000.00	\$ 4,378,549.60	\$ -	\$ 4,378,549.60	PO03753
3	DUDEK	Grant administration services for the Proposition 1 IRWM Implementation	12/14/2020	\$ 114,960.00	\$ 72,351.25	\$ 1,317.50	\$ 73,668.75	Current period billing PO02847
4	DUDEK	IRWM IR2 Grant Administration	10/1/2022	\$ 90,510.00	\$ 16,087.50	\$ -	\$ 16,087.50	PO03718
5	City of Sand City	IRWM Round 1 Grant Reimbursement	3/28/2022	\$ 1,084,322.50	\$ 81,547.50	\$ -	\$ 81,547.50	PO03093
6	County of Monterey	IRWM Grant Round 2 Reimbursement	5/19/2023	\$ 898,451.00	\$ -	\$ -	\$ -	PO03879
7	City of Monterey	IRWM Grant Round 2 Reimbursement	5/19/2023	\$ 500,000.00	\$ 81,505.59	\$ -	\$ 81,505.59	PO03878

ITEM: INFORMATIONAL/STAFF ITEM**15. STATUS REPORT ON EXPENDITURES – PUBLIC’S OWNERSHIP OF MONTEREY WATER SYSTEM**

Meeting Date:	March 16, 2026	Budgeted:	N/A
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From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
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Prepared By:	Nishil Bali	Cost Estimate:	N/A
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General Counsel Review: N/A**Committee Recommendation: N/A**

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

SUMMARY: Attached for review as **Exhibit 15-A** is a monthly status report on spending – Public’s Ownership of Monterey Water System for the period January 2025. This status report is provided for information only, no action is required.

EXHIBIT**15-A** Status Report on Spending – Public’s Ownership of Monterey Water System

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

	Contract	Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Eminent Domain Legal Counsel (Rutan)	12/16/2024	\$ 450,000.00	\$ 319,024.16		\$ 319,024.16	\$ 130,975.84	PA00009-01
2	Eminent Domain Legal Counsel (SMW)*	3/17/2025	\$ 225,000.00	\$ 211,937.47		\$ 211,937.47	\$ 13,062.53	PA00009-02
3	Financial Services (Raftelis)	8/21/2023	\$ 200,000.00	\$ 33,415.00		\$ 33,415.00	\$ 166,585.00	PA00009-03
5	Utility Consultant (Close & Associates)	12/16/2024	\$ 965,000.00	\$ 80,881.03	\$ 7,072.50	\$ 87,953.53	\$ 877,046.47	PA00009-07
6	Consulting Civil Engineer (Webb Associates)	11/18/2024	\$ 1,200,000.00	\$ 116,675.00	\$ 197.50	\$ 116,872.50	\$ 1,083,127.50	PA00009-07
	Total		\$ 3,040,000.00	\$ 761,932.66	\$ 7,270.00	\$ 769,202.66	\$ 2,270,797.34	

	District Legal Counsel		\$ 120,000.00	\$ 123,447.00	\$ 2,827.51	\$ 126,274.51	\$ (6,274.51)	PA00009-05
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**Status on Public's Ownership of Monterey Water System - Phase III
 Appraisal through Resolution of Necessity
 Through October 2023**

	Contract	Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Eminent Domain Legal Counsel	12/16/2019	\$ 200,000.00	\$ 98,283.28		\$ 98,283.28	\$ 101,716.72	PA00007-01
2	Appraisal Services	4/17/2023	\$ 220,000.00	\$ 220,000.75		\$ 220,000.75	\$ (0.75)	PA00007-03
3	District Legal Counsel	12/16/2019	\$ 100,000.00	\$ 63,065.50		\$ 63,065.50	\$ 36,934.50	PA00007-05
4	Real Estate Appraiser	8/15/2022	\$ 80,000.00	\$ 53,309.64		\$ 53,309.64	\$ 26,690.36	PA00007-06
6	Water Rights Appraisal	8/15/2022	\$ 75,000.00	\$ 45,490.46		\$ 45,490.46	\$ 29,509.54	PA00007-10
7	Contingency/Miscellaneous	12/16/2019	\$ -	\$ -		\$ -	\$ -	PA00007-20
	Total		\$ 675,000.00	\$ 480,149.63	\$ -	\$ 480,149.63	\$ 194,850.37	

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

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

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

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

* Includes prior period adjustment

ITEM: INFORMATIONAL ITEM/STAFF REPORT**16. LETTERS RECEIVED AND SENT****Meeting Date:** March 16, 2026 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/
Line Item No.:** N/A**Prepared By:** Sara Reyes **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

The District has not received any letters sent by or addressed to the Board Chair and/or General Manager since the February 23, 2026 Board meeting.

Although no new correspondence has been received, letters included in the meeting packet are provided to inform the Board and public. Copies are available for review at the District office; reproduction fees may apply. The letters can also be downloaded from the District's website at www.mpwmd.net.

Author	Addressee	Date	Topic
N/A			

ITEM: INFORMATIONAL ITEM/STAFF REPORT**17. COMMITTEE REPORTS****Meeting Date: March 16, 2026 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Sara Reyes Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

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

EXHIBIT**17-A MPWMD Public Outreach Committee Meeting of November 24, 2025****17-B MPWMD Water Supply Planning Committee Meeting of September 2, 2025**

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EXHIBIT 17-A

**Final Minutes
Public Outreach Committee Meeting
Monday, November 24, 2025, at 2:00 p.m.
Meeting Location: Zoom**

Call to Order / Roll Call

Chair Edwards called the meeting to order at 2:00 p.m.

Committee Members Present

Alvin Edwards, Chair
Karen Paull
Rebecca Lindor (arrived at 2:05 p.m.)

Committee Members Absent

None

District Staff Members Present

Dave Stoldt, General Manager
Mike McCullough, Assistant General Manager
Stephanie Locke, Water Demand Manager
Sara Reyes, Board Clerk

District Staff Members Absent

None

District Counsel Present

Michael Laredo, De Lay & Laredo

Additions and Corrections to the Agenda

None

Comments from the Public

None; no members of the public were present.

Action Items

1. Consider Adoption of September 29, 2025, Committee Meeting Minutes

On a motion by Paull and seconded by Edwards, the minutes of September 29, 2025, committee meeting were approved on a roll call vote of 2 Ayes (Edwards and Paull), 0 Noes, and 1 Absent (Lindor).

Discussion Items

2. Status of Public Outreach Projects

Phil Wellman, Public Outreach Consultant with WellmanAd, presented a slide-deck titled, "MPWMD Public Outreach Report/October 1 – November 24." A copy of the presentation is available at the District office and can be found on the District website. Mr. Wellman highlighted the following:

Oct

- Brand Ad, Newsletter and social media highlighting: Mulch Madness event, the launch of Pure

Water Monterey Expansion project, and efforts to modify the Cease and Desist Order

Nov

- Brand Ad, Newsletter and social media highlighting the reduction of water use on the peninsula

3. Status of Letters of Support for Modification of the Cease & Desist Order

Dave Stoldt reported that it has been one month since the application was submitted and outreach for letters of support continues. About 25% of requests have resulted in letters so far, including a neutral letter from the City of Monterey. Additional outreach is planned after the holiday with a goal of reaching 50%. Some housing advocates require further explanation of local conditions. He also noted that the City of Monterey is currently declining to release water until the State takes action on the CDO, despite having approved similar releases in the past. Staff is working with LandWatch to address concerns regarding intensification of use versus change in use.

Staff is seeking a meeting with the new CalAm president, Sarah Leeper, to reinforce ongoing collaboration and highlight the unique conditions on the Monterey Peninsula compared with other CalAm service areas.

4. Update on Citizens Water Panel Concepts

Mike McCullough presented the concept of a Citizen Water Panel to improve public understanding of District policies and local water resource management. The proposal is a one-year pilot with 2–4 informal meetings that remain transparent but outside Brown Act requirements.

Potential participants may come from chamber government affairs groups, realtors, business coalitions, board member nominations, or public interest applicants.

Planned topics include District department overviews, advocacy and outreach efforts, major collaborative projects (e.g., Seaside Groundwater Basin, Pure Water Monterey), and Measure J. Meetings may combine presentations with site visits to District and partner facilities such as river sites, fish facilities, the ASR site, and stormwater diversion projects.

Suggest Items to Be Placed on a Future Agenda

No items were presented.

Adjournment

There being no further business, Chair Edwards adjourned the meeting at 2:47 p.m.

/s/ Sara Reyes

Sara Reyes, Board Clerk to the
MPWMD Public Outreach Committee

Approved by the MPWMD Public Outreach Committee on February 24, 2026.
Received by the MPWMD Board of Director's on March 16, 2026.

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EXHIBIT 17-B

**Final Minutes
Water Supply Planning Committee Meeting
Tuesday, September 2, 2025, at 2:00 p.m.
Meeting Location: Zoom**

Call to Order / Roll Call

Chair Paull called the meeting to order at 2:00 p.m.

Committee Members Present

Karen Paull, Chair
Amy Anderson
Rebecca Lindor (arrived at 2:08 p.m.)

Committee Members Absent

None

District Staff Members Present

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

District Staff Members Absent

None

District Counsel Present

Michael Laredo, De Lay & Laredo
Fran Farina (arrived at 2:47 p.m.)

Additions and Corrections to the Agenda

None

Comments from the Public

Chair Paull opened the public comment period; however, no comments were made to the committee.

Action Items

Chair Paull introduced this item.

1. Consider Adoption of Committee Meeting Minutes from July 7, 2025

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

Directors Paull and Anderson noted minor edits and requested the minutes be updated to reflect those changes.

On a motion by Paull and seconded by Anderson, the minutes of the July 7, 2025, committee meeting were approved on a roll call vote of 2 Ayes (Paull and Anderson) 1 Absent (Lindor) and 0 Noes.

Discussion Items

Chair Paull introduced this item.

2. Discuss Results of California Public Utilities Commission (CPUC) Phase 2 Supply & Demand Proceeding

General Manager David Stoldt referred to his report on page 5 of the meeting packet and provided an overview of the item. The Board then engaged in discussion.

Chair Paull opened the public comment period; however, no comments were directed to the committee.

3. Update on Recent Outreach to State Water Board Regarding Cease and Desist Order (CDO)

General Manager Dave Stoldt reported that meetings with the State Water Board began in May and concluded last week. The District presented its history, current supply and demand projections, and the role of the Pure Water Monterey expansion.

He stated the District is seeking to modify the Cease and Desist Order (CDO), specifically the moratorium on new water meters while maintaining reporting and early warning systems. Although the CPUC's demand projections were used for discussion, the District believes they overestimate future growth.

Mr. Stoldt also presented a document titled *Monterey Peninsula Water Supply Call for Action on State Water Board CDO Follow-Up August 2025*.

Efforts are underway to engage CalAm and explore a collaborative path forward that supports housing development and addresses community concerns.

The Board then engaged in discussion.

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

- 1) Susan Schiavone expressed appreciation for the Committee's efforts, emphasizing the importance of the work being pursued. She shared disappointment with the CPUC decision and encouraged continued efforts to find a workaround.

4. Update on Pure Water Monterey Expansion Project

General Manager Stoldt referred to his report on page 63 of the meeting packet. Mr. Stoldt highlighted the Pure Water Monterey Expansion Schedule shown on page 67 and noted the following:

Project Status

- Progress on the Pure Water expansion is generally on track. Most activities are detailed in the staff report and require no further elaboration.

Advanced Water Purification Facility:

- Minor delays have occurred in reaching substantial completion.
- A small schedule shift is noted for late September.
- The critical path is now dependent on the Regional Water Quality Control Board permit, with the final hearing expected in October.
- Remaining tasks include punch list and closeout items.

Injection Wells

- Initial water has been introduced into two new injection wells.
- Steady injections are required before officially declaring the start date.
- A formal start date notification must be submitted before February, which is anticipated to be achievable.

Production Milestone

- To reach the full production goal of **5,750 acre-feet per year**, steady injection must be achieved within one year of the February start date.
- The project is currently in a favorable position to meet this requirement.

The Board engaged in discussions.

Suggest Items to Be Placed on a Future Agenda

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

Adjournment

There being no further business, Chair Paull adjourned the meeting at 3:01 p.m.

/s/ Sara Reyes

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

Approved by the MPWMD Water Supply Planning Committee on March 2, 2026.

Received by the MPWMD Board of Director's on March 16, 2026.

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ITEM: INFORMATIONAL ITEM/STAFF REPORT**18. MONTHLY ALLOCATION REPORT****Meeting Date:** March 16, 2026 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program:** N/A
Line Item No.:**Prepared By:** Gabriela Bravo **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.

SUMMARY: On March 1, 2025, the District released the first Allocation of water from Pure Water Monterey (“Pure Water”) via Ordinance No. 197. **Exhibit 18-A** shows the amount of water allocated to each Jurisdiction from Pure Water, the balance of water available by Jurisdiction from the Paralta Well Allocation and Pre-Paralta credits, the amount of “Public Water Credit” remaining, and the quantities of water permitted by Jurisdiction in February 2026 (“changes”), and the balances remaining. The table includes balances for Quail Meadows and Water West, which were specific amounts dedicated to properties located in specific areas of Monterey County.

Exhibit 18-B is the Monthly Entitlement Report which shows water available to Water Entitlement Holders. Entitlements were established by the following ordinances: The Pebble Beach Company (Ordinance Nos. 39 and 109), Hester Hyde Griffin Trust (Ordinance No. 39), J. Lohr Properties Inc. (Ordinance No. 39), the City of Sand City (Ordinance No. 132), Cypress Pacific Investors LLC (Water Distribution System Permit approved September 15, 2014), Malpaso Water Company LLC (Ordinance No. 165), D.B.O. Development No. 30, a California Limited Liability Company (Ordinance No. 166), the City of Pacific Grove (Ordinance No. 168), and the City of Seaside (Ordinance No. 194).

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 2026

Jurisdiction	Pure Water Monterey Allocation Available 3/1/2025	Changes During Period	Balance Remaining	Paralta & Pre-Paralta Water Balance 3/1/2025	Changes During Period	Balance Remaining	Public Credits Balance 3/1/2025	Changes During Period	Balance Remaining	Total Available
Airport District	44.000	0.000	39.773	5.197	0.000	5.197	0.000	0.000	0.000	44.970
Carmel-by-the-Sea	14.000	0.200	13.432	2.479	0.000	2.479	0.182	0.000	0.182	16.093
Del Rey Oaks	6.000	0.053	5.795	0	0.000	0.030	0.000	0.000	0.000	5.825
Dept of Defense	27.000	0.000	27.000	0	0.000	0.000	0.000	0.000	0.000	27.000
Monterey	141.000	0.000	141.000	0.533	0.000	0.533	3.627	0.000	3.627	145.160
Monterey County	72.000	0.000	72.000	10.93	0.000	11.016	1.181	0.000	1.181	84.197
Pacific Grove	32.000	0.000	32.000	0.024	0.000	0.019	0.002	0.000	0.002	32.021
Sand City	14.000	0.000	13.857	0	0.000	0.029	23.163	0.000	23.163	37.049
Seaside	21.000	0.038	20.962	29.213	0.018	28.240	1.144	0.000	1.144	50.346
District Reserve	2086.000	0.030	2090.422 ¹							2090.422

Allocation Holder	Water Available	Changes During Period	Total Demand from Water Permits Issued	Remaining Water Available
Quail Meadows	33.000	0.000	32.320	0.680
Water West	12.760	0.000	10.291	2.469

¹ Includes remaining District Reserve following 2024-25 “Amnesty” program.

EXHIBIT 18-B
MONTHLY ALLOCATION REPORT
ENTITLEMENTS
Reported in Acre-Feet
For the month of February 2026
Recycled Water Project Entitlements

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
Pebble Beach Co. *	187.380	0.200	32.782	154.598
Del Monte Forest Benefited Properties (Pursuant to Ord No. 109)	177.620	0.185	85.282	92.338
Macomber Estates	10.000	0.000	10.000	0.000
Griffin Trust	5.000	0.000	4.829	0.171
CAWD/PBCSD Project Totals	380.000	0.385	132.893	247.107

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
City of Sand City	206.000	0.000	21.831	184.169
Malpaso Water Company	80.000	0.369	25.847	54.153
D.B.O. Development No. 30	13.950	0.000	3.913	10.037
City of Pacific Grove	38.390	0.058	20.408	17.982
Cypress Pacific	3.170	0.000	3.170	0.000
City of Seaside	10.817	0.000	10.817	0.000

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

EXHIBIT 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.

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

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

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

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

Ordinance No. 83 was adopted in April 1996 and established an entitlement of 18.6 acre-feet of water to the Quail Meadows subdivision in Carmel Valley for permanently reducing annual water production from the Carmel Valley Alluvial Aquifer at the Quail Lodge golf course.

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.

Ordinance No. 194 was adopted on February 12, 2024, established a Water Entitlement for the City of Seaside.

Resolution 2024-13 was adopted October 21, 2024, to authorize use of the District Reserve Allocation to permit unpermitted water fixtures found on final inspections during a one-year "amnesty" period used to close certain older "open" Water Permits.

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

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

Meeting Date:	March 16, 2025	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.	N/A
Prepared By:	Kyle Smith	Cost Estimate:	N/A

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

The following information reflects activities undertaken by the Water Demand Division during the month of February 2026.

I. MANDATORY WATER CONSERVATION RETROFIT PROGRAM

District Regulation XIV requires the retrofit of water fixtures upon Change of Ownership¹ 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 Sink, Utility Sink, 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 self-certification form. A Site inspection is occasionally conducted to verify compliance. Properties that do not require an inspection are issued a Conservation Certification.

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 **67** property transfers that occurred were added to the database.

B. Certification

The District received **59** Water Conservation Certification Forms. Data on ownership, transfer date, and status of water efficiency standard compliance were entered into the database.

C. Verification

16 properties were verified compliant with Rule 144 (Retrofit Upon Change of Ownership or Use). Of the **16** verifications, **1** property verified compliance by submitting certification forms and/or receipts. District staff completed **20** Site inspections. Of the **20** properties visited, **16 (80%)** passed.

¹ Capitalized terms are defined in [MPWMD Rule 11, Definitions](#).

D. Non-Residential Compliance with Water Efficiency Standards

By January 1, 2014, all Non-Residential properties were required to meet Rule 143, Water Efficiency Standards for Existing Non-Residential Uses. District inspectors performed **23** verification inspections.

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

MPWMD referred **23** 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 Waste occurrences at www.mpwmd.net or www.montereywaterinfo.org. There were **two** Water Waste responses during the past month. There were **no** repeated incidents that resulted in a fine.

F. Multi-Family Dwelling Water Efficiency Compliance

By January 1, 2019, all Multi-Family Dwellings of four or more units were required to meet Rule 142 retro fit requirements. Property owners had the opportunity certify that their property complied by that deadline. This year District staff began the process of inspecting all Multi-Family Dwellings of four or more units to ensure compliance. In February **38** inspections were conducted. **Seven** of those inspections passed and **30** failed because the common laundry room clothes washer was not a High Efficiency Clothes Washer.

II. WATER DEMAND MANAGEMENT

A. Permit Processing

District Rule 23 requires a Water Permit application for all properties that propose to expand or modify water use on a Site, including New Construction and Remodels. District staff processed and issued **74** Water Permits. **Ten** permits were issued using Water Entitlements (Pebble Beach Company, Malpas Water, Sand City, etc.). **No** permits involved a debit to a Public Water Credit account. **Three**, meter enlargement permits, and **two** hydrant meter permits were issued.

District Rule 24-3-A allows the addition of a second Bathroom in an existing Dwelling Unit that has only one Bathroom. Of the **74** Water Permits issued, **three** were issued under this provision.

B. Permit Compliance

Staff completed **36** site inspections for current permit compliance during January. **Twenty** properties passed the interior inspection, and **five** properties failed due to unpermitted fixtures. **Two** properties were inspected to complete a Landscape Water Permit and passed.

C. Notary Services

District staff provided Notary services for **62** customers.

D. Rebates

The District processes rebate applications to ensure that only voluntary replacement of higher efficiency devices receive rebates. The comprehensive list of available rebates can be found in [Rule 141](#). Monthly statistics for January and February 2026 are included.

EXHIBITS

19-A January 2026 Rebate Report

19-B February 2026 Rebate Report

January 2026 Rebate Report

REBATE PROGRAM SUMMARY		January-2025			2025 YTD		1997 - Present	
		Number of Devices	Rebate Paid	Estimated AF	Gallons Saved	Year to Date Number	Year to Date Paid	Year to Date Estimated AF
I. Application Summary								
A.	Applications Received	63				63		32,961
B.	Applications Approved	52				52		25,943
C.	Single Family Applications	50				50		28,829
D.	Multi-Family Applications	2				2		1,638
E.	Non-Residential Applications	0				0		363
II. Type of Devices Rebated								
A.	High Efficiency Toilet (HET)	11	\$900.00	0.0550	17,922	11	\$900.00	0.05500
B.	Ultra HET	0	\$0.00	0.0000	0	0	\$0.00	0.00000
C.	Toilet Flapper	0	\$0.00	0.0000	0	0	\$0.00	0.00000
D.	High Efficiency Dishwasher	10	\$1,250.00	0.0300	9,776	10	\$1,250.00	0.03000
E.	High Efficiency Clothes Washer - Res	24	\$12,000.00	0.3864	125,909	24	\$12,000.00	0.38640
F.	High Efficiency Clothes Washer - Com	0	\$0.00	0.0000	0	0	\$0.00	0.00000
G.	Instant-Access Hot Water System	0	\$0.00	0.0000	0	0	\$0.00	0.00000
H.	Zero Use Urinals	0	\$0.00	0.0000	0	0	\$0.00	0.00000
I.	Pint Urinals	0	\$0.00	0.0000	0	0	\$0.00	0.00000
J.	Cisterns	0	\$0.00	0.0000	0	0	\$0.00	0.00000
K.	Smart Controllers	1	\$120.00	0.0000	0	1	\$120.00	0.00000
L.	Rotating Sprinkler Nozzles	0	\$0.00	0.0000	0	0	\$0.00	0.00000
M.	Moisture Sensors	0	\$0.00	0.0000	0	0	\$0.00	0.00000
N.	Lawn Removal & Replacement	0	\$0.00	0.0000	0	0	\$0.00	0.00000
O.	Graywater	0	\$0.00	0.0000	0	0	\$0.00	0.00000
P.	Smart Flowmeter	8	\$1,600.00	0.0000	0	8	\$1,600.00	0.00000
Q.	Smart Toilet Leak Detectors			0.0000	0	0	\$0.00	0.00000
R.	Other							0.47140
III. TOTALS		54	\$15,870.00	0.4714	153,606	54	\$15,870.00	0.47140
IV. TOTALS Since 1997								
					Paid Since 1997: \$ 6,374,625		249.1	
					Acre-Feet Per Year Saved Since 1997 (from quantifiable retrofits)			

February 2026 Rebate Report

REBATE PROGRAM SUMMARY		February-2025			2025 YTD		1997 - Present	
I. <u>Application Summary</u>								
A.	Applications Received	40			103		33,001	
B.	Applications Approved	33			85		25,976	
C.	Single Family Applications	32			82		28,861	
D.	Multi-Family Applications	1			3		1,639	
E.	Non-Residential Applications	0			0		363	
II. <u>Type of Devices Rebated</u>		Number of Devices	Rebate Paid	Estimated AF	Gallons Saved	Year to Date Number	Year to Date Paid	Year to Date Estimated AF
A.	High Efficiency Toilet (HET)	0	\$0.00	0.000000	0	11	\$900.00	0.05500
B.	Ultra HET	6	\$450.00	0.060000	19,551	6	\$450.00	0.06000
C.	Toilet Flapper	0	\$0.00	0.000000	0	0	\$0.00	0.00000
D.	High Efficiency Dishwasher	4	\$500.00	0.012000	3,910	14	\$1,750.00	0.04200
E.	High Efficiency Clothes Washer - Res	13	\$6,500.00	0.209300	68,201	37	\$18,500.00	0.59570
F.	High Efficiency Clothes Washer - Com	0	\$0.00	0.000000	0	0	\$0.00	0.00000
G.	Instant-Access Hot Water System	1	\$200.00	0.005000	1,629	1	\$200.00	0.00500
H.	Zero Use Urinals	0		0.000000	0	0	\$0.00	0.00000
I.	Pint Urinals	0		0.000000	0	0	\$0.00	0.00000
J.	Cisterns	1	\$304.97	0.000000	0	1	\$304.97	0.00000
K.	Smart Controllers	1	\$118.00	0.000000	0	2	\$238.00	0.00000
L.	Rotating Sprinkler Nozzles	0		0.000000	0	0	\$0.00	0.00000
M.	Moisture Sensors	0		0.000000	0	0	\$0.00	0.00000
N.	Lawn Removal & Replacement	0		0.000000	0	0	\$0.00	0.00000
O.	Graywater	0		0.000000	0	0	\$0.00	0.00000
P.	Other - Smart Flowmeter	7	\$1,400.00	0.000000	0	15	\$3,000.00	0.00000
Q.	Smart Toilet Leak Detectors	0		0.000000	0	0	\$0.00	0.00000
III. <u>TOTALS</u>		33	\$9,472.97	0.2863	93,291	87	\$25,342.97	0.75770
IV. <u>TOTALS Since 1997</u>						Paid Since 1997: \$ 6,384,098		249.4

Acre-Feet Per Year Saved Since 1997 (from quantifiable retrofits)

ITEM: INFORMATIONAL ITEM/STAFF REPORT**20. CARMEL RIVER FISHERY REPORT FOR FEBRUARY 2026****Meeting Date: March 16, 2026 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Cory Hamilton Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

AQUATIC HABITAT AND FLOW CONDITIONS: During February, significant rain events in the middle of the month produced the highest flows in the river this season, reaching a mean daily flow at the MPWMD HWY1 gauge of 2,300 cfs and maximum instantaneous flow of 2,986 cfs on February 18th. These flows created optimal conditions for fish migration the rest of the month. Staff monitored critical riffles in the lower river for ASR operations, finding no impairment to migration. The lagoon mouth remained open naturally for most of the month (see attached graphic). Los Padres Reservoir remains at capacity and spilling for the entire month.

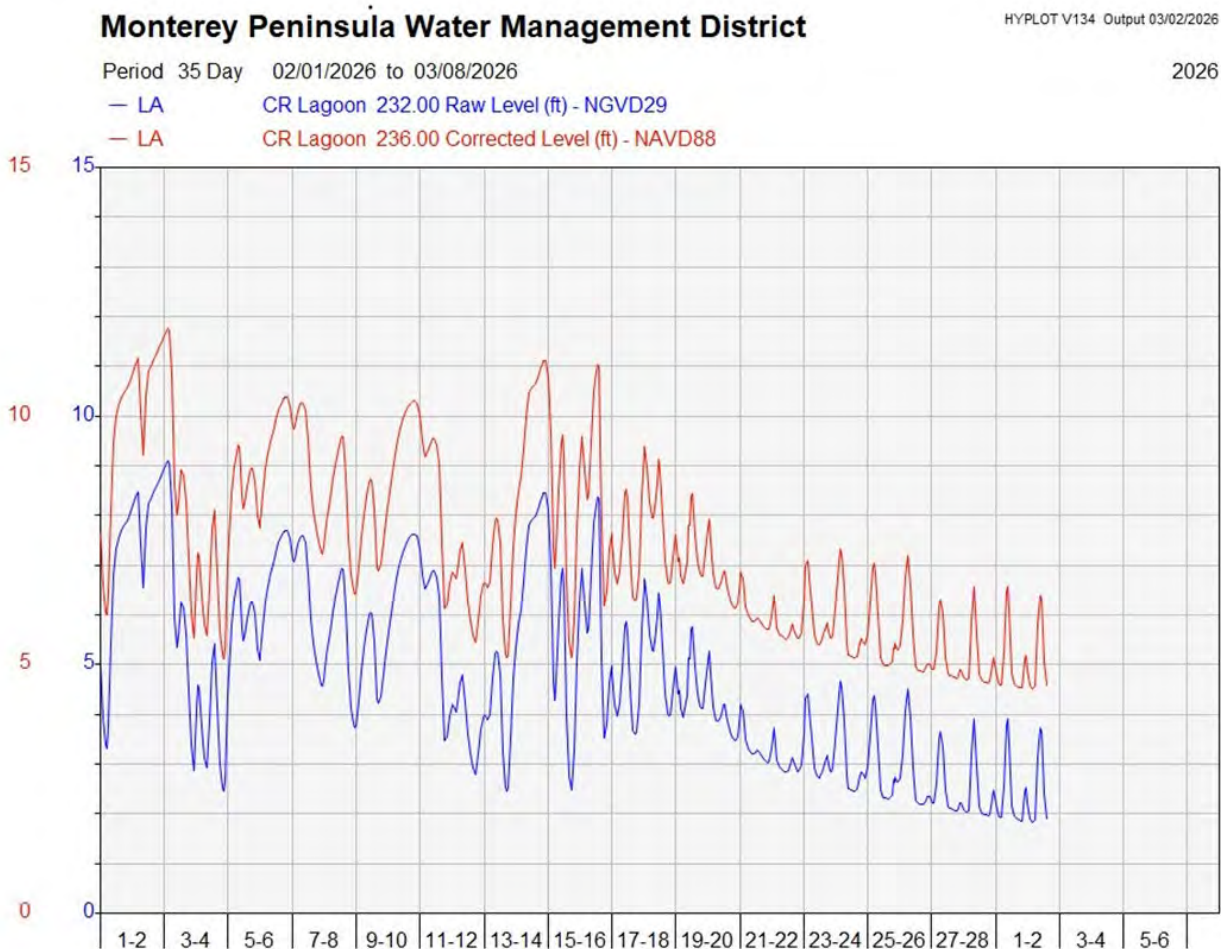
February's mean daily streamflow at the Sleepy Hollow Weir gaging station ranged from 39 to 1,550 cfs (mean 379 cfs), while flows at the Highway 1 gage ranged from 57 to 2,300 cfs (mean 461 cfs).

There was 7.59 inches of measurable rainfall in February as recorded at the San Clemente gauge. The total rainfall for Water Year (WY) 2026 (which started October 1, 2025) is 21.64 inches, which is 139% of normal to date.

ADULT STEELHEAD MONITORING: Staff installed the resistance board weir on January 21, 2026. On January 22nd, staff finished the installation and started to fish the weir. On January 23rd, the first fish was observed in the weir trap box. On February 14th the trap was pulled out in anticipation of a set of large storm events that could damage the hard structure of the weir. At the end of February, a total of 31 adult steelhead had been counted at the weir. Cal-am staff started the Los Padres fish ladder on December 29, 2025, the first fish to enter the trap was on January 12, 2026. As of the end of February, there have been 31 fish moved from the trap into Los Padres Reservoir.

CARMEL RIVER LAGOON: In February, the lagoon's Water Surface Elevation (WSE) ranged from approximately 4.66 to 11.80 feet (NGVD 1988) (see graph below). Water quality depth-profiles were conducted at five sites on February 23, 2026, while the lagoon mouth was open, water surface elevation was 5.42 feet at the time of sampling, and river inflow was approximately 556 cfs. The north arm of the lagoon was disconnected to the main body of the lagoon. The lagoon was well mixed and no stratification was observed. Salinity levels ranged from 0.1-6.3 parts per

thousand (ppt), throughout the lagoon. Water temperatures ranged from 51.8-63.2 degrees Fahrenheit, and dissolved oxygen (DO) levels ranged from 2.57-26.7 mg/l.



ITEM: INFORMATIONAL ITEM/STAFF REPORT**21. MONTHLY WATER SUPPLY AND CALIFORNIA AMERICAN WATER PRODUCTION REPORT**

Meeting Date:	March 16, 2026	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.

Exhibit 21-A shows the water supply status for the Monterey Peninsula Water Resources System (MPWRS) as of **March 1, 2026**. 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) 2026 and focuses on three factors: rainfall, runoff, and storage. The rainfall and Streamflow values are based on measurements in the upper Carmel River Basin at Sleepy Hollow Weir.

Water Supply Status: Rainfall through **February** 2025 totaled **7.59 inches** and brings the cumulative rainfall total for WY 2026 to **21.64 inches**, which is **139%** of the long-term average through **February**. Estimated unimpaired runoff through **February** totaled **21,050 acre-feet (AF)** and brings the cumulative runoff total for WY 2026 to **40,099 AF**, which is **108%** of the long-term average through **February**. Usable storage for the MRWPRS was **30,910 acre-feet**, which is **100%** of average through **February**, and equates to **93%** of system capacity.

Production Compliance: Under State Water Resources Control Board (SWRCB) Cease and Desist Order No. 2016-0016 (CDO), California American Water (Cal-Am) is allowed to produce no more than 3,376 AF of water from the Carmel River in WY 2026. Through **February**, using the CDO accounting method, Cal-Am has produced **669 AF** from the Carmel River (excluding **156 AF** of Table 13 and **35 AF** of Mal Paso.) In addition, under the Seaside Basin Decision, Cal-Am is allowed to produce 1,474 AF of water from the Coastal Subareas and 0 AF from the Laguna Seca Subarea of the Seaside Basin in WY 2026. Through **January**, Cal-Am has produced **226 AF** from the Seaside Groundwater Basin. Through **February**, **566 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **0 AF** have been recovered for customer use, **156 AF** have been diverted under Table 13 water rights, and **2,193 AF** of Pure Water Monterey recovered. Cal-Am has produced **3,362 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.

EXHIBITS**21-A** Water Supply Status: **Mar 1, 2026****21-B** Monthly Cal-Am production by source: WY 2026

EXHIBIT 21-A

**Monterey Peninsula Water Management District
Water Supply Status
March 1, 2026**

Factor	Oct – Feb 2026	Average To Date	Percent of Average	Oct – Feb 2025
Rainfall (Inches)	21.64	15.55	139%	12.03
Runoff (Acre-Feet)	40,099	37,145	108%	18,135
Storage ⁵ (Acre-Feet)	30,910	30,930	100%	30,360

Notes:

1. Rainfall and runoff estimates are based on measurements at San Clemente Dam. Annual rainfall and runoff at Sleepy Hollow Weir average 21.22 inches and 67,246 acre-feet, respectively. Annual values are based on the water year that runs from October 1 to September 30 of the following calendar year. The rainfall and runoff averages at the Sleepy Hollow Weir site are based on records for the 1922-2024 and 1902-2024 periods respectively.
2. The rainfall and runoff totals are based on measurements through the dates referenced in the table.
3. Storage estimates refer to usable storage in the Monterey Peninsula Water Resources System (MPWRS) that includes surface water in Los Padres and San Clemente Reservoirs and ground water in the Carmel Valley Alluvial Aquifer and in the Coastal Subareas of the Seaside Groundwater Basin. The storage averages are end-of-month values and are based on records for the 1989-2025 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 2026

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights				Water Projects and Rights Total
	Carmel River Basin ^{2,6}	Seaside Groundwater Basin			MPWRS Total	ASR Recovery	PWM Recovery	Table 13 ⁷	Sand City ³	
		Coastal	Laguna Seca	Ajudication Compliance						
Target	1,386	334	0	334	1,720	0	1,690	90	125	1,905
Actual ⁴	669	215	37	252	921	0	2,193	156	57	2,405
Difference	717	118	-37	82	798	0	-503	-66	68	-500
WY 2025 Actual	1,222	600	48	649	1,870	0	1,424	75	74	1,573

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 project
4. To date, 566 AF and 156 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 2026

(All values in Acre-Feet)

	Carmel River Basin	Table 13	Mal Paso	Seaside Basin	ASR Recovery	PWM Recovery	Sand City	Total
Oct-25	232	0	7	124	0	413	14	790
Nov-25	129	0	7	38	0	489	3	666
Dec-25	132	0	7	32	0	473	12	657
Jan-26	60	101	8	32	0	428	20	648
Feb-26	115	55	7	26	0	389	8	600
Mar-26								
Apr-26								
May-26								
Jun-26								
Jul-26								
Aug-26								
Sep-26								
Total	669	156	35	252	0	2,193	57	3,362
WY 2025	1,222	75	38	649	0	1,424	74	3,481

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