

This meeting has been noticed according to the Brown Act rules. The Board of Directors meets regularly on the third Monday of each month, except in January, February. The meetings begin at 7:00 PM.



AGENDA
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District

Monday, May 20, 2019
Closed Session 6:00 pm
Regular Meeting 7:00 pm
Conference Room, Monterey Peninsula Water Management District
5 Harris Court, Building G, Monterey, CA

Staff notes will be available on the District web site at
<http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/>
by 5 PM on Friday, May 17, 2019

The meeting will be televised on Comcast Channels 25 & 28. Refer to broadcast schedule on page 3.

6:00 PM – Closed Session

As permitted by Government Code Section 54956 et seq., the Board may adjourn to closed or executive session to consider specific matters dealing with pending or threatened litigation, certain personnel matters, or certain property acquisition matters.

1. **Public Comment** - Members of the public may address the Board on the item or items listed on the Closed Session agenda.
2. **Adjourn to Closed Session**
3. **Conference with Labor Negotiators (Gov. Code 54957.6)**
Agency Designated Representatives: David Stoldt; Suresh Prasad and Mi Ra Park
Employee Organization: General Staff and Management Bargaining Units Represented by United Public Employees of California/LIUNA, Local 792
4. **Conference with Legal Counsel – Pending and Threatened Litigation (Gov. Code 54956.9(b)) – One Case**
5. **Adjourn to 7 pm Regular Meeting**

7:00 PM – Regular Meeting

CALL TO ORDER/ROLL CALL

Board of Directors

Molly Evans, Chair – Division 3
Alvin Edwards, Vice Chair – Division 1
George Riley – Division 2
Jeanne Byrne – Division 4
Gary D. Hoffmann, P.E. – Division 5
Mary Adams, Monterey County Board of Supervisors Representative
David Potter – Mayoral Representative

General Manager

David J. Stoldt

This agenda was posted at the District office at 5 Harris Court, Bldg. G Monterey on Friday, May 17, 2019. Staff reports regarding these agenda items will be available for public review on Friday, May 17, 2019 at the District office and at the Carmel, Carmel Valley, Monterey, Pacific Grove and Seaside libraries. After staff reports have been distributed, if additional documents are produced by the District and provided to a majority of the Board regarding any item on the agenda, they will be available at the District office during normal business hours, and posted on the District website at www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/. Documents distributed at the meeting will be made available in the same manner. The next regular meeting of the Board of Directors is scheduled for June 17, 2019 at 7 pm.

PLEDGE OF ALLEGIANCE

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 April 15, 2019 Regular Board Meetings
2. ~~Approve Resolution No. 2019-03 Amendments to Table II – Non Residential Water Use Factors~~
This item has been deferred to a future date.
3. Consider Public Lawn Removal Rebate Request from Monterey Peninsula Unified School District for the International School of Monterey
4. Consider Expenditure for Water Conservation Equipment
5. Consider Approval of Purchase of Three Cellular Modems for the District’s California Irrigation Management Information System (CIMIS) Stations
6. Consider Funding Recycled Water Storage Tank Rehabilitation for Reclamation Project
7. Consider Authorization of Additional Contingency Funds for Construction and Related Services for the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade Project
8. Consider Extension of Local Water Project Grant for City of Seaside Laguna Grande Non-Potable Water Project
9. ~~Confirm Appointment to Ordinance No. 152 Oversight Panel~~
This item has been deferred to a future date.
10. Declaration of Surplus Assets
11. Consider Adoption of Treasurer's Report for March 2019
12. Receive and File Third Quarter Financial Activity Report for Fiscal Year 2018-19
13. Consider Approval of Third Quarter Fiscal Year 2018-19 Investment Report

GENERAL MANAGER’S REPORT

14. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision
15. Update on Development of Water Supply Project Alternatives

ATTORNEY’S REPORT

16. Report on 6:00 pm Closed Session of the Board

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

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

PRESENTATION

18. Recognize Larry Hampson upon his Retirement after 28 Years of Service to the MPWMD

ACTION ITEMS - Public comment will be received on each of these items. Please limit your comment to three (3) minutes per item.

19. **Consider Approval of 1 and 3 Year Strategic Planning Goals**
Action: The Board will review, discuss and consider adoption of 1 and 3 Year Strategic Planning Goals.
20. **Consider Adoption of Resolution No. 2019-05 Authorizing an Exception to the CalPERS 180-Day Wait Period for Hiring a Retiree**
Action: The Board will consider adoption of a resolution in compliance with the California Public Retirement System (CalPERS) requirement that the governing body of any agency wishing to hire a retiree prior to 180-days following their retirement date, pass a resolution to that effect.

PUBLIC HEARINGS – Public comment will be received on each of these items. Please limit your comment to three (3) minutes per item.

21. **Consider Adoption of a Negative Declaration and the Second Reading and Adoption of Ordinance No. 181 Amending District Rules and Regulations to Modify the Extent of the Carmel River Riparian Corridor (Subject to review according to California Environmental Quality Act Guidelines Section 15153 - Use of an EIR from an Earlier Project)**
Action: The Board will consider the second reading and adoption of draft Ordinance No. 181 that proposes to extend the Carmel River Riparian Corridor by 13.5 miles from the eastern end of Carmel Valley Village upstream to the Ventana Wilderness boundary.
22. **Consider Second Reading and Adoption of Ordinance No. 182 - Amending Rules 11, 20, 21, 22, 23, 23.8, 24, 25, 25.5, 33, 141, 161, and 180 (Exempt from CEQA pursuant to CEQA Guidelines section 15307 (14 Cal. Code Regs., § 15307))**
Action: The Board will consider second reading and adoption of Ordinance No. 182 that proposes to amend, clarify and refine certain procedures necessary to process, issue, and enforce requirements related to Water Permits and Water Distribution System Permits, Water Use Permits, water efficiency requirements, Rebates, and ex parte communications.
23. **Receive and Confirm Water Supply Forecast for Period of May 1, 2019 through September 30, 2020; Adopt Resolution 2019-04 to Amend Rationing Table (XV-4) (Not a project – CEQA Section 15378)**
Action: The Board will receive a report on the available water supply and determine whether water-rationing triggers have been met, and consider adoption of Resolution 2019-04.

DISCUSSION ITEMS - Public comment will be received on each of these items. Please limit your comment to three (3) minutes per item.

24. **Review Proposed MPWMD Fiscal Year 2019-20 Budget and Resolution 2019-06**
The Board will review the proposed budget for Fiscal Year 2019-2020. General direction will be given to staff but the Board will take no formal action. The Board is scheduled to consider adoption of the budget at the regular monthly meeting on June 17, 2019.

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

25. Report on Activity/Progress on Contracts Over \$25,000
26. Status Report on Measure J/Rule 19.8 Spending
27. Committee Reports
28. Monthly Allocation Report
29. Water Conservation Program Report
30. Carmel River Fishery Report for March 2019
31. Monthly Water Supply and California American Water Production Report

ADJOURNMENT

Board Meeting Broadcast Schedule – Comcast Channels 25 & 28	
View Live Webcast at https://www.ampmedia.org/peninsula-tv/	
Ch. 25, Mondays, 7 PM	Monterey, Del Rey Oaks, Pacific Grove, Sand City, Seaside
Ch. 25, Mondays, 7 PM	Carmel, Carmel Valley, Del Rey Oaks, Monterey, Pacific Grove, Pebble Beach, Sand City, Seaside
Ch. 28, Mondays, 7 PM	Carmel, Carmel Valley, Del Rey Oaks, Monterey, Pacific Grove, Pebble Beach, Sand City, Seaside
Ch. 28, Fridays, 9 AM	Carmel, Carmel Valley, Del Rey Oaks, Monterey, Pacific Grove, Pebble Beach, Sand City, Seaside

Board Meeting Schedule			
Monday, June 17, 2019	Regular Board Meeting	7:00 pm	District conference room
Monday, July 15, 2019	Regular Board Meeting	7:00 pm	District conference room
Monday, August 19, 2019	Regular Board Meeting	7:00 pm	District conference room

Upon request, MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Please submit a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service by 5:00 PM on Thursday, May 16, 2019. Requests should be sent to the Board Secretary, MPWMD, P.O. Box 85, Monterey, CA, 93942. You may also fax your request to the Administrative Services Division at 831-644-9560, or call 831-658-5600.

ITEM: CONSENT CALENDAR

1. CONSIDER ADOPTION OF MINUTES OF THE APRIL 15, 2019 REGULAR BOARD MEETING

Meeting Date: May 20, 2019

Budgeted: N/A

From: David J. Stoldt,
General Manager

Program/ N/A
Line Item No.:

Prepared By: Arlene Tavani

Cost Estimate: N/A

General Counsel Review: N/A

Committee Recommendation: N/A

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

SUMMARY: Attached as **Exhibit 1-A** are draft minutes of the April 15, 2019 Regular meeting of the Board.

RECOMMENDATION: District staff recommends approval of the minutes with adoption of the Consent Calendar.

EXHIBIT

1-A Draft Minutes of the April 15, 2019 Regular Meeting of the Board of Directors



EXHIBIT 1-A

DRAFT MINUTES Regular Meeting Board of Directors Monterey Peninsula Water Management District April 15, 2019

Board Chair Evans called the meeting to order at 7:00 pm in the MPWMD conference room.

CALL TO ORDER/ROLL CALL

Directors Present:

Molly Evans – Chair, Division 3
Alvin Edwards, Vice Chair, Division 1
George Riley, Division 2
Jeanne Byrne – Division 4
Gary D. Hoffmann, P.E. – Division 5
Mary Adams – Monterey County Board of Supervisors Rep.
David Potter - Mayoral Representative

Directors Absent: None

General Manager present: David J. Stoldt

District Counsel present: David Laredo

The assembly recited the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

Byrne offered a motion that was seconded by Potter to consider agenda item 15 before item 14. The motion was approved on a unanimous vote of 7 – 0 by Byrne, Potter, Adams, Edwards, Evans, Hoffmann and Riley.

ADDITIONS AND CORRECTIONS TO AGENDA

Stoldt noted a correction to agenda item 6; the recommendation should be amended to remove the word “either” as follows, “...recommends the Board approve ~~either~~ Amendment 3 to the Cost Sharing Agreement..” Stoldt announced that the April 8, 2019 Administrative Committee was cancelled due to lack of a quorum, so the Board might have questions about items 3 and 7 as they were not reviewed by the committee.

The following comments were presented to the Board of Directors during Oral Communications. **(a) Dan Turner**, resident of Monterey, expressed support for funding studies on expansion of the Pure Water Monterey Project (PWM). He suggested that the District investigate the possibility of joining with the cities of Salinas and Santa Cruz, and also San Benito County on development of a regional desalination project. **(b) Tom Rowley**, Monterey Peninsula Taxpayers Association (MPTA), requested that the Board of

ORAL COMMUNICATIONS

Directors respond to misstatements made by Public Water
Now in a letter dated March 18, 2019 regarding water
demand estimates for the community. He asserted that
additional water is needed for new residential and
commercial uses.

On a motion by Byrne and second by Riley, the Consent Calendar was approved except for items 4, 5, 6, 7 and 11 that were pulled for separate consideration. The motion was approved unanimously on a vote of 7 – 0 by Byrne, Riley, Adams, Edwards, Evans, Potter and Riley.

Adopted.

Authorized an additional expenditure of \$20,000.

Authorized an expenditure of \$221,003.63

On a motion by Riley and second of Potter, the Board authorized an additional expenditure of \$12,879. The motion was approved unanimously on a vote of 7 – 0 by Riley, Potter, Adams, Byrne, Edwards, Evans and Hoffmann.

On a motion by Byrne and second of Potter, an expenditure of \$95,600 plus a contingency of \$4,400 were approved on a vote of 6 – 1 by Byrne, Potter, Adams, Edwards, Evans and Riley. Hoffmann was opposed.

On a motion by Edwards and second of Byrne, Amendment 3 to the Cost Sharing Agreement was approved on a vote of 6 – 1 by Edwards, Byrne, Adams, Evans, Potter and Riley. Hoffmann was opposed.

On a motion by Potter and second of Byrne, a payment not to exceed \$18,000 was authorized on a unanimous vote of 7 – 0 by Potter, Byrne, Adams, Edwards, Evans, Hoffmann, and Riley.

Adopted.

Confirmed.

CONSENT CALENDAR

1. **Consider Adoption of Minutes of the March 18, 2019 Regular Board Meetings**
2. **Consider Approval to Purchase Pit Tag Antennae Array Equipment, Expendable Pit Tags, and Other Disposable Tagging Supplies for the Remainder of Calendar Year 2019**
3. **Consider Authorization of Additional Expenditure for November 6, 2018 Election Costs**
4. **Consider Approval of Additional Expenditure to Brown and Caldwell for North Monterey County Drought Contingency Plan**
5. **Consider Approval for Retaining Consultant Services to Prepare a Proposal to the Department of Water Resources for Proposition 1 Integrated Regional Water Management Implementation Grant Funds**
6. **Consider Approval of Amendment 3 to the Cost Sharing Agreement with the Monterey One Water for the Pure Water Monterey Project Expansion**
7. **Consider Authorization of Tax Payment to Internal Revenue Service**
8. **Consider Adoption of 2019-20 Legislative Advocacy Plan**
9. **Confirm Appointments to the Ordinance No. 152 Oversight Panel**

Received.

On a motion by Evans and second of Edwards, the Report was received on a unanimous vote of 7 – 0 by Evans, Edwards, Adams, Byrne, Hoffmann, Potter and Riley.

Received.

Adopted.

A summary of General Manager Stoldt's report is on file at the District office and can be viewed on the agency's website. He reported that for the period of October 1, 2018 through April 13, 2019, rainfall was recorded at 28.5 inches, which was 152% of average. For the period of October 1, 2018 through March 31, 2019, unimpaired streamflow was 125,000 acre-feet or 240% of average; and useable storage was at 100% of long-term average. Staff estimates that production from the Aquifer Storage and Recovery Project could reach 1,250 acre-feet this year, which is half of 2016-17 production - the highest recorded. The District and Cal-Am will confer and determine how to overcome some of the problems experienced this year, in order to maximize production in the next injection season.

Stephanie Locke introduced representatives from a Water Link Team funded by Ecology Action now that conducted a door-to-door campaign offering water saving fixtures to residences and businesses in areas identified as disadvantaged communities. The presentation given by the Water Link Team representatives summarized the results of their campaign and can be viewed on the MPWMD website.

Counsel Laredo reported that the Board discussed item 3 on the Closed Session agenda. The Board received a status report on the negotiations and provided general direction. No reportable action was taken.

10. Receive and File District-Wide Annual Water Distribution System Production Summary Report for Water Year 2018

11. Receive and File District-Wide Annual Water Production Summary Report for Water Year 2018

12. Receive Fiscal Year 2017-2018 Mitigation Program Annual Report

13. Consider Adoption of Treasurer's Report for February 2019

GENERAL MANAGER'S REPORT

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

PRESENTATIONS

15. Presentation by Stephanie Locke, Water Demand Manager, on Retrofits - HEART Program Achievements

ATTORNEY'S REPORT

16. Report on 6:30 pm Closed Session of the Board

3. Conference with Labor Negotiators (Gov. Code 54957.6)
Agency Designated Representatives: David Stoldt; Suresh Prasad and Mi Ra Park
Employee Organization: General Staff and Management Bargaining Units Represented by United

Public Employees of
California/LIUNA, Local 792

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

Director Hoffmann reported that he attended the Special District Leadership Academy in San Diego. He found it to be very informative and recommended that other Directors participate in future sessions of the Academy.

On a motion by Potter and second of Byrne, the first reading of Revised Draft Ordinance No. 181 was approved on a unanimous roll-call vote of 7 – 0 by Potter, Byrne, Adams, Edwards, Evans, Hoffmann and Riley. No comments were directed to the Board during the public hearing on this item.

General Manager Stoldt noted that the second reading could include a requirement that posting of river work permits would occur at the office and on the District's website.

On a motion by Byrne and second of Adams, the first reading of Draft Ordinance No. 182 was approved on a unanimous roll-call vote of 7 – 0 by Byrne, Adams, Edwards, Evans, Hoffmann, Potter and Riley. No comments were directed to the Board during the public hearing on this item.

Byrne offered a motion that was seconded by Adams to receive the report. The motion was approved on a unanimous vote of 7 – 0 by Byrne, Adams, Edwards, Evans, Hoffmann, Potter and Riley.

Public Comment: Tom Rowley, representing the MPTA, urged the Board to direct the General Manager to present a plan in early 2020 for phasing out the user fee and the water supply charge.

Potter offered a motion that was seconded by Riley to receive public comment that evening, and then defer the item to the May 20, 2019 Board meeting. The motion was approved unanimously on a vote of 7 – 0 by Potter, Riley, Adams, Byrne, Edwards, Evans and Hoffmann. No comments were directed to the Board during the public comment period on this item.

No discussion of these items.

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

PUBLIC HEARINGS

18. Consider First Reading of a Revised Draft Ordinance No. 181 Amending District Rules and Regulations to Modify the Extent of the Carmel River Riparian Corridor (Subject to review according to California Environmental Quality Act Guidelines Section 15153 - Use of an EIR from an Earlier Project)

19. Consider First Reading of Ordinance No. 182 – Amending Rules 11, 20, 21, 22, 23, 23.8, 24, 25, 25.5, 33, 141, 142, 161, and 180 (Exempt from CEQA pursuant to CEQA Guidelines section 15307 (14 Cal. Code Regs., § 15307))

ACTION ITEMS

20. Receive 2018 Ordinance No. 152 Oversight Panel Annual Report

21. Consider Approval of 1-Year and 3-Year Strategic Planning Goals

INFORMATIONAL ITEMS/STAFF REPORTS

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

23. Status on Measure J/Rule 19.8 Spending

24. Receive Notice of Appointment to

- Carmel River Advisory Committee**
- 25. Letters Received**
- 26. Committee Reports**
- 27. Monthly Allocation Report**
- 28. Water Conservation Program Report**
- 29. Quarterly Carmel River Riparian
Corridor Management Report**
- 30. Carmel River Fishery Report for
March 2019**
- 31. Monthly Water Supply and California
American Water Production Report**

The meeting was adjourned at 9:15 pm.

ADJOURNMENT

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Arlene M. Tavani, Deputy District Secretary

ITEM: CONSENT CALENDAR

3. CONSIDER PUBLIC LAWN REMOVAL REBATE REQUEST FROM MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT FOR THE INTERNATIONAL SCHOOL OF MONTEREY

Meeting Date:	May 20, 2019	Budgeted:	Yes
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	Rebate Program 4-2-3-C
Prepared By:	Stephanie Kister	Cost Estimate:	\$25,067

General Counsel Review: N/A

Committee Recommendation: The Water Demand Committee reviewed this item on April 23, 2019 and recommended approval (3-0). The Administrative Committee reviewed this item on May 13, 2019 and recommended approval (2-1).

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15301

SUMMARY: District Rule 141, Water Conservation Rebates, allows a Lawn removal Rebate at a Public facility to exceed the square-footage limitation of 2,500 square-feet, subject to Board approval. Monterey Peninsula Unified School District (MPUSD) has requested \$25,067 for the removal of 25,067 square feet of Lawn located at the International School of Monterey (ISM) at 1720 Yosemite Avenue in Seaside (**Exhibit 3-A**).

The Water Demand Committee considered this item in September 2018. Based on the staff recommendation, the committee postponed action on this request until after the recently completed disadvantaged community grant project (High Efficiency Applied Retrofit Targets or HEART). The HEART project used some of the District-funded Rebate funds and the extent of demand was not known in September. The HEART Project has been completed making Rebate funds available for this request.

ISM's lower field has 46,799 square feet of irrigated play grass, and there is 4,053 square feet of non-essential turf in front of the school. The current 50,852 square feet of turf uses approximately 4.9 Acre-Feet (of irrigation water) Annually (AFA). The proposed project will convert the existing irrigated play field of 50,852 sq. ft. into a walking track and multi-play area sized for pinto league baseball, grass volleyball, or a U10 soccer. The play area project will remove 21,014 square feet of turf. The turf area in the front of the school (4,053 square feet) will be converted into drought tolerant landscape.

The proposal abandons the current irrigation and focuses irrigation on the area of play. This area's size will be decreased, and irrigation efficiency improved. The new field area of 25,785 square feet is anticipated to use 1.8 AFA. This proposal will reduce water use by approximately 3.1 AFA, a 63% reduction. The field irrigation would also have a flow sensor and master valve reducing Water Waste caused by irrigation breaks.

As the school is served by the Seaside Municipal Water System, Rebates are funded by the MPWMD funded Rebate account. The District funded Rebate account had \$50,000 available for fiscal year 2018-19, most of which is still available. There will be enough remaining funds in the account after this expenditure to respond to applications received between now and the end of the fiscal year.

RECOMMENDATION: When adopted with the Consent Calendar, MPUSD's Lawn removal Rebate will be approved in the amount of \$25,067.

BACKGROUND: Monterey Peninsula Unified School District (MPUSD), with assistance from MPWMD and others, has been a leader on the Monterey Peninsula by completing significant water and energy conservation projects in the past five years. They have enacted a District Wide Master Water Conservation Plan which includes the removal of large quantities of non-essential irrigated turf area across the District. In the last seven years, MPUSD retrofitted all District properties to meet our indoor water efficiency requirements and have removed 150,642 square feet of non-essential turf. MPUSC records for December 2012 through March 2017 indicate cumulative water savings from these projects of more than 749 acre-feet! MPUSD's goal is to reduce ornamental turf by 65 percent and to retrofit every irrigated field with water efficient irrigation systems by 2021.

In 2015-2016, MPUSD implemented a 5th grade Eco-Ambassador Program in partnership with Return of the Natives, Pacific Grove Museum, and the Arts Council for Monterey County. The goals of the program include educating the students about water conservation, creating a native plant garden, and installing active rainwater catchment. MPUSD has applied for Lawn removal Rebates at various sites over the last four years and has used the money to fast-track their conservation efforts. The Eco-Ambassador Program is tied to the Lawn conversion projects. The designs for the new gardens were inspired by the professional landscape designs created for Ord Terrace Elementary School which received a grant from MPWMD in 2014.

EXHIBIT

3-A MPUSD Proposal



**Monterey Peninsula Water Management District
GRANT PROPOSAL**

For

Monterey Peninsula Unified School District

Turf removal

Name of Applicant: Monterey Peninsula Unified School District

Invoicing & Contract Name & Contact Information: Brett McFadden, Associate Superintendent of Business Services
(831) 645-1269 raltmeyer@mpusd.k12.ca.us
700 Pacific St, Monterey, CA 93940 or PO BOX 1031 Monterey CA 93942

Project Manager Name & Contact Information: David Chandler, Coordinator of Renewable Energy and Conservation
(831) 901-7376 dchandler@mpusd.k12.ca.us

Project Site Addresses: 1.. International School of Monterey
1720 Yosemite Ave, Seaside, CA 93955

Account: City of Seaside Water: 03-7580-00

Proposed turf removal: **Turf removal 25,067 square feet
Requesting \$1 per square foot Turf removal incentive.
\$25,067**

Proposed Projects: MPUSD's water conservation program is dedicated to improving schools landscape and Athletic Fields. This project will take the existing irrigated play field of 50,852 sq. ft. and convert it into a walking track, and multi-play area sized for pinto league baseball, grass volleyball or a U10 soccer. The play area project will remove 21,014 square feet of turf. 4053 square feet in the front of the school will be converted into drought tolerant landscape.

Monterey Peninsula Unified School District
Monterey Peninsula Water Management District
Water Conservation Grant Proposal

Preliminary to proposed project

In spring 2014 MPUSD received a grant from MPWMD to install Hydro-point weather trak ET Pro controllers at the Cal Am serviced sites. The grant proposal was met and exceeded by installing all the controllers, as well as eliminating manual and battery operated zones.

In 2014 MPWMD funded a field retrofit and master water conservation Plan for Ord Terrace Elementary. This project has inspired MPUSD to commit to water conservation

landscapes. Ord terrace eliminated 100% of the ornamental turf and replaced it with drought tolerant landscape. Water use has been reduced at Ord Terrace by 63%.

In summer of 2015 MPUSD funded and installed 27 Hydro-point weather trak ET controllers at the City of Seaside and Marina Coast water serviced sites. Making the districts irrigation fully controlled by Smart weather based irrigation controllers

In summer of 2015 MPUSD administration and board approved the use of water utility savings to be used to retrofit our fields irrigation, implement a turf removal plan and set up a turf maintenance program. The MPUSD Energy Program in collaboration with the facilities department has created a six year field retrofit plan and a six year Ornamental Turf removal plan.

In the 2015-16 school year MPUSD is implementing a 5th grade Eco- Ambassador program. Throughout the school year all 5th grade students will take classes from Return of the Native, Pacific Grove Museum and Monterey Art Council. Part of the goal of this program is to educate the students about water conservation and to create a Native garden with passive and active storm water catchment. The designs for these gardens are inspired by the professional designs funded by the Ord Terrace grant.

In 2016 City of Seaside and MPWMD funded \$20,000 turf removal incentive for the 87,000 square feet of turf eliminated in the King Sports Complex field retrofit project.

As the Coordinator of Renewable Energy and Conservation. I am working diligently to conserve water across the whole school district. The momentum of the MPUSD water conservation plan is growing. MPUSD is committed to reduce the need for water across the district. By 2021 we have the goal of reducing ornamental turf by 65% and to retrofit every field with efficient irrigation systems including flow sensors and master valves. MPUSD has been asked to speak at a state level as a leader in school districts water conservation. MPUSD has reduced its water use by 58% compared to the base year of 2013.

In 2016 MPUSD was awarded a Drought Response Outreach Program for Schools Grant to implement Storm water LID projects and education at 4 Seaside Schools.

In 2017-18 MPUSD partnered with MPWMD to remove 13,424 sq. ft. of turf and create a partnership water conservation demonstration garden on Broadway Ave.

Monterey Peninsula Unified School District
Monterey Peninsula Water Management District
Water Conservation Grant Proposal

In 2017-18 MPUSD received \$10,540 for turf removal incentive to make Martin Luther King a site with zero non-essential turf.

In 2018-19 MPUSD is requesting a second year of funding for the Partnership with MPWMD water conservation demonstration garden on Broadway Ave.

I look forward to working with MPWMD for many years.

Thank you

David Chandler

Coordinator of Renewable Energy and Conservation

APPLICATION ATTACHMENTS

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Monterey Peninsula Unified School District
Monterey Peninsula Water Management District
Water Conservation Grant Proposal

ATTACHMENT 1

SITE Photo



Monterey Peninsula Unified School District
 Monterey Peninsula Water Management District
 Water Conservation Grant Proposal

ATTACHMENT 2

PROPOSED PLAN

<u>Site</u>	<u>Project</u>	
1. International School of Monterey	Turf removal	Retrofit field to have an efficient irrigation with head to head coverage, fractional stations and flow sensors and master valve. Focused irrigation to play area. Turf removal by creating a 20 perimeter walking track 100 ft diameter baseball infield and a drought tolerant landscape.

ATTACHMENT 3

BUDGET

<p align="center">Monterey Peninsula Water Management District LANDSCAPE GRANT PROPOSAL MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT</p> <p>BUDGET \$55,127 total field retrofit project</p> <p>Turf removal: 25,067 square feet</p> <p>Turf removal funds: \$1 per square foot: \$25,067</p>

ATTACHMENT 4

PROJECT TIMELINE

Upon MPWMD award of proposal MPUSD and the other funding approval project planning and design will start. The turf removal will be complete by June 30th, 2019.

Monterey Peninsula Unified School District
 Monterey Peninsula Water Management District
 Water Conservation Grant Proposal

ATTACHMENT 5

MAINTENANCE PLAN

The MPUSD maintenance department will maintain the area. This maintenance will be scheduled Weekly.

David Chandler, the MPUSD Coordinator of Renewable Energy and Conservation, will oversee implementation of proposed project.

ATTACHMENT 6

WATER SAVINGS

Currently International School of Monterey lower field has 46,799 square feet of irrigated play grass and 4053 square feet on non-essential turf. The current field of 50,852 sq ft of turf would use 1,593,005 gallons of water annually. The new proposal would abandon the current irrigation and focus the irrigation to an area of play. This areas size will be decreased and irrigation efficiency improved. The new field area of 25,785 square feet use 575,521 gallons, This proposal will reduce water use 1,017,481 gallons, a 63% reduction in water need annually. The field irrigation would also have a flow sensor and master valve reducing water waste caused by irrigation breaks.

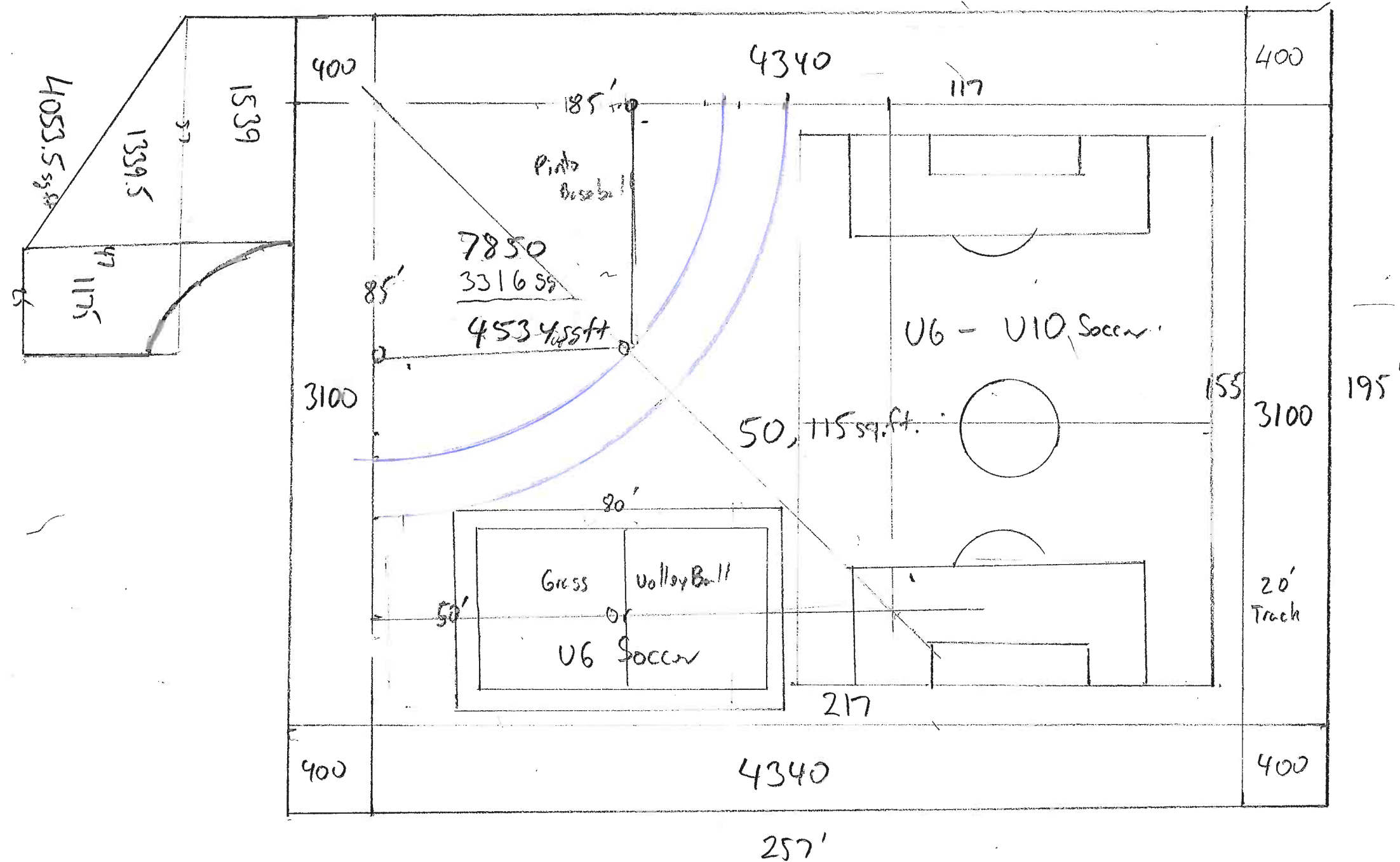
ATTACHMENT 7

CURRENT LANDSCAPING INFORMATION

	<u>H2O Requirement</u>	<u>Current Irrigation</u>
Field	Turf (High) 50,852 sqft	Hunter I core , poor mapping approx..57% efficiency

EXHIBIT 3-A

Existing field 50,115 sqft with 3316 D6 infield + 4053 sqft Ornamental. = 50,852¹⁷ sqft
 New field. 33635 sqft with 7850 D6 infield = 25785
25067
 Turf Removal.



16,480
 + 4053
20,533 sqft
 + 4534 sqft
25067 sqft

ITEM: CONSENT CALENDAR

4. CONSIDER EXPENDITURE FOR WATER CONSERVATION EQUIPMENT

Meeting Date:	May 20, 2019	Budgeted:	Yes
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	Conservation Devices 4-2-2-D
Prepared By:	Stephanie Locke	Cost Estimate:	\$10,600

General Counsel Approval: N/A

Committee Recommendation: The Administrative Committee reviewed this item on May 13, 2019 and recommended approval (2-1).

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

SUMMARY: The District currently provides water conservation equipment to the public upon request and makes equipment available at various public events and workshops. As part of these activities, staff offers water saving devices to District residents and businesses. Equipment provided includes 1.5 gallons per minute showerheads, automatic shut-off hose nozzles, faucet aerators, and other water efficient equipment and devices. Staff is requesting approval for the expenditure of \$10,600 in budgeted funds to renew its stock of conservation equipment.

The District has purchased most devices from AM Conservation Group for a number of years, as their products are reasonably priced, meet the quality standards expected by staff, and they offer a selection of utility-grade water conservation products. Most of the AM Conservation Group, Niagara Conservation and Simply Conserve-branded products have earned the EPA's Watersense® and ENERGY STAR® certifications. Periodically, staff reviews products from other vendors and researches cost/quality for comparison. When new technology or products become available, staff requests samples for testing before requesting quotes. The quote for this purchase is attached as **Exhibit 4-A**.

The District's outreach program is done in coordination and partnership with California American Water. Both entities provide free devices and frequently share table space at outreach events.

RECOMMENDATION: By adopting this item with the Consent Calendar, the Board is approving the expenditure of \$10,600 of budgeted funds to renew the District's stock of water conservation equipment.

IMPACT TO STAFF/RESOURCES: Funds for this expenditure are included in the Fiscal Year 2018-2019 Water Conservation Program budget on line 4-2-2-D.

EXHIBIT

4-A AM Conservation Group Quote

EXHIBIT 4-A

21



AM Conservation
Group
1701 Charleston
Regional Pkwy
Suite A

Quote

#1035

Charleston SC 29492

United States

Bill To

Monterey Peninsula Water Mgmt
PO Box 85
Monterey CA 93942
United States

Ship To

Monterey Peninsula Water Mgmt
5 Harris Ct. Bldg G
Monterey CA 93940
United States
831-658-5634

05/03/2019

TOTAL

\$10,591.32

Expires: 06/02/2019

Expires	Exp. Close	Memo	Sales Rep	Partner	Shipping Method
06/02/2019	05/17/2019		Ron Brown		FDXGND

Quantity	Item	Tax	Rate	Amount
400	MM071 MOISTURE METER MOISTURE METER	Yes	\$2.04	\$816.00
200	AMSQ001-B/Y DISH SQUEEGEE-BLUE/YELLOW DISH SQUEEGEE-BLUE/YELLOW	Yes	\$2.06	\$412.00
500	N2915CH FM EARTH, 3F, 1.5 GPM, CH FM EARTH, 3F, 1.5 GPM, CH	Yes	\$3.84	\$1,920.00
200	N2945CH HH EARTH, 3F, 1.5 GPM, CH HH EARTH, 3F, 1.5 GPM, CH	Yes	\$9.15	\$1,830.00
400	N3126VP-C DUAL FUNCTION SWIVEL AERATOR DUAL FUNCTION SWIVEL AERATOR	Yes	\$2.41	\$964.00
500	N3210B-PC 1.0 GPM BUBBLE SPRAY AERATOR-P 1.0 GPM BUBBLE SPRAY AERATOR-P	Yes	\$0.64	\$320.00
400	56731-7B HOSE NOZZLE 7-SPRAY DELUXE BLUE HOSE NOZZLE 7-SPRAY DELUXE BLUE	Yes	\$3.19	\$1,276.00
600	SS010-S-BL DARK BLUE "SIT" SHOWER TIMER DARK BLUE "SIT" SHOWER TIMER	Yes	\$1.59	\$954.00
500	N3205N-PC BT AERATOR, NS, 0.5 GPM, CH BT AERATOR, NS, 0.5 GPM, CH	Yes	\$0.64	\$320.00

Subtotal	\$8,812.00
Shipping Cost	\$1,008.26
Tax (8.75%)	\$771.06
Total	\$10,591.32



1035

ITEM: CONSENT CALENDAR**5. CONSIDER APPROVAL OF PURCHASE OF THREE CELLULAR MODEMS FOR THE DISTRICT'S CALIFORNIA IRRIGATION MANAGEMENT INFORMATION SYSTEM (CIMIS) STATIONS**

Meeting Date:	May 20, 2019	Budgeted:	Partially
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	CIMIS Stations 4-2-2-I
Prepared By:	Kyle Smith and Stephanie Locke	Cost Estimate:	\$2,450

General Counsel Review: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on May 13, 2019 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 is requesting authorization to purchase three cellular modems for the District's California Irrigation Management Information System (CIMIS) stations. The CIMIS stations collect and upload real-time weather data and evapotranspiration (ET) rates to the Department of Water Resources (DWR) statewide CIMIS database. This information is used by local landscapers and Weather Based Irrigation Controllers to adjust the irrigation schedule for the reported weather conditions.

DWR has requested the District to replace its modems with the Sierra Wireless Raven XT model. Staff selected the lowest cost vendor, Wester Weather Group. Western Weather was approximately \$30/modem below other vendors and was suggested by DWR. Currently, the District's three CIMIS stations send data to DWR using modems that will be obsolete by the end of 2019. The network that they operate on will be going dark. The total cost for three replacement modems and supplemental parts is \$2,450 (**Exhibit 5-A**).

Local weather and ET data is an important component to maximizing irrigation efficiency. Many Weather Based Irrigation Controllers use CIMIS data for programming. These controllers can be updated with live daily weather and ET data. Weather Based Irrigation Controllers are in wide use throughout the Monterey Peninsula; accurate weather and ET data is essential to their optimum operation.

RECOMMENDATION: Authorize expenditure of budgeted funds to replace three CIMIS controllers for a not-to-exceed amount of \$2,450.

BACKGROUND: CIMIS weather stations collect weather data on a minute-by-minute basis, calculate hourly and daily values and store them in the data loggers. Every hour the data collected is sent via wireless network to DWR headquarters in Sacramento. Once the data is transmitted,

the central computer analyzes it for quality, calculates reference evapotranspiration and stores them in the CIMIS database. Evapotranspiration (ET) is a loss of water to the atmosphere by the combined processes of evaporation from soil and transpiration from plants.

Some of the users/uses of the CIMIS data include:

- Urban landscape planning and managing
- Hydrological modeling for water availability and groundwater recharge
- Homeowner associations for water conservation
- Local and state water planners and managers
- High schools and colleges for educational purposes
- Federal Agencies for resource management and studies
- Users from other countries for planning and development of similar networks
- Automated Severe Weather Warning Systems
- Air quality monitoring assistance

Additional information can be found on the DWR CIMIS website at www.cimis.water.ca.gov.

DWR recently approved a policy on the use of cellular communication, and the proposed equipment is compliant with the new policy. DWR has been working on increasing communication security after a breach in their system last fall.

IMPACT TO STAFF/RESOURCES: None. The current budget has \$2,000 for CIMIS stations. The remaining funds (\$450) are available in the Conservation Programs budget in 4-2-2-A, Best Management Practices.

EXHIBIT

5-A Quote from Western Weather Group



Domestic Sales Quotation

For questions about this quote contact:

Matt Wanink
matt@westernwx.com
530-342-1700

DATE OF QUOTE	05/06/19
QUOTE TERMS	45 days
QUOTE #	8577
QUOTED BY	Matt Wanink

QUOTE TO

Kyle Smith
Monterey Peninsula Water Mgmt Dist.
P. O. Box 85
5 Harris Court Bldg. G
Monterey, CA 93942-0085

SHIP TO

Kyle Smith
Monterey Peninsula Water Mgmt Dist.
P. O. Box 85
5 Harris Court Bldg. G
Monterey, CA 93942-0085

Phone	(831) 658-5601	Change In Terms Must Be Requested Prior To Ordering	
Cell		Payment Terms:	NET 30
Email	ksmith@mpwmd.net	Incoterms FOB	ORIGIN
Ship Via:	BEST WAY	Freight Terms	PP&A

COMMENTS:

Here is the quote you requested.

Ln #	Description	Qty	Unit Price	Ext. Price
1	Sierra Wireless RV50 4G LTE Cellular Modem	3	\$675.00	\$2,025.00
2	RV50 Mounting Kit	3	\$28.00	\$84.00
3	Universal 3G4G/LTE 3dBi Whip Antenna	6	\$21.25	\$127.50
UNLESS NOTED, SHIPPING CHARGES WILL BE ADDED TO INVOICE			SubTotal	\$2,236.50
			Sales Tax	\$195.69
			Shipping	\$15.00
			Total	\$2,447.19

UNLESS NOTED, SHIPPING CHARGES WILL BE ADDED TO INVOICE

- 1.State sales tax will be computed based on invoice date and "Ship To" city
- 2.CA Seller's Permit copy is required at time of order, if applicable.
- 3.Quote is for Domestic purposes only. Warranty void if exported. Please go to our website www.westernweathergroup.com for our Warranty.
- 4.Orders less than \$250 (exclusive of any shipping, taxes & other fees) are subject to prepayment terms.

TO PLACE THIS ORDER, PLEASE SIGN & RETURN:

Authorized Signature: _____ **Date:** _____ **PO No.** _____

A/P Email for electronic billing: _____

ITEM: CONSENT CALENDAR**6. CONSIDER FUNDING RECYCLED WATER STORAGE TANK REHABILITATION FOR RECLAMATION PROJECT**

Meeting Date:	May 20, 2019	Budgeted:	Yes
From:	Dave Stoldt, General Manager	Program/ Line Item No.:	Water Supply Projects TBD
Prepared By:	Dave Stoldt	Cost Estimate:	\$1,000,000

General Counsel Approval: N/A**Committee Recommendation: The Administrative Committee reviewed this item on May 13, 2019 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

SUMMARY: The original Reclamation Project facilities are approximately 25 years old, which means that major renewal and replacement will likely be required in the coming years. When the District's certificates of participation (COPs) are paid off in 2022, the project partners will be in a position to fund reserves for renewal and replacement within the cost of water while still reducing the annual budget due to savings in debt service. Until then, major replacement projects will have impacts on the annual budget and cost of water. One such project is the current need for approximately \$1.6 million for rehabilitation of the Recycled Water Storage Tank adjacent to Poppy Hills. This amount will be required later this calendar year to undertake this much needed project, but is too much to absorb in the proposed 2019-20 fiscal year Reclamation Project budget.

At its April 26, 2019 meeting the Reclamation Project Financial Officers Working Group met to discuss funding options. The District was asked if it would, once again, act in its traditional role as funding agent to the project.

As you may recall, the Monterey Peninsula Water Management District's role in the 1992 Reclamation Project financing was to issue the \$33,900,000 COPs in the public markets, secured by Net Operating Revenues under the Water Purchase Agreement, derived from water sales by the District to the Del Monte Forest recycled water customers. Further, the COPs are secured by a commercial bank letter of credit, additionally backed by a corporate guaranty of the Pebble Beach Company. For major renewal and replacement such as the tank rehabilitation, a similar financing structure would be utilized. However, while \$1.6 million is too much to be included in an annual budget, it is too small to merit an issuance of new debt in the public markets. Instead, the District proposes use of the same financing structure, but funded internally by the District as described in **Exhibit 6-A**, attached.

The Pebble Beach Company approved the terms contained in **Exhibit 6-A** on May 2nd and the Reclamation Management Committee considered the topic at its meeting on May 8th (to be reported at the District's May 13th Administrative Committee meeting.)

RECOMMENDATION: Staff recommends the Board of Directors approve a two-year funding agreement with the Reclamation Project subject to the terms contained in **Exhibit 6-A**.

EXHIBIT

6-A Terms and Conditions of Funding Agreement

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EXHIBIT 6-A

Recycled Water Storage Tank Rehabilitation Project

Terms and Conditions of Funding Agreement

Amount:	\$1,600,000								
Source:	\$600,000 from 2019-20 Reclamation Project fiscal year budget \$1,000,000 from District								
Delivery:	November 1, 2019 proceeds delivered to Carmel Area Wastewater District for the benefit of the Reclamation Project account.								
Security:	Net Operating Revenues under the Water Purchase Agreement								
Guaranty:	Pebble Beach Company corporate guaranty in the event Net Operating Revenues are insufficient.								
Term:	2 years								
Rate of Interest:	3.05% (2-year negotiable certificate of deposit rate, plus 0.5%. See Attachment A)								
Interest Due:	<table> <tr> <td>April 30, 2020</td><td>\$15,250</td></tr> <tr> <td>October 31, 2020</td><td>\$15,250</td></tr> <tr> <td>April 30, 2021</td><td>\$7,625</td></tr> <tr> <td>October 31, 2021</td><td>\$7,625</td></tr> </table>	April 30, 2020	\$15,250	October 31, 2020	\$15,250	April 30, 2021	\$7,625	October 31, 2021	\$7,625
April 30, 2020	\$15,250								
October 31, 2020	\$15,250								
April 30, 2021	\$7,625								
October 31, 2021	\$7,625								
Principal Due:	<table> <tr> <td>October 31, 2020</td><td>\$500,000</td></tr> <tr> <td>October 31, 2021</td><td>\$500,000</td></tr> </table>	October 31, 2020	\$500,000	October 31, 2021	\$500,000				
October 31, 2020	\$500,000								
October 31, 2021	\$500,000								

Contingent upon District board approval.

Agreed to by the Parties below, the ____ of May 2019 as authorized by their governing boards:

David J. Stoldt, General Manager
Monterey Peninsula Water Management District for Reclamation Management Committee

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ITEM: CONSENT CALENDAR**7. CONSIDER AUTHORIZATION OF ADDITIONAL CONTINGENCY FUNDS FOR CONSTRUCTION AND RELATED SERVICES FOR THE SLEEPY HOLLOW STEELHEAD REARING FACILITY RAW WATER INTAKE AND WATER SUPPLY SYSTEM UPGRADE PROJECT**

Meeting Date:	May 20, 2019	Budgeted:	No; however, funds are available from FY2018-2019 Sleepy Hollow operations
From:	David J. Stoldt, General Manager	Program/	Protect Environmental Quality
		Line Item No.:	2-3-1-F
Prepared By:	Larry Hampson	Cost Estimate:	\$100,000

General Counsel Review: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on May 13, 2019 and recommended approval on a 2-1 vote.**CEQA Compliance:** The Board certified the Final Initial Study/Mitigated Negative Declaration for this project and adopted the Mitigation and Monitoring and Reporting Plan on November 14, 2016.

SUMMARY: At their meeting on July 16, 2018 the Board of Directors authorized an expenditure of up to \$2 million to upgrade the Sleepy Hollow Steelhead Rearing Facility located on the Carmel River, about a mile downstream of the former San Clemente Dam site. Approval of the project included authorization to enter into agreements for facilities construction and engineering services, and a contingency amount of \$157,165. As of May 2019, staff estimates the cost of project work will be just over \$1,977,000, leaving less than \$23,000 remaining in unexpended contingency funds. Approximately 80% of the original construction work was complete as of the first week of May. Contingency funds have been used for services and materials for road repairs, additional facility upgrades, additional equipment, installation of a sign, and a power upgrade by PG&E.

Due to the unusual nature of the facility, the complex nature of the upgrade, and that change orders are usually made to facilitate progress in the field during construction, staff recommends that additional contingency funds be authorized.

RECOMMENDATION: The Board of Directors should approve the following action:

Authorize the General Manager to approve an additional \$100,000 in change orders to construction and service contracts or for new service contracts for the Project to allow for unforeseen items up to a total of \$257,165 in contingency funding.

DISCUSSION: The facility upgrade includes a new intake structure in the river, new pumps, a

dual filtration system, modifications to the cooling tower, disease control (ultraviolet radiation of circulating water), a recirculating aquaculture system, a degassing system, an oxygenator, a power upgrade, advanced alarm systems, and an integrated control system. Below is a table of estimated expenditures through early May.

Sleepy Hollow Facility Upgrade Budget and Estimated Costs as of May 2019

Item	July 2018 Budget	Estimated Variance (+)	Estimated Variance (-)	Estimated Total Cost
Construction	\$1,802,835	\$32,025	(\$46,638)	\$1,788,222
Survey Control	\$10,000		(\$10,000)	\$0
Inspection/testing	\$5,000	\$19,500		\$24,500
Record Drawings	\$25,000			\$25,000
Facility Sign	\$0	\$1,000		\$1,000
Road Repairs	\$0	\$82,275		\$82,275
Additional facility improvements	\$0	\$26,850		\$26,850
Construction change orders	\$0	\$3,200		\$3,200
PG&E upgrade	\$0	\$26,275		\$26,275
Contingency	\$157,165			\$22,678
Total	\$2,000,000	\$191,125	(\$56,638)	\$2,000,000

Costs of facility construction will be less than the bid amount due to field changes associated with rock importation and placement and elimination of one of the bid items (transport and dispose excess material). While most of the construction tasks were bid as lump sum items and many have been completed, there have been changes to some items due to conditions encountered in the field and several key items have yet to be completed. These include installation of electrical controls and instrumentation, installation of equipment in the recirculating aquaculture system building, and equipment installation near the cooling tower.

The survey control item was eliminated, as survey control was in place at the beginning of construction. Several costs not originally budgeted include road repairs, sign installation, facility upgrades not called out in the plans and bid, and a PG&E power upgrade. Inspection services were increased due to the decision not to split responsibility for certain inspections between the District and the inspection service.

The largest additional expenditure has been road repairs. The site location is difficult to access and is approximately one mile from Carmel Valley Road over what is mostly a one-lane dirt road, which does not have an all-weather road surface. During the winter of 2018-19, heavy construction equipment and truck deliveries combined with significant rainfall to cause extensive deterioration of the access road to the facility. Staff authorized road repairs to fill in large potholes, place and compact imported road base, repair damaged asphalt sections, and improve the access road at the

facility, which was heavily damaged by pipe installations and heavy equipment operation. The original contract called for resurfacing of most of the existing access road at the facility with native material, which is not suitable for providing winter access due to fines in the native material. Road repairs to the one-mile access road leading to the facility were not included in the original contract.

In addition to road repairs, work was approved to carry out improvements in the rearing channel to meet new operating requirements by the National Marine Fisheries Service and to improve the rearing channel against flood impacts. These upgrades were not included in the original construction contract.

At present, staff expects additional costs for electrical work and control systems that were not included in the original plan set and bid. The original deadline for construction completion was May 1, 2019 and has been extended to August 31, 2019. There have been significant delays due to long lead times for fabricating the specialized equipment required for the facility upgrade. Staff is targeting September and October for facility start up in order to run the facility without fish at low flows, which is one of the key design conditions that needs to be tested.

IMPACTS ON STAFF AND RESOURCES: Funds for additional contingency expenses, should they occur, would be split over the 2018-19 and 2019-20 Fiscal Years. For FY 2018-19, staff estimates that there will be up to about \$88,000 in unexpended funds for Sleepy Hollow Operations (Budget Program line item 2-3-1) due to construction of the upgrade. Expenditures above that amount in FY2018-19, if any, would come from District reserves. If this item is approved, funds for the additional contingency amount would be included in the FY2019-20 budget.

Several District staff are involved in the upgrade assisting with project management, inspections, permit compliance, fish rescue, revegetation, and monitoring. The work is being performed under the direction of the District Engineer.



Above – installing power conduit in a road at Sleepy Hollow
Below – the muddy road at Sleepy Hollow





Above – a mudhole on the way to the Sleepy Hollow facility
Below – an oak tree across the road into Sleepy Hollow



ITEM: CONSENT CALENDAR**8. CONSIDER EXTENSION OF LOCAL WATER PROJECT GRANT FOR CITY OF SEASIDE LAGUNA GRANDE NON-POTABLE WATER PROJECT**

Meeting Date:	May 20, 2019	Budgeted:	Yes
From:	Dave Stoldt, General Manager	Program/ Line Item No.:	Water Supply Projects 1-10-1
Prepared By:	Dave Stoldt	Cost Estimate:	\$106,900 – Previously approved

General Counsel Approval: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on May 13, 2019 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.

SUMMARY: The District issued the City a \$106,900 grant in 2015 for planning and construction of a non-potable water system that would offset potable supply from the Seaside municipal water system. No grant funds have yet been issued to the City. On May 21, 2018 the District Board approved a two-year extension of the grant to June 30, 2020. The City has now developed a plan approximately as follows:

Sept 2019	Retain Hydrologist
Dec 2019	Design Project
Mar 2020	Solicit Bids & Award Contract
Sept 2020	Construct

As such, the District's extension is not likely to be sufficient to see the project through completion. Staff recommends an additional one-year extension. If approved, the agreement would be extended to June 30, 2021.

RECOMMENDATION: Staff recommends the Board of Directors approve a one-year extension of the Local Water Project Grant for the City of Seaside to June 30, 2021.

IMPACT TO STAFF/RESOURCES: Funds are included in Water Supply Projects, Line Item 1-10-1 "Local Water Projects" in the Fiscal Year 2018-19 budget adopted by the Board of Directors in June 2018. It would be carried over to the 2019-20 budget.

EXHIBIT

None

ITEM: CONSENT CALENDAR**10. DECLARATION OF SURPLUS ASSETS**

Meeting Date:	May 20, 2019	Budgeted:	N/A
From:	David J. Stoldt General Manager	Program/ Line Item No.:	N/A
Prepared By:	Suresh Prasad	Cost Estimate:	N/A

General Counsel Approval: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on May 13, 2019 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 accordance with Article 16, Section 6 of the California Constitution, the District, as a public entity, may dispose of property that it no longer needs provided that such property is transferred for fair and adequate value. The District may establish its own internal controls to ensure that value is accurately assessed. In the event the excess property has no value, the District may establish its own rules and protocol for disposal. On July 21, 2003, the Board of Directors adopted a Policy Regarding Disposal of Surplus Property. The guidelines set forth in the District's policy state that Surplus District property that is determined to have no value may be donated to a non-profit organization that is willing to accept it or disposed of at a landfill or by other appropriate manner. Items listed on **Exhibit 10-A** have been determined to be of no value and needs to be declared as surplus.

RECOMMENDATION: Declare the items listed on **Exhibit 10-A** as surplus assets to be disposed at the Monterey Regional Waste Management District.

EXHIBIT**10-A Surplus List**

	<u>Description</u>	<u>Serial No.</u>
1	NORTEL Audioconferencing Unit	12201586
2	APC Back-UPS 350	JB0226019404
3	HP LaserJet 8100N printer	USKG003471
4	White box computers (2 qty)	no S/N
5	Samsung 20" monitor	MJ19H9NL322371V
6	ACER 22" monitor	4803699342
7	Phillips 15" monitor	BZ000432113256
8	LASICO Series 1280 Digitizer	B88713
9	S300 Scanner	037882
10	S300 Scanner	040024
11	S300 Scanner	039669
12	Dell2950 server	763WLG1
13	Dell2950 server	85MBQG1
14	Overland Autoloader LT03	2B1250012
15	Audiotechno Headphones	1 qty (No S/N)
16	Server rack - 4 post	No S/N
17	UPS battery	9948-6908
18	UPS battery	9949-8324
19	White Box Server	No S/N
20	Nortel telephone handsets	30 qty
21	APC UPS RS800	QB0336331221
22	APC UPS RS800	Q5B0649U13634
23	White Box PC	6 qty
24	Fax Machine	14410091A
25	Steelcase desk chairs	No S/N
26	Samsung Monitor	MY24HNLB400718B
27	N.W. Marine Technology Model MK-IV coded wire fish tag injection machine	S-91-11082
	N.W. Marine Technology Model MK-IV coded wire fish tag injection machine	S-91-11076

ITEM: CONSENT CALENDAR**11. CONSIDER ADOPTION OF TREASURER'S REPORT FOR MARCH 2019**

Meeting Date:	May 20, 2019	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:	Suresh Prasad	Cost Estimate:	N/A
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General Counsel Review: N/A**Committee Recommendation:** The Administrative Committee considered this item on May 13, 2019 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Exhibit 11-A comprises the Treasurer's Report for March 2019. Exhibit 11-B and Exhibit 11-C are listings of check disbursements for the period March 1-31, 2019. Check Nos. 34292 through 34592, the direct deposits of employee's paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$747,995.59. That amount included \$52,319.79 for conservation rebates. Exhibit 11-D reflects the unaudited version of the financial statements for the month ending March 31, 2019.

RECOMMENDATION: District staff recommends adoption of the March 2019 Treasurer's Report and financial statements, and ratification of the disbursements made during the month.

EXHIBITS**11-A** Treasurer's Report**11-B** Listing of Cash Disbursements-Regular**11-C** Listing of Cash Disbursements-Payroll**11-D** Financial Statements

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT FOR MARCH 2019**

<u>Description</u>							PB
	<u>Checking</u>	<u>MPWMD Money Market</u>	<u>L.A.I.F.</u>	<u>Wells Fargo Investments</u>	<u>Multi-Bank Securities</u>	<u>MPWMD Total</u>	<u>Reclamation Money Market</u>
Beginning Balance	\$244,447.57	\$1,243,545.07	\$7,624,025.71	\$1,757,131.74	\$2,256,543.36	\$13,125,693.45	\$289,157.44
Fee Deposits		1,211,873.42				1,211,873.42	294,782.66
MoCo Tax & WS Chg Installment Pymt						0.00	
Interest Received		52.27		3,884.16	3,373.77	7,310.20	14.86
Transfer - Money Market/LAIF		(1,000,000.00)	1,000,000.00			0.00	
Transfer - Money Market/Checking	600,000.00	(600,000.00)				0.00	
Transfer - Money Market/Multi-Bank						0.00	
Transfer - Money Market/Wells Fargo						0.00	
Transfer to CAWD						0.00	
Voided Cks						0.00	
Bank Corrections/Reversals/Errors	(200.00)					(200.00)	
Bank Charges/Other	(564.90)	(30.00)				(594.90)	
Returned Deposits	-	(797.00)				(797.00)	
Payroll Tax/Benefit Deposits	(60,039.67)					(60,039.67)	
Payroll Checks/Direct Deposits	(206,231.67)					(206,231.67)	
General Checks	(406,025.28)					(406,025.28)	
Bank Draft Payments	(74,934.07)					(74,934.07)	
Ending Balance	\$96,451.98	\$854,643.76	\$8,624,025.71	\$1,761,015.90	\$2,259,917.13	\$13,596,054.48	\$583,954.96

Check Report

By Check Number

Date Range: 03/01/2019 - 03/31/2019



Monterey Peninsula Water Management Dist

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK	-Bank of America Checking					
Payment Type: Regular						
01188	Alhambra	03/01/2019	Regular	0.00	139.41	34293
00253	AT&T	03/01/2019	Regular	0.00	771.94	34294
00022	BioAssessment Services	03/01/2019	Regular	0.00	2,450.00	34295
12188	Brown and Caldwell	03/01/2019	Regular	0.00	6,911.03	34296
04726	California Chamber of Commerce	03/01/2019	Regular	0.00	203.68	34297
05370	California Secretary of State	03/01/2019	Regular	0.00	1.50	34298
00243	CalPers Long Term Care Program	03/01/2019	Regular	0.00	50.06	34299
01001	CDW Government	03/01/2019	Regular	0.00	2,098.25	34300
00024	Central Coast Exterminator	03/01/2019	Regular	0.00	104.00	34301
00028	Colantuono, Highsmith, & Whatley, PC	03/01/2019	Regular	0.00	3,708.50	34302
02660	Forestry Suppliers Inc.	03/01/2019	Regular	0.00	1,349.22	34303
05164	GardenSoft	03/01/2019	Regular	0.00	5,000.00	34304
00993	Harris Court Business Park	03/01/2019	Regular	0.00	721.26	34305
00277	Home Depot Credit Services	03/01/2019	Regular	0.00	133.80	34306
00768	ICMA	03/01/2019	Regular	0.00	5,525.09	34307
04717	Inder Osahan	03/01/2019	Regular	0.00	1,218.97	34308
17969	Jordan C. Besson	03/01/2019	Regular	0.00	162.40	34309
06745	KBA Docusys - Lease Payments	03/01/2019	Regular	0.00	947.22	34310
00259	Marina Coast Water District	03/01/2019	Regular	0.00	70.27	34311
00259	Marina Coast Water District	03/01/2019	Regular	0.00	173.52	34312
05829	Mark Bekker	03/01/2019	Regular	0.00	1,018.00	34313
00242	MBAS	03/01/2019	Regular	0.00	3,600.00	34314
12658	McC Campbell Analytical, Inc.	03/01/2019	Regular	0.00	2,156.00	34315
16823	Mercer-Fraser Company	03/01/2019	Regular	0.00	104,785.00	34316
00275	Monterey County Herald	03/01/2019	Regular	0.00	427.91	34317
13396	Navia Benefit Solutions, Inc.	03/01/2019	Regular	0.00	881.26	34318
00755	Peninsula Welding Supply, Inc.	03/01/2019	Regular	0.00	64.50	34319
00282	PG&E	03/01/2019	Regular	0.00	10,063.93	34320
06746	POSTMASTER	03/01/2019	Regular	0.00	235.00	34321
13430	Premiere Global Services	03/01/2019	Regular	0.00	46.42	34322
07627	Purchase Power	03/01/2019	Regular	0.00	500.00	34323
13394	Regional Government Services	03/01/2019	Regular	0.00	10,319.60	34324
00251	Rick Dickhaut	03/01/2019	Regular	0.00	531.50	34325
01020	Sara Reyes - Petty Cash Custodian	03/01/2019	Regular	0.00	229.27	34326
09989	Star Sanitation Services	03/01/2019	Regular	0.00	88.76	34327
09425	The Ferguson Group LLC	03/01/2019	Regular	0.00	77.16	34328
00269	U.S. Bank	03/01/2019	Regular	0.00	2,161.16	34329
00207	Universal Staffing Inc.	03/01/2019	Regular	0.00	1,451.31	34330
00994	Whitson Engineers	03/01/2019	Regular	0.00	66.00	34331
08105	Yolanda Munoz	03/01/2019	Regular	0.00	540.00	34332
15399	Accela Inc.	03/11/2019	Regular	0.00	3,916.66	34427
00763	ACWA-JPIA	03/11/2019	Regular	0.00	400.75	34428
00767	AFLAC	03/11/2019	Regular	0.00	1,207.44	34429
00253	AT&T	03/11/2019	Regular	0.00	4,030.45	34430
00252	Cal-Am Water	03/11/2019	Regular	0.00	116.84	34431
00252	Cal-Am Water	03/11/2019	Regular	0.00	84.48	34432
11822	CSC	03/11/2019	Regular	0.00	2,000.00	34433
00225	Escalon Services c/o Palace Business Solutions	03/11/2019	Regular	0.00	139.52	34434
00986	Henrietta Stern	03/11/2019	Regular	0.00	1,218.97	34435
00277	Home Depot Credit Services	03/11/2019	Regular	0.00	116.46	34436
00223	Martins Irrigation Supply	03/11/2019	Regular	0.00	141.48	34437
07418	McMaster-Carr	03/11/2019	Regular	0.00	45.17	34438
00078	Michael Hutnak	03/11/2019	Regular	0.00	4,660.00	34439

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Check Report**Date Range: 03/01/2019 - 03/31/2019**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00118	Monterey Bay Carpet & Janitorial Svc	03/11/2019	Regular	0.00	1,000.00	34440
08700	Monterey Regional Waste Management District	03/11/2019	Regular	0.00	40.92	34441
13396	Navia Benefit Solutions, Inc.	03/11/2019	Regular	0.00	70.00	34442
04032	Normandeau Associates, Inc.	03/11/2019	Regular	0.00	1,202.50	34443
00154	Peninsula Messenger Service	03/11/2019	Regular	0.00	262.00	34444
00755	Peninsula Welding Supply, Inc.	03/11/2019	Regular	0.00	247.44	34445
00282	PG&E	03/11/2019	Regular	0.00	1,992.61	34446
00262	Pure H2O	03/11/2019	Regular	0.00	65.24	34447
00233	Rana Creek Habitat	03/11/2019	Regular	0.00	21.12	34448
13394	Regional Government Services	03/11/2019	Regular	0.00	3,442.80	34449
00283	SHELL	03/11/2019	Regular	0.00	579.05	34450
04709	Sherron Forsgren	03/11/2019	Regular	0.00	736.35	34451
00258	TBC Communications & Media	03/11/2019	Regular	0.00	3,500.00	34452
00207	Universal Staffing Inc.	03/11/2019	Regular	0.00	1,701.46	34453
00271	UPEC, Local 792	03/11/2019	Regular	0.00	1,092.50	34454
00221	Verizon Wireless	03/11/2019	Regular	0.00	1,013.23	34455
00754	Zone24x7	03/11/2019	Regular	0.00	2,522.00	34456
00249	A.G. Davi, LTD	03/15/2019	Regular	0.00	395.00	34461
00036	Bill Parham	03/15/2019	Regular	0.00	650.00	34462
00252	Cal-Am Water	03/15/2019	Regular	0.00	200.94	34463
00243	CalPers Long Term Care Program	03/15/2019	Regular	0.00	50.06	34464
01001	CDW Government	03/15/2019	Regular	0.00	1,077.00	34465
00281	CoreLogic Information Solutions, Inc.	03/15/2019	Regular	0.00	940.66	34466
06001	Cypress Coast Ford	03/15/2019	Regular	0.00	369.94	34467
00094	John Arriaga	03/15/2019	Regular	0.00	2,500.00	34468
06999	KBA Docusys	03/15/2019	Regular	0.00	204.43	34469
00259	Marina Coast Water District	03/15/2019	Regular	0.00	324.30	34470
00259	Marina Coast Water District	03/15/2019	Regular	0.00	447.40	34471
07418	McMaster-Carr	03/15/2019	Regular	0.00	86.70	34472
00282	PG&E	03/15/2019	Regular	0.00	10.52	34473
00282	PG&E	03/15/2019	Regular	0.00	275.20	34474
06746	POSTMASTER	03/15/2019	Regular	0.00	92.00	34475
00207	Universal Staffing Inc.	03/15/2019	Regular	0.00	1,741.44	34476
05378	Water Awareness Committee	03/15/2019	Regular	0.00	2,000.00	34477
00760	Andy Bell	03/25/2019	Regular	0.00	684.00	34512
00253	AT&T	03/25/2019	Regular	0.00	771.94	34513
00230	Cisco WebEx, LLC	03/25/2019	Regular	0.00	49.00	34514
04041	Cynthia Schmidlin	03/25/2019	Regular	0.00	691.33	34515
00041	Denise Duffy & Assoc. Inc.	03/25/2019	Regular	0.00	13,012.00	34516
00192	Extra Space Storage	03/25/2019	Regular	0.00	869.00	34517
00758	FedEx	03/25/2019	Regular	0.00	124.40	34518
02660	Forestry Suppliers Inc.	03/25/2019	Regular	0.00	51.79	34519
03857	Joe Oliver	03/25/2019	Regular	0.00	1,218.97	34520
13431	Lynx Technologies, Inc	03/25/2019	Regular	0.00	1,275.00	34521
00222	M.J. Murphy	03/25/2019	Regular	0.00	34.34	34522
00118	Monterey Bay Carpet & Janitorial Svc	03/25/2019	Regular	0.00	400.00	34523
00282	PG&E	03/25/2019	Regular	0.00	20.91	34524
00176	Sentry Alarm Systems	03/25/2019	Regular	0.00	125.50	34525
00283	SHELL	03/25/2019	Regular	0.00	198.88	34526
09351	Tetra Tech, Inc.	03/25/2019	Regular	0.00	2,618.18	34527
00207	Universal Staffing Inc.	03/25/2019	Regular	0.00	1,749.44	34528
08105	Yolanda Munoz	03/25/2019	Regular	0.00	540.00	34529
01188	Alhambra	03/29/2019	Regular	0.00	149.23	34554
01015	American Lock & Key	03/29/2019	Regular	0.00	7.37	34555
00243	CalPers Long Term Care Program	03/29/2019	Regular	0.00	50.06	34556
01001	CDW Government	03/29/2019	Regular	0.00	2,635.75	34557
00024	Central Coast Exterminator	03/29/2019	Regular	0.00	104.00	34558
00046	De Lay & Laredo	03/29/2019	Regular	0.00	28,189.50	34559
00761	Delores Cofer	03/29/2019	Regular	0.00	664.00	34560
00758	FedEx	03/29/2019	Regular	0.00	35.02	34561
02660	Forestry Suppliers Inc.	03/29/2019	Regular	0.00	102.65	34562

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Check Report**Date Range: 03/01/2019 - 03/31/2019**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00993	Harris Court Business Park	03/29/2019	Regular	0.00	721.26	34563
18128	Healthworks Medical Group, PC	03/29/2019	Regular	0.00	130.00	34564
00277	Home Depot Credit Services	03/29/2019	Regular	0.00	24.30	34565
00768	ICMA	03/29/2019	Regular	0.00	5,525.09	34566
04717	Inder Osahan	03/29/2019	Regular	0.00	1,218.97	34567
06745	KBA Docusys - Lease Payments	03/29/2019	Regular	0.00	947.22	34568
05830	Larry Hampson	03/29/2019	Regular	0.00	380.15	34569
00117	Marina Backflow Company	03/29/2019	Regular	0.00	75.00	34570
05829	Mark Bekker	03/29/2019	Regular	0.00	1,018.00	34571
01002	Monterey County Clerk	03/29/2019	Regular	0.00	50.00	34572
13396	Navia Benefit Solutions, Inc.	03/29/2019	Regular	0.00	881.26	34573
00282	PG&E	03/29/2019	Regular	0.00	10.52	34574
00282	PG&E	03/29/2019	Regular	0.00	8.37	34575
00282	PG&E	03/29/2019	Regular	0.00	8,317.00	34576
04736	Pitney Bowes Global Financial Svc, LLC	03/29/2019	Regular	0.00	378.00	34577
06000	Potter's Electronics	03/29/2019	Regular	0.00	114.70	34578
00752	Professional Liability Insurance Service	03/29/2019	Regular	0.00	76.88	34579
00159	Pueblo Water Resources, Inc.	03/29/2019	Regular	0.00	15,568.85	34580
00251	Rick Dickhaut	03/29/2019	Regular	0.00	531.50	34581
17968	Rutan & Tucker, LLP	03/29/2019	Regular	0.00	16,050.00	34582
00766	Standard Insurance Company	03/29/2019	Regular	0.00	1,548.78	34583
09989	Star Sanitation Services	03/29/2019	Regular	0.00	71.01	34584
09425	The Ferguson Group LLC	03/29/2019	Regular	0.00	8,000.00	34585
00269	U.S. Bank	03/29/2019	Regular	0.00	11,660.47	34586
	Void	03/29/2019	Regular	0.00	0.00	34587
	Void	03/29/2019	Regular	0.00	0.00	34588
00207	Universal Staffing Inc.	03/29/2019	Regular	0.00	1,845.20	34589
07769	University Corporation at Ryan Ranch	03/29/2019	Regular	0.00	839.71	34590
00221	Verizon Wireless	03/29/2019	Regular	0.00	846.01	34591
18163	Wex Bank	03/29/2019	Regular	0.00	579.05	34592
Total Regular:					353,705.49	

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Check Report**Date Range: 03/01/2019 - 03/31/2019**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Bank Draft						
00266	I.R.S.	03/01/2019	Bank Draft	0.00	11,428.43	DFT0001342
00266	I.R.S.	03/01/2019	Bank Draft	0.00	2,653.14	DFT0001343
00267	Employment Development Dept.	03/01/2019	Bank Draft	0.00	4,440.31	DFT0001344
00266	I.R.S.	03/01/2019	Bank Draft	0.00	163.68	DFT0001345
00256	PERS Retirement	03/01/2019	Bank Draft	0.00	15,301.81	DFT0001347
00266	I.R.S.	03/15/2019	Bank Draft	0.00	13,390.79	DFT0001349
00266	I.R.S.	03/15/2019	Bank Draft	0.00	2,812.68	DFT0001350
00267	Employment Development Dept.	03/15/2019	Bank Draft	0.00	5,275.93	DFT0001351
00266	I.R.S.	03/15/2019	Bank Draft	0.00	323.72	DFT0001352
00266	I.R.S.	03/15/2019	Bank Draft	0.00	31.34	DFT0001354
00266	I.R.S.	03/15/2019	Bank Draft	0.00	133.92	DFT0001355
00769	Laborers Trust Fund of Northern CA	03/13/2019	Bank Draft	0.00	27,830.00	DFT0001356
00266	I.R.S.	03/29/2019	Bank Draft	0.00	11,788.50	DFT0001358
00266	I.R.S.	03/29/2019	Bank Draft	0.00	2,751.36	DFT0001359
00267	Employment Development Dept.	03/29/2019	Bank Draft	0.00	4,537.91	DFT0001360
00266	I.R.S.	03/29/2019	Bank Draft	0.00	307.96	DFT0001361
00256	PERS Retirement	03/15/2019	Bank Draft	0.00	15,611.33	DFT0001362
00237	Chevron	03/29/2019	Bank Draft	0.00	579.60	DFT0001370
00256	PERS Retirement	03/29/2019	Bank Draft	0.00	15,611.33	DFT0001377
Total Bank Draft:					134,973.74	

	Bank Code APBNK	Summary		
Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	222	142	0.00	353,705.49
Manual Checks	0	0	0.00	0.00
Voided Checks	0	2	0.00	0.00
Bank Drafts	31	19	0.00	134,973.74
EFT's	0	0	0.00	0.00
	253	163	0.00	488,679.23

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Check Report**Date Range: 03/01/2019 - 03/31/2019**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: REBATES-02-Rebates: Use Only For Rebates						
Payment Type: Regular						
17832	SHEREE HOFFMAN SMITH	03/08/2019	Regular	0.00	-625.00	33862
18086	Richard Aiello	03/22/2019	Regular	0.00	-1,075.00	34333
18086	Richard Aiello	03/11/2019	Regular	0.00	1,075.00	34333
18050	A & Z Apartments	03/11/2019	Regular	0.00	1,000.00	34334
18036	Aaron Hipschman	03/11/2019	Regular	0.00	500.00	34335
18051	ANTHONY J AMARANTE	03/11/2019	Regular	0.00	500.00	34336
18096	BETTY J & BOBBY SR JOHNSON	03/11/2019	Regular	0.00	75.00	34337
18124	BRIAN WILKINS	03/11/2019	Regular	0.00	500.00	34338
18105	CATH TENDLER	03/11/2019	Regular	0.00	150.00	34339
18097	CHARLES CHA	03/11/2019	Regular	0.00	225.00	34340
18052	Custom House Realty	03/11/2019	Regular	0.00	225.00	34341
18022	Custom House Realty & Property Mgt.	03/11/2019	Regular	0.00	75.00	34342
18053	DAVID FISHER	03/11/2019	Regular	0.00	75.00	34343
18101	DEBORAH CHUN	03/11/2019	Regular	0.00	500.00	34344
18037	DELIA FORSCHINO	03/11/2019	Regular	0.00	500.00	34345
18023	DINA NASRALLAH	03/11/2019	Regular	0.00	150.00	34346
18126	DUKE KELSO	03/11/2019	Regular	0.00	675.00	34347
18058	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	500.00	34348
18061	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	500.00	34349
18065	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	500.00	34350
18059	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	500.00	34351
18063	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	500.00	34352
18056	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	125.00	34353
18057	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	125.00	34354
18062	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	500.00	34355
18066	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	500.00	34356
18060	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	500.00	34357
18064	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	500.00	34358
18055	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	125.00	34359
18054	Ecology Action of Santa Cruz	03/11/2019	Regular	0.00	125.00	34360
18067	ELEANOR G MILLER	03/11/2019	Regular	0.00	75.00	34361
18108	Elizabeth Chen C/O Peninsula Group Realty	03/11/2019	Regular	0.00	1,000.00	34362
18068	ESTHER GIORDANO-PACI	03/11/2019	Regular	0.00	500.00	34363
18118	FRANK BOTTERO	03/11/2019	Regular	0.00	75.00	34364
18070	George COVELL	03/11/2019	Regular	0.00	500.00	34365
18038	HANNAH BELL	03/11/2019	Regular	0.00	500.00	34366
18071	HARRY PITKOFF	03/11/2019	Regular	0.00	75.00	34367
18072	Helen Pavis	03/11/2019	Regular	0.00	125.00	34368
18032	ISHKA JENSON	03/11/2019	Regular	0.00	125.00	34369
18098	JAMES LOPEZ	03/11/2019	Regular	0.00	125.00	34370
18122	James Krehbiel	03/11/2019	Regular	0.00	500.00	34371
18073	JEANNA WEINERTH	03/11/2019	Regular	0.00	75.00	34372
18033	JEFF MILLIKAN	03/11/2019	Regular	0.00	125.00	34373
18074	Jesse Keingsiri	03/11/2019	Regular	0.00	500.00	34374
18094	JOE OLMO	03/11/2019	Regular	0.00	75.00	34375
18123	JOHN DRUM	03/11/2019	Regular	0.00	500.00	34376
18075	JOHN & TRACEY L ADAMS	03/11/2019	Regular	0.00	150.00	34377
18076	JOHN ADAMO	03/11/2019	Regular	0.00	6.99	34378
18048	JORGE TONG	03/11/2019	Regular	0.00	125.00	34379
18077	JOYCE SHANKO	03/11/2019	Regular	0.00	700.00	34380
18024	JUDITH GONZALES	03/11/2019	Regular	0.00	150.00	34381
18078	Juerg Baenziger	03/11/2019	Regular	0.00	500.00	34382
18100	Julie Gorman	03/11/2019	Regular	0.00	500.00	34383
18039	KATHLEEN RIEGEL	03/11/2019	Regular	0.00	500.00	34384
18099	KAY SULLIVAN	03/11/2019	Regular	0.00	125.00	34385
18079	Keith Reese	03/11/2019	Regular	0.00	500.00	34386
18120	KENNETH MONROE	03/11/2019	Regular	0.00	625.00	34387
18080	Lindsay Peelman	03/11/2019	Regular	0.00	-625.00	34388
18080	Lindsay Peelman	03/11/2019	Regular	0.00	625.00	34388

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Check Report**Date Range: 03/01/2019 - 03/31/2019**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
18081	KITJA & GLENN WALKER	03/11/2019	Regular	0.00	800.00	34389
18040	Krystal Giacomelli	03/11/2019	Regular	0.00	500.00	34390
18121	KYUNGWHA THOMAS	03/11/2019	Regular	0.00	125.00	34391
18034	LAKE ROYAL	03/11/2019	Regular	0.00	125.00	34392
18095	LESLIE S & GEOFFREY S PETRY	03/11/2019	Regular	0.00	775.00	34393
18041	LESTER BROWN	03/11/2019	Regular	0.00	500.00	34394
18025	LYNN MONCHER	03/11/2019	Regular	0.00	75.00	34395
18104	MANUEL REAL	03/11/2019	Regular	0.00	648.00	34396
18119	Manuel Fierro	03/11/2019	Regular	0.00	125.00	34397
18103	Marcia Meaux or Roger Gayman	03/11/2019	Regular	0.00	200.00	34398
18082	Mariana Giusti-Rodriguez	03/11/2019	Regular	0.00	500.00	34399
18125	MATTHEW & EMILY HESS	03/11/2019	Regular	0.00	500.00	34400
18093	MAUREEN CLINE TRS	03/11/2019	Regular	0.00	750.00	34401
18026	MEL JR & PAMELA SOARES	03/11/2019	Regular	0.00	75.00	34402
18027	Nancy Amos	03/11/2019	Regular	0.00	75.00	34403
18049	Nicole Seidel	03/11/2019	Regular	0.00	498.00	34404
18083	Norma Gonzalez	03/11/2019	Regular	0.00	500.00	34405
18084	Patrick Simmons	03/11/2019	Regular	0.00	500.00	34406
18085	PAUL OELFKE	03/11/2019	Regular	0.00	125.00	34407
18047	Richard Avila	03/11/2019	Regular	0.00	75.00	34408
18087	Robert McStavick	03/11/2019	Regular	0.00	500.00	34409
18088	ROBIN ANDREW	03/11/2019	Regular	0.00	500.00	34410
18089	RONNIE CAPILI	03/11/2019	Regular	0.00	648.00	34411
18042	SAMUEL KAIS	03/11/2019	Regular	0.00	500.00	34412
18028	SANDRA WILLIAMS	03/11/2019	Regular	0.00	150.00	34413
18043	Sandra Stella	03/11/2019	Regular	0.00	500.00	34414
18044	SARAH MURPHY	03/11/2019	Regular	0.00	500.00	34415
18035	SEBASTIAN CRIVELLO	03/11/2019	Regular	0.00	125.00	34416
17832	SHEREE HOFFMAN SMITH	03/29/2019	Regular	0.00	-625.00	34417
17832	SHEREE HOFFMAN SMITH	03/11/2019	Regular	0.00	625.00	34417
18091	Sidney Smith	03/11/2019	Regular	0.00	1,000.00	34418
18045	TAMI B SOJKA	03/11/2019	Regular	0.00	450.00	34419
18106	Timothy Mayerhofer	03/11/2019	Regular	0.00	500.00	34420
18029	VICTOR WHITESIDE	03/11/2019	Regular	0.00	75.00	34421
18102	William Merry	03/11/2019	Regular	0.00	500.00	34422
18107	WILLIAM PHILLIPS	03/11/2019	Regular	0.00	500.00	34423
18030	WILLIAM TUCKER	03/11/2019	Regular	0.00	150.00	34424
18092	YIJUN ZHU	03/11/2019	Regular	0.00	200.00	34425
18031	Yutaka Takesaka	03/11/2019	Regular	0.00	75.00	34426
18142	ADRIAN HUCKLE	03/22/2019	Regular	0.00	500.00	34478
18143	AMY VICKREY	03/22/2019	Regular	0.00	497.70	34479
18156	ANDREW P AUSONIO	03/22/2019	Regular	0.00	500.00	34480
18137	ANITA BORREGO	03/22/2019	Regular	0.00	125.00	34481
18152	CAROL BRUNO	03/22/2019	Regular	0.00	125.00	34482
18160	CYNTHIA BRUNO	03/22/2019	Regular	0.00	150.00	34483
18161	CYNTHIA BRUNO	03/22/2019	Regular	0.00	675.00	34484
18144	DANIEL COONEY	03/22/2019	Regular	0.00	75.00	34485
18133	David or Carlene White	03/22/2019	Regular	0.00	125.00	34486
18145	Debbie Britz	03/22/2019	Regular	0.00	75.00	34487
18130	Debra Silva	03/22/2019	Regular	0.00	75.00	34488
18132	DENNIS W SUTTON	03/22/2019	Regular	0.00	75.00	34489
18131	EVERETT MESSINGER	03/22/2019	Regular	0.00	75.00	34490
18146	GARY NAKAMURA	03/22/2019	Regular	0.00	75.00	34491
18154	GREG & CLAUDIA HEYDEMAN	03/22/2019	Regular	0.00	125.00	34492
18140	JEAN DI MANTO	03/22/2019	Regular	0.00	500.00	34493
18157	Jeff Jaksha	03/22/2019	Regular	0.00	500.00	34494
18158	John Fallon	03/22/2019	Regular	0.00	500.00	34495
18147	JOSIE YBARRO	03/22/2019	Regular	0.00	75.00	34496
18139	KRISTINE HOYER	03/22/2019	Regular	0.00	500.00	34497
18155	KYLE BURRITT	03/22/2019	Regular	0.00	125.00	34498
18080	Lindsay Peelman	03/22/2019	Regular	0.00	625.00	34499

EXHIBIT 11-B

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Check Report**Date Range: 03/01/2019 - 03/31/2019**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
18159	LINN WILLIAMS	03/22/2019	Regular	0.00	500.00	34500
18148	MARIO VILLACRES	03/22/2019	Regular	0.00	75.00	34501
18138	MICHAEL HITCHCOCK	03/22/2019	Regular	0.00	125.00	34502
18135	MOJTABA MASSOUDI	03/22/2019	Regular	0.00	125.00	34503
18136	PATRICIA LURIE	03/22/2019	Regular	0.00	125.00	34504
18086	Richard Aiello	03/22/2019	Regular	0.00	1,075.00	34505
18149	ROBERT RIDDLE	03/22/2019	Regular	0.00	75.00	34506
18141	ROBERT S JAQUES	03/22/2019	Regular	0.00	500.00	34507
18150	ROD SCHINNERER	03/22/2019	Regular	0.00	75.00	34508
18134	RONALD CORTOPASSI	03/22/2019	Regular	0.00	125.00	34509
18151	WALTER FURTADO	03/22/2019	Regular	0.00	75.00	34510
18162	WILLIAM MATSUYAMA	03/22/2019	Regular	0.00	500.00	34511
18169	ANAND STORY	03/29/2019	Regular	0.00	500.00	34532
18164	CHARLES PANEK	03/29/2019	Regular	0.00	75.00	34533
18170	DIANNE SORENSEN	03/29/2019	Regular	0.00	500.00	34534
18179	EDMUND GROSS	03/29/2019	Regular	0.00	125.00	34535
18183	FREDERICK MOHR	03/29/2019	Regular	0.00	625.00	34536
18165	GLORIA GAMBALE	03/29/2019	Regular	0.00	75.00	34537
18171	GREGORY LEE	03/29/2019	Regular	0.00	500.00	34538
18172	Igor Cesar	03/29/2019	Regular	0.00	500.00	34539
18182	JAMES RICHARDS	03/29/2019	Regular	0.00	449.00	34540
18180	JAMES D RICHARDS	03/29/2019	Regular	0.00	250.00	34541
18173	JOSEPH VRHEL	03/29/2019	Regular	0.00	447.10	34542
18174	KIM RINEHART	03/29/2019	Regular	0.00	500.00	34543
18175	LARS BJORKMAN	03/29/2019	Regular	0.00	500.00	34544
18166	MARK HERBST	03/29/2019	Regular	0.00	75.00	34545
18176	MICHAEL HARRIS	03/29/2019	Regular	0.00	500.00	34546
18177	ROBERT LYON	03/29/2019	Regular	0.00	500.00	34547
18184	SEDIGH MOINZADEH	03/29/2019	Regular	0.00	625.00	34548
17832	SHEREE HOFFMAN SMITH	03/29/2019	Regular	0.00	625.00	34549
18178	Travis Clifton	03/29/2019	Regular	0.00	500.00	34550
18167	VALERIE JENSEN	03/29/2019	Regular	0.00	150.00	34551
18185	VENTURA & MARY MANUGUERRA	03/29/2019	Regular	0.00	2,000.00	34552
18168	Wesley Truscott	03/29/2019	Regular	0.00	200.00	34553
Total Regular:					52,319.79	

Bank Code REBATES-02 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	150	150	0.00	55,269.79
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	-2,950.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	150	154	0.00	52,319.79

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	372	292	0.00	408,975.28
Manual Checks	0	0	0.00	0.00
Voided Checks	0	6	0.00	-2,950.00
Bank Drafts	31	19	0.00	134,973.74
EFT's	0	0	0.00	0.00
	403	317	0.00	540,999.02

Fund Summary

Fund	Name	Period	Amount
99	POOL CASH FUND	3/2019	540,999.02
			540,999.02

EXHIBIT 11-C

Monterey Peninsula Water Management Dist

Payroll Bank Transaction Report - MPWMD

By Payment Number

Date: 3/1/2019 - 3/31/2019

Payroll Set: 01 - Monterey Peninsula Water Management District

Payment Number	Payment Date	Payment Type	Employee Number	Employee Name	Check Amount	Direct Deposit Amount	Total Payment
4253	03/01/2019	Regular	1024	Stoldt, David J	0.00	5,719.01	5,719.01
4254	03/01/2019	Regular	1025	Tavani, Arlene M	0.00	2,087.57	2,087.57
4255	03/01/2019	Regular	1044	Bennett, Corryn D	0.00	2,620.52	2,620.52
4256	03/01/2019	Regular	1006	Dudley, Mark A	0.00	2,644.33	2,644.33
4257	03/01/2019	Regular	1018	Prasad, Suresh	0.00	4,257.22	4,257.22
4258	03/01/2019	Regular	1019	Reyes, Sara C	0.00	1,765.97	1,765.97
4259	03/01/2019	Regular	1045	Atkins, Daniel N	0.00	1,793.58	1,793.58
4260	03/01/2019	Regular	1005	Christensen, Thomas T	0.00	3,186.93	3,186.93
4261	03/01/2019	Regular	1042	Hamilton, Maureen C.	0.00	3,148.80	3,148.80
4262	03/01/2019	Regular	1008	Hampson, Larry M	0.00	3,077.69	3,077.69
4263	03/01/2019	Regular	1009	James, Gregory W	0.00	3,297.60	3,297.60
4264	03/01/2019	Regular	1011	Lear, Jonathan P	0.00	3,717.07	3,717.07
4265	03/01/2019	Regular	1012	Lindberg, Thomas L	0.00	2,512.37	2,512.37
4266	03/01/2019	Regular	6035	Besson, Jordan C.	0.00	1,080.11	1,080.11
4267	03/01/2019	Regular	1004	Chaney, Beverly M	0.00	2,529.25	2,529.25
4268	03/01/2019	Regular	1007	Hamilton, Cory R	0.00	2,226.74	2,226.74
4269	03/01/2019	Regular	1043	Suwada, Joseph	0.00	2,081.07	2,081.07
4270	03/01/2019	Regular	1026	Urquhart, Kevan A	0.00	2,209.62	2,209.62
4271	03/01/2019	Regular	1001	Ayala, Gabriela D	0.00	2,435.22	2,435.22
4272	03/01/2019	Regular	1010	Kister, Stephanie L	0.00	2,682.48	2,682.48
4273	03/01/2019	Regular	1017	Locke, Stephanie L	0.00	3,457.08	3,457.08
4274	03/01/2019	Regular	1040	Smith, Kyle	0.00	2,078.64	2,078.64
4275	03/01/2019	Regular	1047	Timmer, Christopher	0.00	1,907.20	1,907.20
4276	03/15/2019	Regular	1024	Stoldt, David J	0.00	5,742.07	5,742.07
4277	03/15/2019	Regular	1025	Tavani, Arlene M	0.00	2,360.96	2,360.96
4278	03/15/2019	Regular	1044	Bennett, Corryn D	0.00	2,697.80	2,697.80
4279	03/15/2019	Regular	1006	Dudley, Mark A	0.00	3,304.13	3,304.13
4280	03/15/2019	Regular	1018	Prasad, Suresh	0.00	4,369.01	4,369.01
4281	03/15/2019	Regular	1019	Reyes, Sara C	0.00	2,041.16	2,041.16
4282	03/15/2019	Regular	1045	Atkins, Daniel N	0.00	1,846.52	1,846.52
4283	03/15/2019	Regular	1005	Christensen, Thomas T	0.00	3,392.54	3,392.54
4284	03/15/2019	Regular	1042	Hamilton, Maureen C.	0.00	3,339.89	3,339.89
4285	03/15/2019	Regular	1008	Hampson, Larry M	0.00	4,127.92	4,127.92
4286	03/15/2019	Regular	1009	James, Gregory W	0.00	3,352.67	3,352.67
4287	03/15/2019	Regular	1011	Lear, Jonathan P	0.00	3,900.32	3,900.32
4288	03/15/2019	Regular	1012	Lindberg, Thomas L	0.00	2,746.52	2,746.52
4289	03/15/2019	Regular	1048	Lumas, Eric M	0.00	1,698.85	1,698.85
4290	03/15/2019	Regular	6035	Besson, Jordan C.	0.00	1,080.11	1,080.11
4291	03/15/2019	Regular	1004	Chaney, Beverly M	0.00	2,802.52	2,802.52
4292	03/15/2019	Regular	1007	Hamilton, Cory R	0.00	2,515.14	2,515.14
4293	03/15/2019	Regular	1043	Suwada, Joseph	0.00	2,060.72	2,060.72
4294	03/15/2019	Regular	1026	Urquhart, Kevan A	0.00	3,153.05	3,153.05
4295	03/15/2019	Regular	1001	Ayala, Gabriela D	0.00	2,905.45	2,905.45
4296	03/15/2019	Regular	1010	Kister, Stephanie L	0.00	2,998.99	2,998.99
4297	03/15/2019	Regular	1017	Locke, Stephanie L	0.00	3,653.23	3,653.23
4298	03/15/2019	Regular	1040	Smith, Kyle	0.00	2,129.04	2,129.04
4299	03/15/2019	Regular	1047	Timmer, Christopher	0.00	2,043.08	2,043.08
4300	03/15/2019	Regular	7015	Adams, Mary L	0.00	124.67	124.67
4301	03/15/2019	Regular	7014	Evans, Molly F	0.00	374.02	374.02
4302	03/15/2019	Regular	7018	Riley, George T	0.00	124.67	124.67
4303	03/29/2019	Regular	1024	Stoldt, David J	0.00	5,720.87	5,720.87
4304	03/29/2019	Regular	1025	Tavani, Arlene M	0.00	2,089.95	2,089.95
4305	03/29/2019	Regular	1044	Bennett, Corryn D	0.00	2,623.32	2,623.32
4306	03/29/2019	Regular	1006	Dudley, Mark A	0.00	2,646.64	2,646.64
4307	03/29/2019	Regular	1018	Prasad, Suresh	0.00	4,259.54	4,259.54
4308	03/29/2019	Regular	1019	Reyes, Sara C	0.00	1,768.84	1,768.84
4309	03/29/2019	Regular	1045	Atkins, Daniel N	0.00	1,795.96	1,795.96

Payment Number	EXHIBIT 11-C		Employee Number	Employee Name	Direct Deposit		Total Payment
	Payment Date	Payment Type			Check Amount	Amount ⁵⁶	
4310	03/29/2019	Regular	1005	Christensen, Thomas T	0.00	3,189.30	3,189.30
4311	03/29/2019	Regular	1042	Hamilton, Maureen C.	0.00	3,151.17	3,151.17
4312	03/29/2019	Regular	1008	Hampson, Larry M	0.00	3,079.95	3,079.95
4313	03/29/2019	Regular	1009	James, Gregory W	0.00	3,300.32	3,300.32
4314	03/29/2019	Regular	1011	Lear, Jonathan P	0.00	3,719.39	3,719.39
4315	03/29/2019	Regular	1012	Lindberg, Thomas L	0.00	2,514.68	2,514.68
4316	03/29/2019	Regular	1048	Lumas, Eric M	0.00	1,808.35	1,808.35
4317	03/29/2019	Regular	6035	Besson, Jordan C.	0.00	1,067.58	1,067.58
4318	03/29/2019	Regular	1004	Chaney, Beverly M	0.00	2,532.06	2,532.06
4319	03/29/2019	Regular	1007	Hamilton, Cory R	0.00	2,229.06	2,229.06
4320	03/29/2019	Regular	1043	Suwada, Joseph	0.00	1,833.89	1,833.89
4321	03/29/2019	Regular	1026	Urquhart, Kevan A	0.00	2,211.94	2,211.94
4322	03/29/2019	Regular	1001	Ayala, Gabriela D	0.00	2,437.89	2,437.89
4323	03/29/2019	Regular	1010	Kister, Stephanie L	0.00	2,685.27	2,685.27
4324	03/29/2019	Regular	1017	Locke, Stephanie L	0.00	3,459.33	3,459.33
4325	03/29/2019	Regular	1040	Smith, Kyle	0.00	2,080.96	2,080.96
4326	03/29/2019	Regular	1047	Timmer, Christopher	0.00	1,995.20	1,995.20
34292	03/01/2019	Regular	1046	Whitmore, Cortina	1,306.57	750.00	2,056.57
34457	03/15/2019	Regular	6047	Rodriguez, Isaac	1,057.82	0.00	1,057.82
34458	03/15/2019	Regular	1046	Whitmore, Cortina	1,357.88	750.00	2,107.88
34459	03/15/2019	Regular	7007	Byrne, Jeannie	124.67	0.00	124.67
34460	03/15/2019	Regular	7009	Edwards, Alvin	249.34	0.00	249.34
34530	03/29/2019	Regular	6047	Rodriguez, Isaac	973.78	0.00	973.78
34531	03/29/2019	Regular	1046	Whitmore, Cortina	1,309.03	750.00	2,059.03
Totals:					6,379.09	199,852.58	206,231.67



Monterey Peninsula Water Management Dist

Statement of Revenue Over Expense - No Decimals

Group Summary

For Fiscal: 2018-2019 Period Ending: 03/31/2019

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Revenue								
R100 - Water Supply Charge	0	283,333	-283,333	0.00 %	1,930,663	3,400,000	-1,469,337	56.78 %
R120 - Property Taxes Revenues	0	162,481	-162,481	0.00 %	1,062,370	1,950,000	-887,630	54.48 %
R130 - User Fees	337,308	374,967	-37,659	89.96 %	3,117,128	4,500,000	-1,382,872	69.27 %
R140 - Connection Charges	19,156	37,500	-18,344	51.08 %	496,776	450,000	46,776	110.39 %
R150 - Permit Processing Fee	27,113	14,578	12,536	185.99 %	188,659	175,000	13,659	107.81 %
R160 - Well Registration Fee	100	0	100	0.00 %	1,325	0	1,325	0.00 %
R190 - WDS Permits Rule 21	600	4,667	-4,067	12.86 %	14,500	56,000	-41,500	25.89 %
R200 - Recording Fees	663	1,665	-1,002	39.81 %	3,011	20,000	-16,989	15.06 %
R210 - Legal Fees	150	1,333	-1,183	11.25 %	2,850	16,000	-13,150	17.81 %
R220 - Copy Fee	0	0	0	0.00 %	203	0	203	0.00 %
R230 - Miscellaneous - Other	275	1,250	-975	21.96 %	1,444	15,000	-13,556	9.63 %
R240 - Insurance Refunds	0	0	0	0.00 %	19	0	19	0.00 %
R250 - Interest Income	7,310	14,999	-7,689	48.74 %	150,583	180,000	-29,417	83.66 %
R260 - CAW - ASR	0	40,950	-40,950	0.00 %	-34,411	491,600	-526,011	-7.00 %
R270 - CAW - Rebates	19,265	80,801	-61,536	23.84 %	489,589	970,000	-480,411	50.47 %
R290 - CAW - Miscellaneous	0	3,749	-3,749	0.00 %	0	45,000	-45,000	0.00 %
R300 - Watermaster	0	4,548	-4,548	0.00 %	15,170	54,600	-39,430	27.78 %
R308 - Reclamation Project	0	1,666	-1,666	0.00 %	0	20,000	-20,000	0.00 %
R310 - Other Reimbursements	0	14,057	-14,057	0.00 %	0	168,700	-168,700	0.00 %
R320 - Grants	0	178,895	-178,895	0.00 %	693,990	2,147,600	-1,453,610	32.31 %
R510 - Operating Reserve	0	178,563	-178,563	0.00 %	0	2,143,500	-2,143,500	0.00 %
Total Revenue:	411,940	1,400,001	-988,061	29.42 %	8,133,868	16,803,000	-8,669,132	48.41 %

EXHIBIT 11-D

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Statement of Revenue Over Expense - No Decimals**For Fiscal: 2018-2019 Period Ending: 03/31/2019**

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Expense								
Level1: 100 - Personnel Costs								
1100 - Salaries & Wages	195,666	222,294	26,628	88.02 %	1,891,392	2,668,600	777,208	70.88 %
1110 - Manager's Auto Allowance	462	500	38	92.34 %	4,385	6,000	1,615	73.09 %
1120 - Manager's Deferred Comp	714	758	44	94.21 %	6,725	9,100	2,375	73.90 %
1130 - Unemployment Compensation	0	250	250	0.00 %	2,649	3,000	351	88.30 %
1150 - Temporary Personnel	7,038	6,082	-955	115.71 %	51,061	73,000	21,939	69.95 %
1160 - PERS Retirement	16,573	44,057	27,484	37.62 %	453,639	528,900	75,261	85.77 %
1170 - Medical Insurance	13,291	28,372	15,081	46.84 %	230,159	340,600	110,441	67.57 %
1180 - Medical Insurance - Retirees	8,392	6,872	-1,519	122.11 %	73,533	82,500	8,967	89.13 %
1190 - Workers Compensation	4,011	4,648	637	86.29 %	38,548	55,800	17,252	69.08 %
1200 - Life Insurance	0	483	483	0.00 %	2,963	5,800	2,838	51.08 %
1210 - Long Term Disability Insurance	554	1,233	679	44.96 %	9,789	14,800	5,011	66.14 %
1220 - Short Term Disability Insurance	110	267	157	41.27 %	1,943	3,200	1,257	60.71 %
1230 - Other Benefits	70	125	55	56.02 %	906	1,500	594	60.43 %
1260 - Employee Assistance Program	28	125	97	22.48 %	494	1,500	1,006	32.90 %
1270 - FICA Tax Expense	492	400	-92	122.95 %	3,674	4,800	1,126	76.55 %
1280 - Medicare Tax Expense	2,823	3,315	492	85.15 %	28,463	39,800	11,337	71.51 %
1290 - Staff Development & Training	345	2,241	1,896	15.40 %	5,515	26,900	21,385	20.50 %
1300 - Conference Registration	0	408	408	0.00 %	3,856	4,900	1,044	78.69 %
1310 - Professional Dues	0	233	233	0.00 %	829	2,800	1,971	29.61 %
1320 - Personnel Recruitment	130	250	120	52.02 %	679	3,000	2,321	22.65 %
Total Level1: 100 - Personnel Costs:	250,698	322,913	72,216	77.64 %	2,811,203	3,876,500	1,065,297	72.52 %
Level1: 200 - Supplies and Services								
2000 - Board Member Compensation	2,835	2,832	-3	100.10 %	21,465	34,000	12,535	63.13 %
2020 - Board Expenses	0	416	416	0.00 %	2,818	5,000	2,182	56.35 %
2040 - Rent	1,914	1,933	19	99.04 %	16,259	23,200	6,941	70.08 %
2060 - Utilities	2,457	2,749	292	89.36 %	22,691	33,000	10,309	68.76 %
2120 - Insurance Expense	4,979	4,332	-647	114.94 %	44,952	52,000	7,048	86.45 %
2130 - Membership Dues	1,340	2,974	1,634	45.06 %	31,161	35,700	4,539	87.29 %
2140 - Bank Charges	876	333	-543	262.97 %	4,377	4,000	-377	109.42 %
2150 - Office Supplies	583	1,416	833	41.15 %	9,289	17,000	7,711	54.64 %
2160 - Courier Expense	396	666	270	59.42 %	2,844	8,000	5,156	35.55 %
2170 - Printing/Photocopy	0	42	42	0.00 %	32	500	468	6.46 %
2180 - Postage & Shipping	92	558	466	16.48 %	3,199	6,700	3,501	47.75 %
2190 - IT Supplies/Services	6,019	10,829	4,810	55.58 %	124,930	130,000	5,070	96.10 %
2200 - Professional Fees	27,763	29,821	2,059	93.10 %	247,854	358,000	110,146	69.23 %
2220 - Equipment Repairs & Maintenance	0	583	583	0.00 %	3,361	7,000	3,639	48.01 %
2235 - Equipment Lease	1,325	1,166	-159	113.64 %	10,065	14,000	3,935	71.89 %
2240 - Telephone	6,605	4,632	-1,973	142.59 %	52,133	55,600	3,467	93.76 %
2260 - Facility Maintenance	2,351	3,432	1,081	68.50 %	27,080	41,200	14,120	65.73 %
2270 - Travel Expenses	536	2,216	1,680	24.17 %	19,980	26,600	6,620	75.11 %

EXHIBIT 11-D

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Statement of Revenue Over Expense - No Decimals**For Fiscal: 2018-2019 Period Ending: 03/31/2019**

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
2280 - Transportation	2,217	2,832	615	78.28 %	19,913	34,000	14,087	58.57 %
2300 - Legal Services	28,842	33,320	4,478	86.56 %	232,450	400,000	167,550	58.11 %
2380 - Meeting Expenses	0	558	558	0.00 %	2,642	6,700	4,058	39.43 %
2420 - Legal Notices	0	258	258	0.00 %	0	3,100	3,100	0.00 %
2460 - Public Outreach	50	208	158	24.02 %	1,721	2,500	779	68.83 %
2480 - Miscellaneous	16,692	250	-16,442	6,679.33 %	17,071	3,000	-14,071	569.02 %
2500 - Tax Administration Fee	0	1,666	1,666	0.00 %	0	20,000	20,000	0.00 %
2900 - Operating Supplies	1,072	1,591	519	67.35 %	11,305	19,100	7,795	59.19 %
Total Level1: 200 - Supplies and Services:	108,942	111,614	2,673	97.61 %	929,589	1,339,900	410,311	69.38 %
Level1: 300 - Other Expenses								
3000 - Project Expenses	459,273	717,286	258,013	64.03 %	3,762,470	8,611,200	4,848,730	43.69 %
4000 - Fixed Asset Purchases	244	45,681	45,437	0.53 %	293,860	548,400	254,540	53.58 %
5000 - Debt Service	0	19,159	19,159	0.00 %	65,400	230,000	164,600	28.43 %
5500 - Election Expenses	0	13,328	13,328	0.00 %	0	160,000	160,000	0.00 %
6000 - Contingencies	0	6,248	6,248	0.00 %	0	75,000	75,000	0.00 %
6500 - Reserves	0	163,488	163,488	0.00 %	0	1,962,000	1,962,000	0.00 %
Total Level1: 300 - Other Expenses:	459,517	965,190	505,673	47.61 %	4,121,730	11,586,600	7,464,870	35.57 %
Total Expense:	819,156	1,399,717	580,561	58.52 %	7,862,522	16,803,000	8,940,478	46.79 %
Report Total:	-407,217	284	-407,501		271,346	0	271,346	

EXHIBIT 11-D**Statement of Revenue Over Expense - No Decimals**

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For Fiscal: 2018-2019 Period Ending: 03/31/2019

Fund Summary

Fund	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
24 - MITIGATION FUND	-142,500	137	-142,637		-305,169	0	-305,169	
26 - CONSERVATION FUND	-50,230	0	-50,230		289,031	0	289,031	
35 - WATER SUPPLY FUND	-214,486	147	-214,633		287,485	0	287,485	
Report Total:	-407,217	284.07	-407,501		271,346	0	271,346	



Monterey Peninsula Water Management Dist

Statement of Revenue Over Expense - No Decimals

Group Summary

For Fiscal: 2018-2019 Period Ending: 03/31/2019

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Fund: 24 - MITIGATION FUND								
Revenue								
R120 - Property Taxes Revenues	0	100,000	-100,000	0.00 %	649,226	1,200,000	-550,774	54.10 %
R130 - User Fees	211,062	231,667	-20,605	91.11 %	1,838,953	2,780,000	-941,047	66.15 %
R160 - Well Registration Fee	100	0	100	0.00 %	1,325	0	1,325	0.00 %
R190 - WDS Permits Rule 21	600	4,667	-4,067	12.86 %	14,500	56,000	-41,500	25.89 %
R220 - Copy Fee	0	0	0	0.00 %	2	0	2	0.00 %
R230 - Miscellaneous - Other	110	417	-307	26.35 %	393	5,000	-4,607	7.86 %
R240 - Insurance Refunds	0	0	0	0.00 %	8	0	8	0.00 %
R250 - Interest Income	4,052	4,166	-114	97.25 %	40,984	50,000	-9,016	81.97 %
R290 - CAW - Miscellaneous	0	3,749	-3,749	0.00 %	0	45,000	-45,000	0.00 %
R310 - Other Reimbursements	0	9,642	-9,642	0.00 %	0	115,700	-115,700	0.00 %
R320 - Grants	0	158,270	-158,270	0.00 %	693,990	1,900,000	-1,206,010	36.53 %
R510 - Operating Reserve	0	23,750	-23,750	0.00 %	0	285,000	-285,000	0.00 %
Total Revenue:	215,923	536,326	-320,403	-40.26 %	3,239,381	6,436,700	-3,197,319	50.33 %

EXHIBIT 11-D**Statement of Revenue Over Expense - No Decimals****For Fiscal: 2018-2019 Period Ending: 03/31/2019**

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Expense								
Level1: 100 - Personnel Costs								
1100 - Salaries & Wages	76,402	88,439	12,038	86.39 %	738,478	1,061,700	323,222	69.56 %
1110 - Manager's Auto Allowance	92	100	8	92.34 %	877	1,200	323	73.08 %
1120 - Manager's Deferred Comp	143	117	-26	122.47 %	1,345	1,400	55	96.05 %
1130 - Unemployment Compensation	0	100	100	0.00 %	1,060	1,200	140	88.30 %
1150 - Temporary Personnel	2,815	2,433	-382	115.71 %	20,425	29,200	8,775	69.95 %
1160 - PERS Retirement	6,503	17,660	11,156	36.83 %	181,913	212,000	30,087	85.81 %
1170 - Medical Insurance	5,105	12,145	7,040	42.03 %	91,002	145,800	54,798	62.42 %
1180 - Medical Insurance - Retirees	3,357	2,749	-608	122.11 %	29,648	33,000	3,352	89.84 %
1190 - Workers Compensation	2,409	2,766	357	87.10 %	22,577	33,200	10,623	68.00 %
1200 - Life Insurance	0	217	217	0.00 %	1,219	2,600	1,381	46.89 %
1210 - Long Term Disability Insurance	225	516	292	43.50 %	3,891	6,200	2,309	62.76 %
1220 - Short Term Disability Insurance	45	108	64	41.23 %	773	1,300	527	59.45 %
1230 - Other Benefits	28	50	22	56.02 %	363	600	237	60.43 %
1260 - Employee Assistance Program	12	50	38	23.09 %	196	600	404	32.72 %
1270 - FICA Tax Expense	386	167	-220	231.88 %	2,876	2,000	-876	143.81 %
1280 - Medicare Tax Expense	1,180	1,316	136	89.67 %	11,783	15,800	4,017	74.58 %
1290 - Staff Development & Training	345	708	363	48.73 %	1,829	8,500	6,671	21.52 %
1300 - Conference Registration	0	117	117	0.00 %	1,139	1,400	261	81.34 %
1310 - Professional Dues	0	50	50	0.00 %	298	600	302	49.60 %
1320 - Personnel Recruitment	52	100	48	52.02 %	300	1,200	900	24.97 %
Total Level1: 100 - Personnel Costs:	99,098	129,907	30,809	76.28 %	1,111,990	1,559,500	447,510	71.30 %
Level1: 200 - Supplies and Services								
2000 - Board Member Compensation	1,137	1,133	-4	100.34 %	8,591	13,600	5,009	63.17 %
2020 - Board Expenses	0	167	167	0.00 %	1,013	2,000	987	50.67 %
2040 - Rent	870	883	13	98.54 %	7,379	10,600	3,221	69.61 %
2060 - Utilities	989	1,108	119	89.23 %	9,129	13,300	4,171	68.64 %
2120 - Insurance Expense	1,992	1,733	-259	114.94 %	17,981	20,800	2,819	86.45 %
2130 - Membership Dues	536	908	372	59.03 %	11,147	10,900	-247	102.27 %
2140 - Bank Charges	270	133	-137	202.94 %	1,580	1,600	20	98.78 %
2150 - Office Supplies	229	550	321	41.70 %	3,802	6,600	2,798	57.60 %
2160 - Courier Expense	158	267	108	59.42 %	1,138	3,200	2,062	35.55 %
2170 - Printing/Photocopy	0	17	17	0.00 %	13	200	187	6.46 %
2180 - Postage & Shipping	37	225	188	16.36 %	1,280	2,700	1,420	47.40 %
2190 - IT Supplies/Services	2,408	4,332	1,924	55.58 %	49,972	52,000	2,028	96.10 %
2200 - Professional Fees	10,545	11,929	1,383	88.40 %	96,219	143,200	46,981	67.19 %
2220 - Equipment Repairs & Maintenance	0	233	233	0.00 %	1,344	2,800	1,456	48.01 %
2235 - Equipment Lease	570	466	-103	122.16 %	4,328	5,600	1,272	77.29 %
2240 - Telephone	2,778	1,849	-928	150.19 %	21,818	22,200	382	98.28 %
2260 - Facility Maintenance	940	1,383	442	68.00 %	10,845	16,600	5,755	65.33 %
2270 - Travel Expenses	170	708	538	24.07 %	4,421	8,500	4,079	52.02 %

EXHIBIT 11-D

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Statement of Revenue Over Expense - No Decimals**For Fiscal: 2018-2019 Period Ending: 03/31/2019**

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
2280 - Transportation	1,835	1,141	-694	160.83 %	15,744	13,700	-2,044	114.92 %
2300 - Legal Services	5,208	11,662	6,454	44.66 %	39,398	140,000	100,602	28.14 %
2380 - Meeting Expenses	0	225	225	0.00 %	1,009	2,700	1,691	37.36 %
2420 - Legal Notices	0	108	108	0.00 %	0	1,300	1,300	0.00 %
2460 - Public Outreach	10	83	73	12.01 %	641	1,000	359	64.07 %
2480 - Miscellaneous	0	100	100	0.00 %	152	1,200	1,048	12.63 %
2500 - Tax Administration Fee	0	483	483	0.00 %	0	5,800	5,800	0.00 %
2900 - Operating Supplies	7	108	101	6.81 %	1,201	1,300	99	92.36 %
Total Level1: 200 - Supplies and Services:	30,689	41,933	11,244	73.19 %	310,144	503,400	193,256	61.61 %
Level1: 300 - Other Expenses								
3000 - Project Expenses	228,392	310,696	82,305	73.51 %	2,069,329	3,729,800	1,660,471	55.48 %
4000 - Fixed Asset Purchases	244	11,794	11,550	2.07 %	53,088	141,600	88,512	37.49 %
5500 - Election Expenses	0	5,331	5,331	0.00 %	0	64,000	64,000	0.00 %
6000 - Contingencies	0	2,499	2,499	0.00 %	0	30,000	30,000	0.00 %
6500 - Reserves	0	34,028	34,028	0.00 %	0	408,400	408,400	0.00 %
Total Level1: 300 - Other Expenses:	228,636	364,349	135,713	62.75 %	2,122,417	4,373,800	2,251,383	48.53 %
Total Expense:	358,423	536,189	177,766	66.85 %	3,544,550	6,436,700	2,892,150	55.07 %
Total Revenues	215,923	536,326	-320,403	-40.26 %	3,239,381	6,436,700	-3,197,319	-50.33 %
Total Fund: 24 - MITIGATION FUND:	-142,500	137	-142,637		-305,169	0	-305,169	

EXHIBIT 11-D

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Statement of Revenue Over Expense - No Decimals**For Fiscal: 2018-2019 Period Ending: 03/31/2019**

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Fund: 26 - CONSERVATION FUND								
Revenue								
R120 - Property Taxes Revenues	0	49,981	-49,981	0.00 %	336,417	600,000	-263,583	56.07 %
R130 - User Fees	78,132	89,967	-11,835	86.85 %	745,908	1,080,000	-334,092	69.07 %
R150 - Permit Processing Fee	27,113	14,578	12,536	185.99 %	188,659	175,000	13,659	107.81 %
R200 - Recording Fees	663	1,665	-1,002	39.81 %	3,011	20,000	-16,989	15.06 %
R210 - Legal Fees	150	1,333	-1,183	11.25 %	2,850	16,000	-13,150	17.81 %
R220 - Copy Fee	0	0	0	0.00 %	1	0	1	0.00 %
R230 - Miscellaneous - Other	77	417	-340	18.45 %	783	5,000	-4,217	15.66 %
R240 - Insurance Refunds	0	0	0	0.00 %	5	0	5	0.00 %
R250 - Interest Income	1,043	3,333	-2,290	31.31 %	39,961	40,000	-39	99.90 %
R270 - CAW - Rebates	19,265	80,801	-61,536	23.84 %	489,589	970,000	-480,411	50.47 %
R320 - Grants	0	12,712	-12,712	0.00 %	0	152,600	-152,600	0.00 %
R510 - Operating Reserve	0	24,632	-24,632	0.00 %	0	295,700	-295,700	0.00 %
Total Revenue:	126,443	279,417	-152,974	-45.25 %	1,807,185	3,354,300	-1,547,115	53.88 %

EXHIBIT 11-D**Statement of Revenue Over Expense - No Decimals****For Fiscal: 2018-2019 Period Ending: 03/31/2019**

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Expense								
Level1: 100 - Personnel Costs								
1100 - Salaries & Wages	45,091	56,244	11,153	80.17 %	438,581	675,200	236,619	64.96 %
1110 - Manager's Auto Allowance	92	100	8	92.34 %	877	1,200	323	73.08 %
1120 - Manager's Deferred Comp	143	192	49	74.54 %	1,345	2,300	955	58.46 %
1130 - Unemployment Compensation	0	67	67	0.00 %	742	800	58	92.72 %
1150 - Temporary Personnel	1,971	1,700	-271	115.93 %	14,297	20,400	6,103	70.08 %
1160 - PERS Retirement	3,639	10,479	6,840	34.73 %	101,305	125,800	24,495	80.53 %
1170 - Medical Insurance	3,507	7,580	4,073	46.27 %	57,233	91,000	33,767	62.89 %
1180 - Medical Insurance - Retirees	2,350	1,924	-425	122.11 %	20,558	23,100	2,542	88.99 %
1190 - Workers Compensation	173	250	77	69.35 %	1,691	3,000	1,309	56.37 %
1200 - Life Insurance	0	108	108	0.00 %	597	1,300	703	45.89 %
1210 - Long Term Disability Insurance	134	317	183	42.34 %	2,325	3,800	1,475	61.18 %
1220 - Short Term Disability Insurance	27	67	40	39.95 %	462	800	338	57.74 %
1230 - Other Benefits	20	33	14	58.82 %	254	400	146	63.45 %
1260 - Employee Assistance Program	7	33	26	21.34 %	125	400	275	31.13 %
1270 - FICA Tax Expense	49	58	9	84.26 %	372	700	328	53.20 %
1280 - Medicare Tax Expense	662	841	179	78.68 %	6,765	10,100	3,335	66.99 %
1290 - Staff Development & Training	0	900	900	0.00 %	2,938	10,800	7,862	27.20 %
1300 - Conference Registration	0	192	192	0.00 %	1,806	2,300	494	78.53 %
1310 - Professional Dues	0	133	133	0.00 %	509	1,600	1,091	31.83 %
1320 - Personnel Recruitment	36	67	30	54.62 %	319	800	481	39.87 %
Total Level1: 100 - Personnel Costs:	57,901	81,284	23,383	71.23 %	653,101	975,800	322,699	66.93 %
Level1: 200 - Supplies and Services								
2000 - Board Member Compensation	792	791	-1	100.14 %	6,008	9,500	3,493	63.24 %
2020 - Board Expenses	0	117	117	0.00 %	709	1,400	691	50.67 %
2040 - Rent	243	233	-10	104.32 %	2,101	2,800	699	75.04 %
2060 - Utilities	671	750	79	89.52 %	6,206	9,000	2,794	68.96 %
2120 - Insurance Expense	1,394	1,216	-178	114.63 %	12,586	14,600	2,014	86.21 %
2130 - Membership Dues	375	1,341	966	27.98 %	11,096	16,100	5,004	68.92 %
2140 - Bank Charges	192	92	-101	209.91 %	1,195	1,100	-95	108.59 %
2150 - Office Supplies	188	417	229	45.12 %	2,682	5,000	2,318	53.65 %
2160 - Courier Expense	111	183	72	60.50 %	796	2,200	1,404	36.20 %
2170 - Printing/Photocopy	0	8	8	0.00 %	9	100	91	9.04 %
2180 - Postage & Shipping	26	150	124	17.18 %	898	1,800	902	49.87 %
2190 - IT Supplies/Services	1,685	3,032	1,347	55.58 %	34,956	36,400	1,444	96.03 %
2200 - Professional Fees	7,774	8,347	573	93.13 %	69,399	100,200	30,801	69.26 %
2220 - Equipment Repairs & Maintenance	0	167	167	0.00 %	941	2,000	1,059	47.05 %
2235 - Equipment Lease	329	325	-5	101.39 %	2,462	3,900	1,438	63.12 %
2240 - Telephone	1,825	1,250	-576	146.06 %	14,302	15,000	698	95.35 %
2260 - Facility Maintenance	658	933	275	70.55 %	7,576	11,200	3,624	67.65 %
2270 - Travel Expenses	6	925	919	0.61 %	10,564	11,100	536	95.17 %

EXHIBIT 11-D

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Statement of Revenue Over Expense - No Decimals**For Fiscal: 2018-2019 Period Ending: 03/31/2019**

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
2280 - Transportation	44	566	523	7.75 %	1,613	6,800	5,187	23.73 %
2300 - Legal Services	2,359	4,998	2,639	47.20 %	31,022	60,000	28,978	51.70 %
2380 - Meeting Expenses	0	158	158	0.00 %	774	1,900	1,126	40.73 %
2420 - Legal Notices	0	58	58	0.00 %	0	700	700	0.00 %
2460 - Public Outreach	32	58	26	54.91 %	521	700	179	74.40 %
2480 - Miscellaneous	16,692	67	-16,625	25,047.48 %	16,798	800	-15,998	2,099.72 %
2500 - Tax Administration Fee	0	475	475	0.00 %	0	5,700	5,700	0.00 %
2900 - Operating Supplies	1,064	1,391	327	76.50 %	9,590	16,700	7,110	57.42 %
Total Level1: 200 - Supplies and Services:	36,461	28,047	-8,414	130.00 %	244,804	336,700	91,896	72.71 %
Level1: 300 - Other Expenses								
3000 - Project Expenses	82,311	130,059	47,748	63.29 %	429,504	1,561,300	1,131,796	27.51 %
4000 - Fixed Asset Purchases	0	24,715	24,715	0.00 %	190,745	296,700	105,955	64.29 %
5500 - Election Expenses	0	3,732	3,732	0.00 %	0	44,800	44,800	0.00 %
6000 - Contingencies	0	1,749	1,749	0.00 %	0	21,000	21,000	0.00 %
6500 - Reserves	0	9,831	9,831	0.00 %	0	118,000	118,000	0.00 %
Total Level1: 300 - Other Expenses:	82,311	170,086	87,775	48.39 %	620,249	2,041,800	1,421,551	30.38 %
Total Expense:	176,673	279,417	102,744	63.23 %	1,518,154	3,354,300	1,836,146	45.26 %
Total Revenues	126,443	279,417	-152,974	-45.25 %	1,807,185	3,354,300	-1,547,115	-53.88 %
Total Fund: 26 - CONSERVATION FUND:	-50,230	0	-50,230		289,031	0	289,031	

EXHIBIT 11-D

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Statement of Revenue Over Expense - No Decimals**For Fiscal: 2018-2019 Period Ending: 03/31/2019**

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Fund: 35 - WATER SUPPLY FUND								
Revenue								
R100 - Water Supply Charge	0	283,333	-283,333	0.00 %	1,930,663	3,400,000	-1,469,337	56.78 %
R120 - Property Taxes Revenues	0	12,500	-12,500	0.00 %	76,727	150,000	-73,273	51.15 %
R130 - User Fees	48,114	53,333	-5,219	90.21 %	532,266	640,000	-107,734	83.17 %
R140 - Connection Charges	19,156	37,500	-18,344	51.08 %	496,776	450,000	46,776	110.39 %
R220 - Copy Fee	0	0	0	0.00 %	200	0	200	0.00 %
R230 - Miscellaneous - Other	88	417	-329	21.08 %	268	5,000	-4,732	5.36 %
R240 - Insurance Refunds	0	0	0	0.00 %	6	0	6	0.00 %
R250 - Interest Income	2,215	7,500	-5,285	29.53 %	69,638	90,000	-20,362	77.38 %
R260 - CAW - ASR	0	40,950	-40,950	0.00 %	-34,411	491,600	-526,011	-7.00 %
R300 - Watermaster	0	4,548	-4,548	0.00 %	15,170	54,600	-39,430	27.78 %
R308 - Reclamation Project	0	1,666	-1,666	0.00 %	0	20,000	-20,000	0.00 %
R310 - Other Reimbursements	0	4,415	-4,415	0.00 %	0	53,000	-53,000	0.00 %
R320 - Grants	0	7,914	-7,914	0.00 %	0	95,000	-95,000	0.00 %
R510 - Operating Reserve	0	130,181	-130,181	0.00 %	0	1,562,800	-1,562,800	0.00 %
Total Revenue:	69,573	584,257	-514,684	-11.91 %	3,087,303	7,012,000	-3,924,697	44.03 %

EXHIBIT 11-D**Statement of Revenue Over Expense - No Decimals****For Fiscal: 2018-2019 Period Ending: 03/31/2019**

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
Expense								
Level1: 100 - Personnel Costs								
1100 - Salaries & Wages	74,173	77,610	3,437	95.57 %	714,334	931,700	217,366	76.67 %
1110 - Manager's Auto Allowance	277	300	23	92.34 %	2,631	3,600	969	73.09 %
1120 - Manager's Deferred Comp	429	450	21	95.26 %	4,035	5,400	1,365	74.73 %
1130 - Unemployment Compensation	0	83	83	0.00 %	848	1,000	152	84.77 %
1150 - Temporary Personnel	2,252	1,950	-302	115.51 %	16,340	23,400	7,060	69.83 %
1160 - PERS Retirement	6,431	15,919	9,488	40.40 %	170,422	191,100	20,678	89.18 %
1170 - Medical Insurance	4,678	8,647	3,968	54.10 %	81,924	103,800	21,876	78.92 %
1180 - Medical Insurance - Retirees	2,685	2,199	-486	122.11 %	23,328	26,400	3,072	88.36 %
1190 - Workers Compensation	1,429	1,633	204	87.50 %	14,279	19,600	5,321	72.85 %
1200 - Life Insurance	0	158	158	0.00 %	1,147	1,900	753	60.35 %
1210 - Long Term Disability Insurance	196	400	204	48.92 %	3,572	4,800	1,228	74.43 %
1220 - Short Term Disability Insurance	39	92	53	42.29 %	708	1,100	392	64.37 %
1230 - Other Benefits	22	42	19	53.78 %	290	500	210	58.01 %
1260 - Employee Assistance Program	9	42	32	22.67 %	173	500	327	34.54 %
1270 - FICA Tax Expense	56	175	119	32.11 %	426	2,100	1,674	20.27 %
1280 - Medicare Tax Expense	981	1,158	177	84.72 %	9,914	13,900	3,986	71.33 %
1290 - Staff Development & Training	0	633	633	0.00 %	748	7,600	6,852	9.85 %
1300 - Conference Registration	0	100	100	0.00 %	911	1,200	289	75.92 %
1310 - Professional Dues	0	50	50	0.00 %	22	600	578	3.68 %
1320 - Personnel Recruitment	42	83	42	49.94 %	61	1,000	939	6.08 %
Total Level1: 100 - Personnel Costs:	93,698	111,722	18,024	83.87 %	1,046,113	1,341,200	295,087	78.00 %
Level1: 200 - Supplies and Services								
2000 - Board Member Compensation	906	908	2	99.77 %	6,866	10,900	4,034	62.99 %
2020 - Board Expenses	0	133	133	0.00 %	1,095	1,600	505	68.43 %
2040 - Rent	801	816	16	98.07 %	6,779	9,800	3,021	69.17 %
2060 - Utilities	797	891	94	89.40 %	7,356	10,700	3,344	68.74 %
2120 - Insurance Expense	1,593	1,383	-210	115.22 %	14,385	16,600	2,215	86.65 %
2130 - Membership Dues	429	725	296	59.17 %	8,918	8,700	-218	102.50 %
2140 - Bank Charges	413	108	-305	381.73 %	1,602	1,300	-302	123.21 %
2150 - Office Supplies	166	450	284	36.81 %	2,805	5,400	2,595	51.94 %
2160 - Courier Expense	127	217	90	58.51 %	910	2,600	1,690	35.00 %
2170 - Printing/Photocopy	0	17	17	0.00 %	10	200	190	5.17 %
2180 - Postage & Shipping	29	183	154	16.06 %	1,022	2,200	1,178	46.45 %
2190 - IT Supplies/Services	1,926	3,465	1,539	55.58 %	40,002	41,600	1,598	96.16 %
2200 - Professional Fees	9,444	9,546	102	98.93 %	82,236	114,600	32,364	71.76 %
2220 - Equipment Repairs & Maintenance	0	183	183	0.00 %	1,075	2,200	1,125	48.88 %
2235 - Equipment Lease	426	375	-51	113.64 %	3,275	4,500	1,225	72.78 %
2240 - Telephone	2,002	1,533	-469	130.60 %	16,012	18,400	2,388	87.02 %
2260 - Facility Maintenance	752	1,116	364	67.39 %	8,659	13,400	4,741	64.62 %
2270 - Travel Expenses	360	583	224	61.66 %	4,995	7,000	2,005	71.35 %

EXHIBIT 11-D

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Statement of Revenue Over Expense - No Decimals**For Fiscal: 2018-2019 Period Ending: 03/31/2019**

Level...	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
2280 - Transportation	338	1,125	787	30.03 %	2,555	13,500	10,945	18.93 %
2300 - Legal Services	21,275	16,660	-4,615	127.70 %	162,030	200,000	37,970	81.01 %
2380 - Meeting Expenses	0	175	175	0.00 %	859	2,100	1,241	40.93 %
2420 - Legal Notices	0	92	92	0.00 %	0	1,100	1,100	0.00 %
2460 - Public Outreach	8	67	59	12.01 %	559	800	241	69.93 %
2480 - Miscellaneous	0	83	83	0.00 %	121	1,000	879	12.12 %
2500 - Tax Administration Fee	0	708	708	0.00 %	0	8,500	8,500	0.00 %
2900 - Operating Supplies	0	92	92	0.00 %	515	1,100	585	46.79 %
Total Level1: 200 - Supplies and Services:	41,791	41,633	-157	100.38 %	374,641	499,800	125,159	74.96 %
Level1: 300 - Other Expenses								
3000 - Project Expenses	148,571	276,531	127,960	53.73 %	1,263,637	3,320,100	2,056,463	38.06 %
4000 - Fixed Asset Purchases	0	9,171	9,171	0.00 %	50,027	110,100	60,073	45.44 %
5000 - Debt Service	0	19,159	19,159	0.00 %	65,400	230,000	164,600	28.43 %
5500 - Election Expenses	0	4,265	4,265	0.00 %	0	51,200	51,200	0.00 %
6000 - Contingencies	0	1,999	1,999	0.00 %	0	24,000	24,000	0.00 %
6500 - Reserves	0	119,630	119,630	0.00 %	0	1,435,600	1,435,600	0.00 %
Total Level1: 300 - Other Expenses:	148,571	430,755	282,185	34.49 %	1,379,064	5,171,000	3,791,936	26.67 %
Total Expense:	284,060	584,111	300,051	48.63 %	2,799,818	7,012,000	4,212,182	39.93 %
Total Revenues	69,573	584,257	-514,684	-11.91 %	3,087,303	7,012,000	-3,924,697	-44.03 %
Total Fund: 35 - WATER SUPPLY FUND:	-214,486	147	-214,633		287,485	0	287,485	
Report Total:	-407,217	284	-407,501		271,346	0	271,346	

EXHIBIT 11-D**Statement of Revenue Over Expense - No Decimals**

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For Fiscal: 2018-2019 Period Ending: 03/31/2019

Fund Summary

Fund	March Activity	March Budget	Variance Favorable (Unfavorable)	Percent Used	YTD Activity	Total Budget	Variance Favorable (Unfavorable)	Percent Used
24 - MITIGATION FUND	-142,500	137	-142,637		-305,169	0	-305,169	
26 - CONSERVATION FUND	-50,230	0	-50,230		289,031	0	289,031	
35 - WATER SUPPLY FUND	-214,486	147	-214,633		287,485	0	287,485	
Report Total:	-407,217	284.07	-407,501		271,346	0	271,346	

ITEM: CONSENT CALENDAR**12. RECEIVE AND FILE THIRD QUARTER FINANCIAL ACTIVITY REPORT FOR FISCAL YEAR 2018-2019****Meeting Date: May 20, 2019** **Budgeted: N/A****From: David J. Stoldt, General Manager** **Program/Line Item No.: N/A****Prepared By: Suresh Prasad** **Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: The Administrative Committee reviewed this item on May 13, 2019 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: The third quarter of Fiscal Year (FY) 2018-2019 came to a conclusion on March 31, 2019. Table comparing budgeted and actual year-to-date revenues and expenditures for the period are included as **Exhibit 12-A. Exhibits 12-B and 12-C** presents the same information in bar graph format. The following comments summarize District staff's observations:

REVENUES

The revenue table compares amounts received through the current quarter and conclusion of FY 2018-2019 to the amounts budgeted for that same time period. Total revenues collected were \$8,133,869, or 64.5% of the budgeted amount of \$12,602,250. Variances within the individual revenue categories are described below:

- Water Supply Charge revenues were \$1,930,663, or 75.7% of the budget for the period. The first installment of this revenue was received in December 2018. The second installment will be received in April 2019.
- Property tax revenues were \$1,062,370, or 72.6% of the budget for the period. The first installment of this revenue was received in December 2018. The second installment will be received in April 2019.
- User fee revenues were \$3,117,128, or about 92.4% of the amount budgeted. This is slightly lower than budgeted and the actual collections are 2 months behind.
- Connection Charge revenues were \$496,776, or 147.2% of the budget for the period. Actual collection was higher than anticipated budgeted figure as the forecasted figures are based on estimated number of customers pulling permits. There was more connection charge received than budgeted for the 9 months.
- Permit Fees revenues were \$204,484, or 118.0% of the budget for the period. Actual collection was higher than anticipated budgeted figure as the forecasted figures are based on estimated number of customers pulling permits. There was more permit fees received than budgeted for the 9 months.
- Interest revenues were \$150,583, or 111.5% of the budget for the period. Actual interest received was slightly higher than budgeted for the 9 months.

- Reimbursements of \$470,348, or 35.8% of the budget. This is based on actual spending and collection of reimbursement project funds. This is considerably less than the budgeted amount as many projects were deferred and continued to next quarter.
- Grant revenue of \$693,990, or 43.1% of the budget. This is considerably less than the budgeted amount as some of the grant revenues are expected to be received next quarter.
- The Other revenue category totaled \$7,527 or about 19.7% of the budgeted amount. This category includes reimbursement revenues from legal and other miscellaneous services.
- The Reserves category totaled \$0 or about 0.00% of the budgeted amount. This category includes potential use of reserves and the water supply carry forward balance during the fiscal year for which adjustments will be made at the conclusion of the fiscal year.

EXPENDITURES

Expenditure activity as depicted on the expenditure table is similar to patterns seen in past fiscal years. Total expenditures of \$7,862,522 were about 62.4% of the budgeted amount of \$12,602,250 for the period. Variances within the individual expenditure categories are described below:

- Personnel costs of \$2,811,203 were about 96.7% of the budget. This was slightly lower than the anticipated budget.
- Expenditures for supplies and services were \$929,589, or about 92.5% of the budgeted amount. This was lower than the anticipated budget due to the consulting services and legal expenses coming in lower than the expected budgeted numbers.
- Fixed assets purchases of \$293,860 represented around 71.4% of the budgeted amount. This was slightly lower than the anticipated budget due to purchases deferred to next quarter.
- Funds spent for project expenditures were \$3,762,470, or approximately 58.3% of the amount budgeted for the period. This is due to most projects spending being deferred to next quarter.
- Debt Service included costs of \$65,400, or 37.9% of the budget for the period. Debt service is paid semi-annually, in December and June.
- Election expenditures \$0, or 0% of the budgeted amount. These costs were billed by the election department in April 2019.
- Contingencies/Other expenditures \$0, or 0% of the budgeted amount. This was due to the contingency budget not spent during this fiscal year.
- Reserve expenditures of \$0, or 0% of the budgeted amount. This was due to the adjustments made at the conclusion of the fiscal year.

EXHIBITS

12-A Revenue and Expenditure Table

12-B Revenue Graph

12-C Expenditure Graph

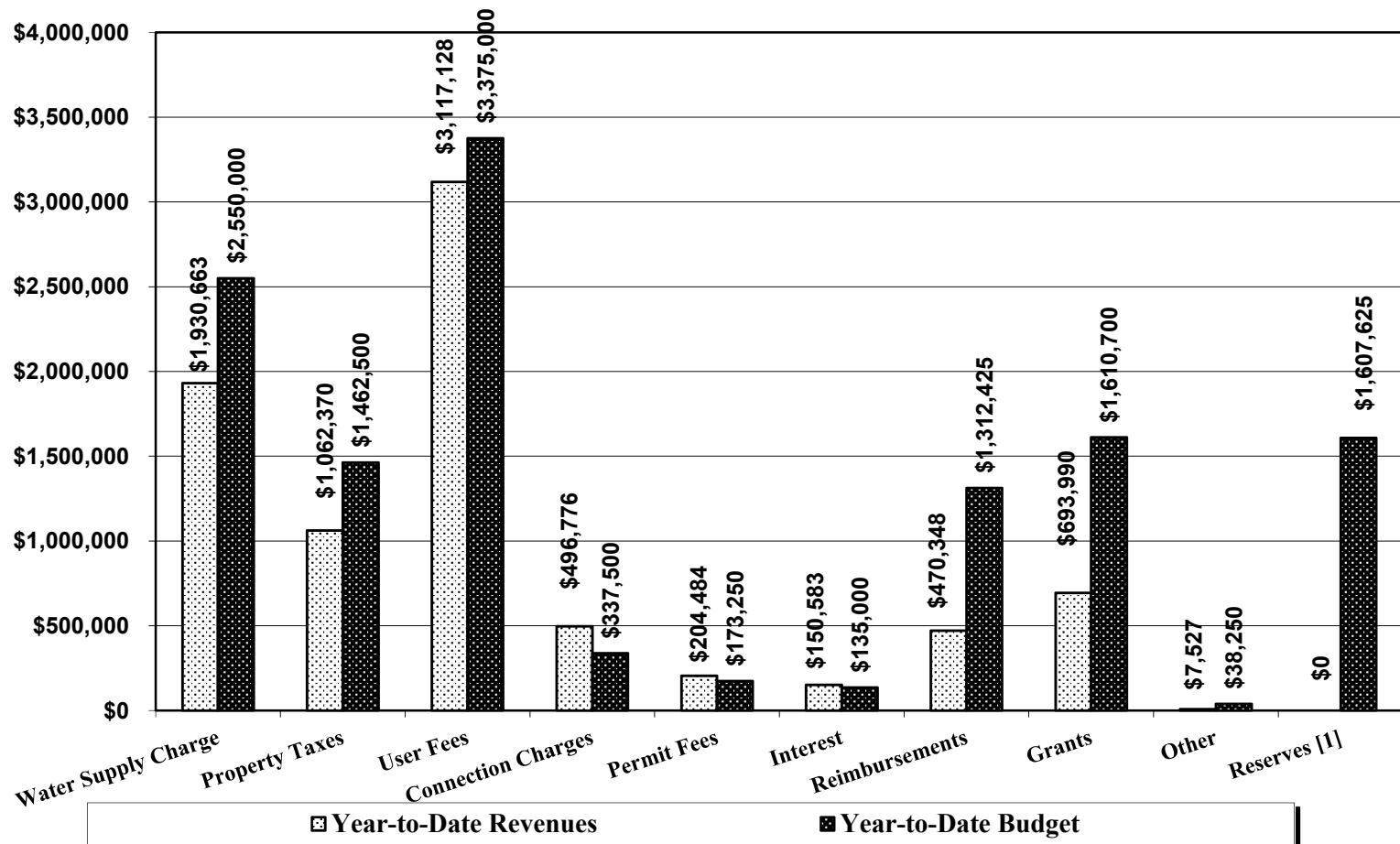
**Monterey Peninsula Water Management District
Financial Activity as of March 31, 2019
Fiscal Year 2018-2019**

	Year-to-Date <u>Revenues</u>	Year-to-Date <u>Budget</u>	<u>Variance</u>	Percent of <u>Budget</u>
Water Supply Charge	\$1,930,663	\$2,550,000	\$619,337	75.7%
Property Taxes	\$1,062,370	\$1,462,500	\$400,130	72.6%
User Fees	\$3,117,128	\$3,375,000	\$257,872	92.4%
Connection Charges	\$496,776	\$337,500	(\$159,276)	147.2%
Permit Fees	\$204,484	\$173,250	(\$31,234)	118.0%
Interest	\$150,583	\$135,000	(\$15,583)	111.5%
Reimbursements	\$470,348	\$1,312,425	\$842,077	35.8%
Grants	\$693,990	\$1,610,700	\$916,710	43.1%
Other	\$7,527	\$38,250	\$30,723	19.7%
Reserves [1]	\$0	\$1,607,625	\$1,607,625	0.0%
Total Revenues	<u>\$8,133,869</u>	<u>\$12,602,250</u>	<u>\$4,468,381</u>	<u>64.5%</u>

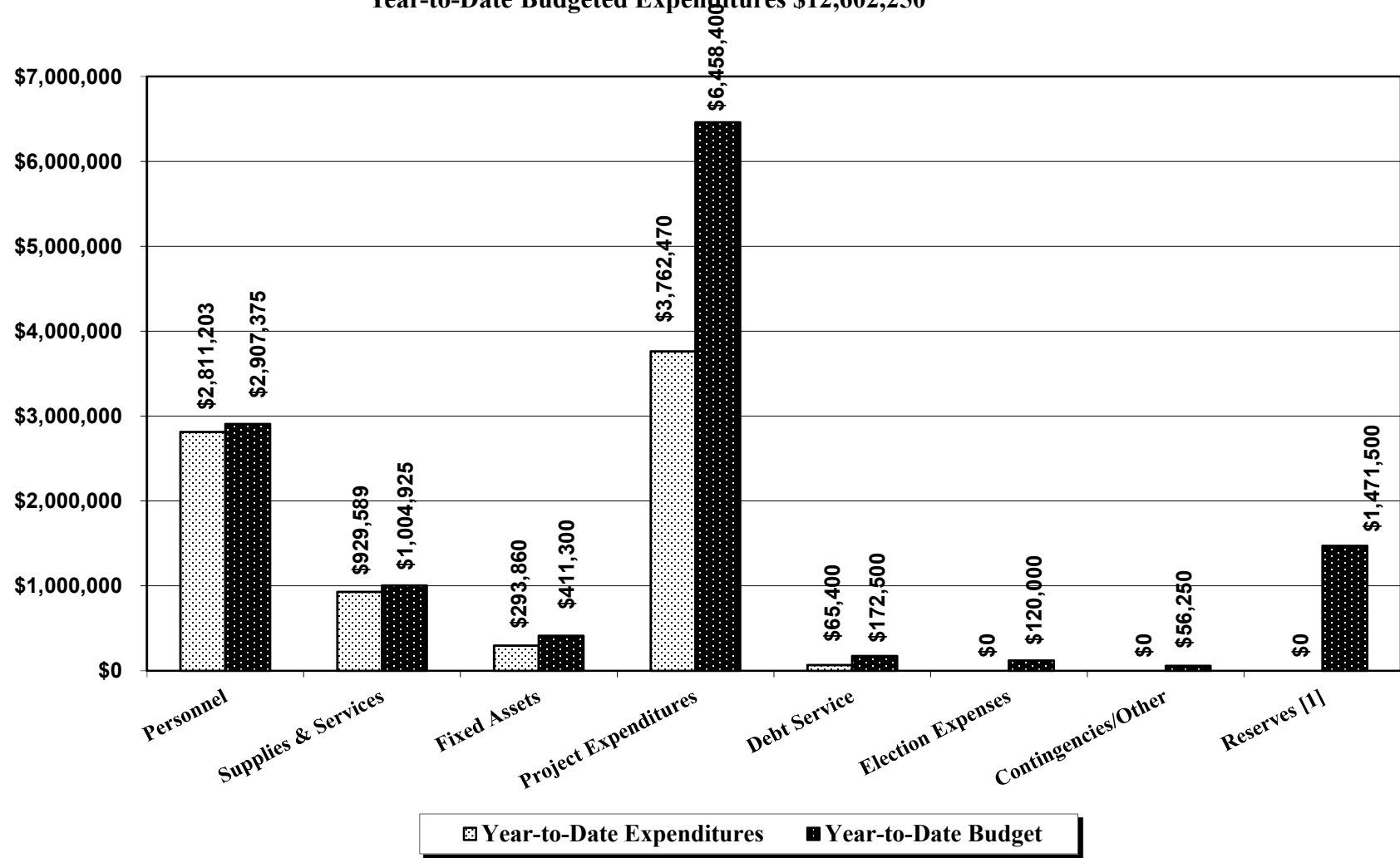
	Year-to-Date <u>Expenditures</u>	Year-to-Date <u>Budget</u>	<u>Variance</u>	Percent of <u>Budget</u>
Personnel	\$2,811,203	\$2,907,375	\$96,172	96.7%
Supplies & Services	\$929,589	\$1,004,925	\$75,336	92.5%
Fixed Assets	\$293,860	\$411,300	\$117,440	71.4%
Project Expenditures	\$3,762,470	\$6,458,400	\$2,695,930	58.3%
Debt Service	\$65,400	\$172,500	\$107,100	37.9%
Election Expenses	\$0	\$120,000	\$120,000	100.0%
Contingencies/Other	\$0	\$56,250	\$56,250	0.0%
Reserves [1]	\$0	\$1,471,500	\$1,471,500	0.0%
Total Expenditures	<u>\$7,862,522</u>	<u>\$12,602,250</u>	<u>\$4,739,728</u>	<u>62.4%</u>

[1] Budget column includes fund balance, water supply carry forward,
and reserve fund

REVENUES
Fiscal Year Ended March 31, 2019
 Year-to-Date Actual Revenues \$8,133,169
 Year-to-Date Budgeted Revenues \$12,602,250



EXPENDITURES
Fiscal Year Ended March 31, 2019
 Year-to-Date Actual Exenditures \$7,862,522
 Year-to-Date Budgeted Expenditures \$12,602,250



ITEM: CONSENT CALENDAR**13. CONSIDER APPROVAL OF THIRD QUARTER FISCAL YEAR 2018-2019 INVESTMENT REPORT**

Meeting Date:	May 20, 2019	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
Prepared By:	Suresh Prasad	Cost Estimate:	N/A

General Counsel Review: N/A**Committee Recommendation:** The Administrative Committee considered this item on May 13, 2019 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: The District's investment policy requires that each quarter the Board of Directors receive and approve a report on investments held by the District. **Exhibit 13-A** is the report for the quarter ending March 31, 2019. District staff has determined that these investments do include sufficient liquid funds to meet anticipated expenditures for the next six months and as a result this portfolio is in compliance with the current District investment policy. This portfolio is in compliance with the California Government Code, and the permitted investments of Monterey County.

RECOMMENDATION: Staff recommends the Board receive and approve the Third Quarter Fiscal Year 2018-2019 Investment Report.

EXHIBIT**13-A** Investment Report as of March 31, 2019

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
INVESTMENT REPORT AS OF MARCH 31, 2019**

MPWMD

Issuing Institution Security Description	Purchase Date	Maturity Date	Cost Basis	Par Value	Market Value	Annual Rate of Return	Portfolio Distribution
Local Agency Investment Fund	03/31/19	04/01/19	\$8,624,026	\$8,624,026	\$8,624,026	2.550%	63.43%
Bank of America:							
Money Market	03/31/19	04/01/19	854,644	854,644	854,644	0.040%	
Checking	03/31/19	04/01/19	96,452	96,452	96,452	0.000%	
			\$951,096	\$951,096	\$951,096		7.00%
Wells Fargo Money Market	03/31/19	04/01/19	11,016	11,016	11,016	0.010%	
Wells Fargo Institutional Securities:							
Interest Bearing Certificate of Deposit	11/09/17	11/12/19	\$250,000	\$250,000	\$248,964	1.750%	
Interest Bearing Certificate of Deposit	02/22/18	02/24/20	\$250,000	\$250,000	\$249,842	2.400%	
Interest Bearing Certificate of Deposit	02/28/18	02/28/20	\$250,000	\$250,000	\$249,610	2.300%	
Interest Bearing Certificate of Deposit	03/05/18	03/05/20	\$250,000	\$250,000	\$249,712	2.350%	
Interest Bearing Certificate of Deposit	03/09/18	03/09/20	\$250,000	\$250,000	\$249,591	2.300%	
Interest Bearing Certificate of Deposit	06/13/18	06/15/20	\$250,000	\$250,000	\$250,811	2.750%	
Interest Bearing Certificate of Deposit	06/28/18	06/29/20	\$250,000	\$250,000	\$250,848	2.750%	
			\$1,761,016	\$1,761,016	\$1,760,394	2.371%	12.95%
Multi-Bank Securities Cash Account	03/31/19	04/01/19	26,917	26,917	26,917	0.000%	
Multi-Securities Bank Securities:							
Interest Bearing Certificate of Deposit	07/03/18	07/06/21	\$246,000	\$246,000	\$248,526	3.000%	
Interest Bearing Certificate of Deposit	06/29/18	06/29/20	\$249,000	\$249,000	\$249,998	2.800%	
Interest Bearing Certificate of Deposit	07/03/18	07/06/21	\$246,000	\$246,000	\$248,526	3.000%	
Interest Bearing Certificate of Deposit	07/06/18	07/06/20	\$249,000	\$249,000	\$249,859	2.750%	
Interest Bearing Certificate of Deposit	08/17/18	02/17/21	\$249,000	\$249,000	\$250,589	2.800%	
Interest Bearing Certificate of Deposit	10/05/18	10/05/21	\$249,000	\$249,000	\$251,995	3.100%	
Interest Bearing Certificate of Deposit	11/21/18	11/22/21	\$246,000	\$246,000	\$249,776	3.250%	
Interest Bearing Certificate of Deposit	01/09/19	01/10/22	\$250,000	\$250,000	\$252,773	3.100%	
Interest Bearing Certificate of Deposit	01/09/19	01/09/20	\$249,000	\$249,000	\$250,056	3.000%	
			\$2,259,917	\$2,259,917	\$2,279,016	2.977%	16.62%
TOTAL MPWMD			\$13,596,054	\$13,596,054	\$13,614,531	2.422%	

CAWD/PBCSD WASTEWATER RECLAMATION PROJECT

Issuing Institution Security Description	Purchase Date	Maturity Date	Cost Basis	Par Value	Market Value	Annual Rate of Return	Portfolio Distribution
US Bank Corp Trust Services:							0.20%
Certificate Payment Fund	03/31/19	04/01/19	806	806	806	0.000%	
Interest Fund	03/31/19	04/01/19	333	333	333	0.000%	
Rebate Fund	03/31/19	04/01/19	19	19	19	0.000%	
			\$1,158	\$1,158	\$1,158	0.000%	
Bank of America:							99.80%
Money Market Fund	03/31/19	04/01/19	583,955	583,955	\$583,955	0.040%	
TOTAL WASTEWATER RECLAMATION PROJECT			\$585,113	\$585,113	\$585,113	0.040%	

These investments do include sufficient liquid funds to meet anticipated expenditures for the next six months as reflected in the FY 2018-2019 annual budget adopted on June 18, 2018.

ITEM: ACTION ITEM**19. CONSIDER APPROVAL OF 1 AND 3 YEAR STRATEGIC PLANNING GOALS****Meeting Date:** May 20, 2019 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.: N/A**Prepared By:** David J. Stoldt **Cost Estimate:** N/A**General Counsel Approval:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Every two years, the District establishes 1-Year and 3-Year Strategic Planning Goals and evaluates progress on the prior goals. During a series of meetings between the General Manager and Directors and management staff, several potential Strategic Planning Goals have been identified and are discussed below. Further, progress on goals adopted in 2017 is included as **Exhibit 19-A**.

RECOMMENDATION: The General Manager recommends the Board review, discuss, edit as necessary, and adopt 1-Year and 3-Year Strategic Planning Goals from the proposed list of goals.

DISCUSSION:**Discussion of Possible One-Year Goals****1. Continue to Advance Water Supply Projects**

The District has made progress over the past year to secure contracts and funding for water supply projects. Continued progress would entail the following:

- With completion of construction of Pure Water Monterey; the District needs to incorporate sales to Cal-Am in its billing system, develop a water accounting process, pay for establishment of reserves, work with Monterey One Water on annual water rate setting, and monitor operations.
- Support commencement of the Cal-Am desalination project; Further develop Financing Order and timing for the “Ratepayer Relief Bonds” public contribution.
- Advance “back-up” plan in the event the desalination project is delayed – Environmental, design, and permitting for Pure Water Monterey expansion.
- Complete Santa Margarita ASR Site; Identify ASR operational issues and vulnerabilities to help optimize performance
- Address rule changes to create additional supplies in short term (reestablish District Reserve, expand use of water entitlements, ease transfers, identify unused credits, etc)

2. Complete Measure J/Rule 19.8 Feasibility Analysis

Coordinate the efforts of the District's eminent domain attorneys, valuation and cost of service consultant, investor-owned utility consultant, investment banker and other professional to yield meaningful work product for General Manager to draft plan for compliance with Rule 19.8.

3. Continue to Raise Profile of District at Local, Regional, State, and Federal Level

- Provide leadership on water issues locally and regionally
- More interaction with local NGOs
- Continue speaking and sponsorship opportunities
- Enhance State and Federal regulators' understanding of District role
- Pursue State and Federal funding opportunities
- Continue to track bills and provide guidance at State and Federal level
- Maintain public outreach and visibility, locally and within the industry

4. Establish Clear Requirements for Water Distribution Systems within the District

The District could benefit by more clearly stating or codifying in its Rules and Regulations its expectations and requirements from large Water Distribution Systems (WDS) within its boundaries with respect to the following:

- Reporting production and consumption and other reporting requirements
- Posting current rates and charges
- Posting other consumer-oriented information
- Rules on annexations
- Ensure District revenues appropriately collected (e.g. User Fee in Canada Woods territory; Water Supply Charge in satellite systems; Revisit Capacity Fee discount for non-Main territory)
- Summarize key conditions of existing WDS and monitor compliance; Look at methods of establishing administrative record regarding compliance; Clarify remedies/penalties for non-compliance;
- Examine compliance with water pressure requirements
- Consider aligning District Boundaries more closely to underlying systems (LAFCO process)
- Other

5. Develop Comprehensive Strategy for Permit 20808-B

The District has successfully reassigned portions of the original New Los Padres Reservoir permit 20808 to Phases 1 and 2 of ASR (20808-A and 20808-C.) However, permit conditions for each are different. The remainder permit 20808-B, without an approved extension, could be revoked by the SWRCB if water is not planned to be beneficially used by the year 2020. ASR operations are constrained by the season of diversion, points of injection and extraction, and out-of-date instream flow requirements. A strategy for the remainder permit will include:

- Identification of two to three potential new injection and recovery sites, both in the Seaside Basin and the Carmel Valley
- Possible source well rehabilitation and/or expansion in Carmel Valley; Potential treatment capacity expansion. May require EIR.
- Develop strategy for direct diversion component of water right.
- Amend existing permits and conform all permits to same standards; Working with Cal-Am and DDW, attempt to create greater operating flexibility such that any injection well can inject any water and wells can be used for both recovery and production.
- Complete a water availability analysis and an IFIM study to revise permit conditions.

6. Fiscal Sustainability and Long-Term Financial Planning

The District should examine its requirements for long-term fiscal strength, including:

- Plan for Measure J/Rule 19.8 costs and exposure
- Reserves and investments
- Strategies for funding PERS and OPEB liabilities
- Ongoing maintenance and replacement of District assets
- Discuss rebate funding if Cal-Am reduces program
- Water Supply Charge plan for sunset/suspension/reduction.
- Plan for retirement of Rabobank Loan
- Study fiscal impact of realignment of District boundaries

7. Organizational Issues

The Board may seek to direct staff to review its essential services and staffing levels, as well as succession plans. This review may include actions related to the following:

- Addition of new staff to meet changing District priorities
- Examine succession planning
- Identify needs if Measure J/Rule 19.8 feasibility is indicated
- Consider adoption of a “Sustainability Policy” for all District activities
- Tour District assets for Board members and staff
- Consider employee team-building or morale-building events each year
- Ensure appropriate staff training (customer service, CPR, confined space, etc)
- Implement revised file retention policy and email retention policy; Reduce physical files; establish searchable electronic file repository.
- Annual update of District website
- Obtain CSDA “Transparency Certificate”; Continue to achieve Government Finance Officer Association award for Comprehensive Annual Financial Report (CAFR)

Discussion of Possible Three-Year Goals

8. Measure J/Rule 19.8 Next Steps

If feasibility is indicated, prepare for bench trial on public necessity: (a) identify costs, funding plan, and risks, (b) develop clear plan of operations, (c) perform formal appraisal, (d) build findings of public necessity, and (e) diagram legal strategy.

If feasibility is not indicated, resolve remaining issues in Rule 19.8 such as: (a) should the District revisit the issue again in the future? (b) what to do about other water distribution systems within the District? (c) and so on. Also develop a plan to replenish reserves for costs associated with the process.

9. Establish a Long-Term Strategy for Los Padres Dam

The District is coordinating a team of consultants to look at long-term alternatives for the Los Padres Dam. Cal-Am is participating in the funding. The National Marine Fisheries Service (NMFS) and California Department of Fish and Wildlife (CDFW) are involved in technical review. Work to date has included development of Instream Flow Incremental Method (IFIM) study to evaluate habitat from dam removal, expanded reservoir capacity, and/or changed operations, as well as creation and calibration of the Carmel River Basin Hydrologic Model to evaluate water availability under various alternatives. The team has looked at upstream fish passage feasibility and sediment management under various alternatives. NMFS has indicated a series of additional studies are desired, which may result in 2- to 3- years of additional work.

- In addition to additional scenarios of the Carmel River Basin Hydrologic Model (CRBHM), additional studies might include: (a) Comprehensive water quality monitoring and modeling, (b) Additional hydrologic simulations (e.g., historical simulations), (c) Fisheries Monitoring & Life Cycle Model Development, (d) Historical Ecology & Hydrology Assessment, (e) Upper Carmel River Habitat Assessment, and (f) Conduct a Carmel River Flood Risk Assessment
- The District will also want to review overall feasibility and cost considerations, and liability and management issues
- Is there a role for hydroelectric generation in the long-term strategy?

10. Prepare for Allocation of “New Water”

The 1990 Allocation EIR resulted in the District developing a process for the allocation of water to the jurisdictions. The process was very interactive with jurisdiction participation. The District will need to be proactive to develop fair and equitable mechanisms for allocation of new water from the Monterey Peninsula Water Supply Project to the jurisdictions.

- Meet with jurisdictions to agree on future parameters
- Update and evaluation of each jurisdiction’s general plan needs; Consider allocations for special entities (e.g. Department of Defense, Montage, etc)
- Develop policy for allocation of new water; Determine CEQA requirements

- Perform initial allocation
- Clean up the District rules regarding Water Credit transfers, sales, and categories.

11. Continue to Examine Revising or Streamlining Rules and Regulations

A broad examination of what policies, rules, and regulations can be revised without an intensification of water use while the CDO remains in effect, as well as what direction policy should take for the future when the CDO is lifted.

- Changes that can support affordable housing and/or auxiliary dwelling units
- Consider change to second-bathroom protocol
- Develop credit for innovative technologies
- Options for reducing disposables/trash in Group II setting
- Examine conservation off-set program
- General clean-up

12. Carmel River Mitigation Program

Determine direction for the District's Carmel River mitigation activities as a result of removal of San Clemente Dam and the assumption that a new water supply comes on line.

- Invest in data collection to support future actions (PIT tagging, construction and staffing of a weir for fish counts, etc)
- Promote strategies for addressing the striped bass issue
- Assess Carmel Valley changes in use over time
- Secure outside funding for habitat restoration
- Develop Mitigation Program "Endgame" Plan
- What will be future Cal-Am operations?
- What will be role of Cal-Am, NMFS, CDFW, non-Cal-Am pumpers?
- How will a baseline be established?
- What data will be needed? How will it be collected? For how long?

EXHIBIT

19-A Review of Status of 2017 Strategic Goals

EXHIBIT 19-A**Summary of Status of 2017 District Strategic Goals*****Adopted Strategic 1-Year Goals***

Goal Area	Status
<p>1. Continue to Advance Water Supply Projects</p> <p>The District has made progress over the past year to secure contracts and funding for water supply projects. Continued progress would entail the following:</p> <ul style="list-style-type: none"> • Break ground and begin construction of Pure Water Monterey; Project-manage injection well construction; Develop coordination plan for well operations; Determine projected cost of water and take actions as necessary; Develop plan for payment of treatment cost for reserve water. • Support completion of final EIR for the Cal-Am desalination project; Supervise compliance with Mitigation Monitoring and Reporting Program; Further develop Financing Order and timing for the “Ratepayer Relief Bonds” public contribution; • Complete Santa Margarita ASR Site – Enhanced backflush pond, redefine easement, enter into agreements with City of Seaside and FORA, complete construction. • Cease and Desist Order – Continue to seek clarity on Condition 2 as it relates to existing service connections. • Pursue Proposition 1 (including IRWM) and Federal funding opportunities. • Local Projects – Work with jurisdictions to advance planning and development of local supplies. Includes City of Monterey/MRWPCA stormwater management plan, seeking a market for Monterey Regional Airport non-potable supply, Pacific Grove local project, and Pebble Beach Company Del Monte Golf Course. <p>2. Scenario Analysis – Delay or Failure of Large Water Supply to Advance</p> <p>Evaluate options under a delay in the water supply project:</p> <ul style="list-style-type: none"> • Identify costs and timelines of alternatives. • Develop action plan to implement Conservation and Rationing Plan • Address rule changes to create additional supplies in short term (reestablish District Reserve, expand use of water entitlements, ease transfers, identify unused credits, Malpaso temporary urgency change petition, etc) • Examine health and safety needs of institutions and residences 	<ul style="list-style-type: none"> • ✓ Accomplished • ✓ Accomplished, except Financing Order delayed • In progress • In progress • ✓ Accomplished • ✓ Accomplished and Ongoing • ✓ Accomplished • ✓ Accomplished • Delayed awaiting resolution of Condition 2 • ✓ Accomplished

3. Establish Clear Requirements for Water Distribution Systems within the District

The District could benefit by more clearly stating its expectations and requirements from large Water Distribution Systems within its boundaries with respect to the following:

- Reporting production and consumption and other reporting requirements
- Posting current rates and charges
- Posting other consumer-oriented information
- Rules on annexations
- Ensure District revenues appropriately collected (e.g. User Fee in Canada Woods territory; Water Supply Charge in satellite systems; Revisit Capacity Fee discount for non-Main territory)
- Examine compliance with water pressure requirements
- Consider aligning District Boundaries more closely to underlying systems (LAFCO process)
- Other

- incomplete
- ✓ Accomplished
- ✓ Accomplished
- incomplete
- ✓ Accomplished
- Examined; incomplete
- ✓ Accomplished; No action desired

4. Raise Profile of District at Local, State, and Federal Level

- Develop ongoing outreach and visibility plan (e.g. monthly in print, quarterly on radio)
- Annual update of District website
- Obtain CSDA "Transparency Certificate";
- Continue to achieve Government Finance Officer Association award for Comprehensive Annual Financial Report (CAFR)
- More interaction with local NGOs
- Continue speaking and sponsorship opportunities
- Enhance State and Federal regulators' understanding of District role
- Pursue State and Federal funding opportunities

- ✓ Accomplished
- ✓ Accomplished
- Incomplete
- ✓ Accomplished
- ✓ Accomplished
- ✓ Accomplished
- ✓ Accomplished
- ✓ Accomplished

5. Fiscal Sustainability and Long-Term Financial Planning

As large-scale out-of-pocket costs for water supply projects begins to decline, the District should examine its requirements for long-term fiscal strength, including:

- Reserves and investments
- Strategies for funding PERS and OPEB liabilities
- Ongoing maintenance and replacement of District assets
- Water Supply Charge plan for sunset/suspension/reduction; Need for new rate study?
- User Fee status and uses

- ✓ Accomplished
- ✓ Accomplished; Ongoing
- ✓ Accomplished
- Need to do more
- ✓ Accomplished

- Plan for retirement of Rabobank Loan
- Plan for paying for Pure Water Monterey reserves

6. Develop Long-Term Information Technology Plan

- Evaluate aging infrastructure; Develop replacement schedule
- Replace Water Demand Database
- Identify District data assets; Develop greater accessibility
- Plan for replacement of District phone system
- Digitize District maps, aerial photos, documents
- Improve field personnel technology and access
- Formalize plan for upkeep of District Website
- Improve search function for District server and District website

7. Organizational Issues

The Board may seek to direct staff to review its essential services and staffing levels, as well as succession plans. This review may include actions related to the following:

- Adopt and implement new annual performance evaluation tool
- Addition of new staff to meet changing District priorities
- Examine succession planning
- Consider employee team-building or morale-building events each year
- Ensure appropriate staff training (active shooter, customer service, CPR, confined space, etc)
- Finish reorganization
- Develop revised file retention policy and email retention policy; Reduce physical files

- √ Accomplished
- √ Accomplished

- √ Accomplished
- In progress
- Incomplete
- √ Accomplished
- In progress
- √ Accomplished
- √ Accomplished
- Incomplete

- √ Accomplished
- √ Accomplished
- Incomplete
- In progress
- √ Accomplished
- Incomplete
- In progress

Goal Area	Status
<p>8. Establish a Long-Term Strategy for Los Padres Dam</p> <p>The National Marine Fisheries Service has indicated that permanent removal of Los Padres Dam is a priority for restoration of the Steelhead in the Central Coast. However, many fisheries experts believe that a regulated river would be a better long-term solution for the Steelhead. Further, an unregulated river might radically affect the water rights and businesses of property owners along the river. The District, jointly with Cal-Am and a team of consultants, will address the following:</p> <ul style="list-style-type: none"> • Instream Flow Incremental Method (IFIM) study to evaluate habitat from dam removal, expanded reservoir capacity, and/or changed operations. • Carmel River Basin Hydrologic Model to evaluate water availability under various alternatives. • Los Padres Dam upstream fish passage feasibility study • Los Padres Dam Alternatives and Sediment Management Study • Overall feasibility and cost considerations • Liability and management issues • Extending District river work permit jurisdiction upriver to extend regulatory authority 	<ul style="list-style-type: none"> • In progress • In progress • In progress • In progress • Incomplete • Incomplete • In progress
<p>9. Develop Comprehensive Strategy for Permit 20808-B</p> <p>The District has successfully reassigned portions of the original New Los Padres Reservoir permit 20808 to Phases 1 and 2 of ASR (20808-A and 20808-C.) However, permit conditions for each are different. The remainder permit 20808-B, without an approved extension, could be revoked by the SWRCB if water is not put to authorized use by the year 2020. ASR operations are constrained by the season of diversion, points of injection and extraction, and out-of-date instream flow requirements. A strategy for the remainder will include:</p> <ul style="list-style-type: none"> • Identification of two to three potential new injection and recovery sites, both in the Seaside Basin and the Carmel Valley • Possible source well rehabilitation and/or expansion in Carmel Valley; Potential treatment capacity expansion. May require EIR. • Develop strategy for direct diversion component of water right. • Amend existing permits and conform all permits to same standards; Attempt to create greater operating flexibility such that any injection well can inject any water and wells can be used for both recovery and production. • Undertake CEQA for a possible increase to season of diversion. • Complete a water availability analysis and an IFIM study to revise permit conditions. 	<ul style="list-style-type: none"> • In progress; Hampson memorandum under review; progress; Should be 1-year goal for 2019

10. Prepare for Allocation of “New Water”

The 1990 Allocation EIR resulted in the District developing a process for the allocation of water to the jurisdictions. The process was very interactive with jurisdiction participation. The District will need to be proactive to develop fair and equitable mechanisms for allocation of such water to the jurisdictions. Policies need to be considered for:

- In FY 2017-18, meet with jurisdictions to agree on future parameters
- The almost 1,800 acre-feet for legal lots of record
- Local projects such as Pacific Grove that free-up potable supplies within jurisdictions
- Future ASR, Table 13, Odello, changes in permit conditions, and so on may create additional supplies
- Use of any “excess” supplies in the early years of the project, before allocation to full build-out of Pebble Beach or legal lots of record
- Update and evaluation of the jurisdiction’s general plan needs
- Clean up the District rules regarding Water Credit transfers, sales, and categories.

11. Reform Rules and Regulations

Some Board members have expressed a desire to allow the addition of a half bathroom beyond a second bathroom. This may be part of a broader examination of all residential restrictions and a determination of what policies can be revised without an intensification of water use while the CDO remains in effect, as well as what direction policy should take for the future when the CDO is lifted.

- Consider change to second-bathroom protocol
- Develop credit for innovative technology
- Examine conservation off-set program
- Refine Group I, Group II, and Group III distinctions
- Reestablish District Reserve
- Expand use of water entitlements and ease water credit transfers
- Develop metering standard for non-Cal-Am pumpers on land use reporting method in the Carmel Valley Alluvial Aquifer
- General clean-up

12. Carmel River Mitigation Program

Determine direction for the District’s Carmel River mitigation activities as a result of removal of San Clemente Dam and the assumption that a new water supply comes on line.

- Deferred due to lack of progress on water supply project; Should be 3-year goal for 2019

- In progress in some areas; Should be 3-year goal for 2019

<p>Near term:</p> <ul style="list-style-type: none"> • Remove damaged bridge and footing from 1995 flood • Restore area downstream of Rancho San Carlos Road bridge damaged in 2017 • Invest in data collection to support future actions (PIT tagging, construction and staffing of a weir for fish counts, etc) • Promote strategies for addressing the striped bass issue • Secure outside funding for habitat restoration <p>Long term:</p> <ul style="list-style-type: none"> • Develop Mitigation Program “Endgame” Plan • What will be future Cal-Am operations? • What will be role of Cal-Am, NMFS, CDFW, non-Cal-Am pumpers? • How will a baseline be established? • What data will be needed? How will it be collected? For how long? 	<ul style="list-style-type: none"> • √ Accomplished • √ Accomplished • √ Accomplished • √ Accomplished • Incomplete <ul style="list-style-type: none"> • Should be 3-year goal for 2019
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ITEM: CONSENT CALENDAR**20. CONSIDER ADOPTION OF RESOLUTION 2019-05 AUTHORIZING AN EXCEPTION TO THE CALPERS 180-DAY WAIT PERIOD FOR HIRING A RETIREE**

Meeting Date:	May 20, 2019	Budgeted:	Yes
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	Salary & Benefits
Prepared By:	Suresh Prasad	Cost Estimate:	\$85,000

General Counsel Approval: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on May 13, 2019 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Planning and Engineering Manager/District Engineer, Larry Hampson, will retire on May 31, 2019. Some of his duties will be transferred to existing District staff. However, there is a need for his specialized skills and knowledge of District projects, such as the Sleepy Hollow Intake Facility Project. He will provide assessment and oversight on District projects. Mr. Hampson's unique experience and historical knowledge, after 28 years with the District, make him the only individual who can carry out these functions. The District is also required to have a registered Professional Engineer on staff and currently, Mr. Hampson is the only staff member who is a registered Professional Engineer.

It would greatly benefit the District to offer a limited-term, part-time contract as a retired annuitant to Mr. Hampson. The contract would be for Mr. Hampson to act as a District Engineer at his former hourly rate of \$78.03, for up to 960 hours from June 1, 2019 through May 31, 2020. He would not receive any benefits, other than those mandated by state and federal law.

The California Public Retirement System (CalPERS) requires that the governing body of any agency wishing to hire a retiree prior to 180-days following their retirement date, pass a resolution to that effect. The resolution must be presented and considered in open session, not on the consent calendar.

RECOMMENDATION: That the Board adopt Resolution 2019-05, **Exhibit 20-A**, authorizing an exception to the CalPERS 180-day wait period to hire Larry Hampson as a part-time, limited-term employee.

IMPACTS TO STAFF/RESOURCES: The cost to the District for a 12-month, part-time contract would not exceed \$85,000.

EXHIBIT**20-A Resolution 2019-05**

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EXHIBIT 20-A

RESOLUTION NO. 2019-05

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANGEMENT DISTRICT REGARDING
AUTHORIZING AN EXCEPTION TO THE 180-DAY WAIT
PERIOD GC SECTIONS 7522.56 & 21224**

The Board of Directors of the Monterey Peninsula Water Management District, hereby adopts the following Resolution:

WHEREAS, in compliance with Government Code section 7522.56 the Monterey Peninsula Water Management District must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his retirement date; and

WHEREAS, Larry Hampson, CalPERS ID 5195087388, retired from the Monterey Peninsula Water Management District in the position of Planning and Engineering Manager/District Engineer, effective May 31, 2019; and

WHEREAS, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is November 30, 2019 without this certification resolution; and

WHEREAS, section 7522.56 provides that this exception to the 180 day wait period shall not apply if the retiree accepts any retirement-related incentive; and

WHEREAS, the Monterey Peninsula Water Management District Board of Directors, the Monterey Peninsula Water Management District, and Larry Hampson certify that Larry Hampson has not and will not receive a Golden Handshake or any other retirement-related incentive; and

WHEREAS, the Monterey Peninsula Water Management District Board of Directors hereby appoints Larry Hampson as an extra help retired annuitant to perform the duties of District Engineer for the Monterey Peninsula Water Management District under Government Code section (21224), effective June 1, 2019; and

WHEREAS, the entire employment agreement, contract or appointment document between Larry Hampson and the Monterey Peninsula Water Management District has been reviewed by this body and is attached herein, as Attachment A; and

WHEREAS, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the employment shall be limited to 960 hours per fiscal year; and

WHEREAS, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

WHEREAS, the maximum base salary for this position is \$13,525 per month and the hourly equivalent is \$78.03, and the minimum base salary for this position is \$11,128 and the hourly equivalent is \$64.20; and

WHEREAS, the hourly rate paid to Larry Hampson will be \$78.03; and

WHEREAS, Larry Hampson has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate;

THEREFORE, BE IT RESOLVED THAT the Monterey Peninsula Water Management District Board hereby certifies the nature of the appointment of Larry Hampson as described herein and detailed in the attached employment contract document, and that this appointment is necessary to fill the critically needed position of District Engineer for the Monterey Peninsula Water Management District by June 1, 2019, because there is a need for oversight of District projects.

On a motion by Director _____, and second by Director _____, the foregoing resolution is duly adopted this 20th day of May, 2019, by the following votes:

AYES:

NAYES:

ABSENT:

Presiding Officer

Monterey Peninsula Water Management District

I, David J. Stoldt, Secretary of the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted on the _____ day of _____, 2019.

Witness my hand and seal of the Board of Directors, this ____ day of _____, 2019.

David J. Stoldt, Secretary to the Board

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ITEM: PUBLIC HEARING**21. CONSIDER ADOPTION OF A NEGATIVE DECLARATION AND THE SECOND READING AND ADOPTION OF ORDINANCE NO. 181 AMENDING DISTRICT RULES AND REGULATIONS TO MODIFY THE EXTENT OF THE CARMEL RIVER RIPARIAN CORRIDOR**

Meeting Date:	May 20, 2019	Budgeted:	No
From:	David A. Stoldt, General Manager	Program/ Line Item No.:	N/A
Staff Contact:	Larry Hampson	Cost Estimate:	\$2,400 Acct.24-03-780100

General Counsel Approval: Yes.**Committee Recommendation: N/A****CEQA Compliance: Subject to review according to California Environmental Quality Act Guidelines Section 15153 - Use of an EIR from an Earlier Project**

SUMMARY: Draft Ordinance 181 would extend the Carmel River Riparian Corridor by 13.5 miles from the eastern end of Carmel Valley Village upstream to the Ventana Wilderness boundary (**Exhibit 21-A with strikeout and additions**). The District currently implements a comprehensive program to protect and restore water resources along the lower 15.4 miles of the main stem of the Carmel River. The District desires to extend this program upstream by 13.5 miles, such that all properties between the Pacific Ocean and the Ventana Wilderness boundary would be included in the program. The definition of the Carmel River Riparian Corridor, which includes area within 25 lineal feet of the 10% chance flood line, and the District Rules concerning activities in the Riparian Corridor of the Carmel River would apply to all the properties in this reach of the river.

To comply with California Environmental Quality Act (CEQA) requirements, the District has relied on the previously certified 1984 Final EIR for the Carmel River Management Program and proposes to adopt a Mitigated Negative Declaration (MND, **Exhibit 21-B**) for this Project. Written comments were received from the California Department of Transportation (CALTRANS), the California Department of Fish and Wildlife (CDFW), and the Native American Heritage Commission (NAHC). At the Public Hearing, the Board will consider any additional comments about the proposal and hold the second reading of draft Ordinance 181.

RECOMMENDATION: Staff recommends that the Board take the following actions:

1. Respond to any additional written or oral comments during the Public Hearing.
2. Approve the Draft Mitigative Negative Declaration and direct staff to prepare a Final Mitigated Negative Declaration incorporating comments and responses.
3. Adopt Ordinance 181.
4. Direct staff to post a Notice of Determination.

DISCUSSION: [Note: see Item 10, February 21, 2019 Board meeting packet for additional background information.] A Notice of Intent to adopt a Draft Initial Study/Mitigated Negative Declaration was published by MPWMD on February 26, 2019 and by the State Clearinghouse on February 28, 2019. Written comments and the District's responses are attached as **Exhibit 21-C**. The first reading of Draft Ordinance 181 was at the April 15, 2019 meeting.

The main changes to the District's Rules for the Riparian Corridor include the following:

- The upper limit of the Riparian Corridor would move from Camp Stephani in Carmel Valley Village to the Ventana Wilderness boundary;
- About 40 properties would be added to the Riparian Corridor;
- Lawns, landscaping, and cultivated areas as shown in the June 2017 aerial photos would be exempt (the 1983 aerial photos are the basis for exemptions at present);
- The reference to the 10% chance flood for defining the limits of the Riparian Corridor is changed to be the most recent flood analysis (as opposed to the analysis from 1984);
- Assistance to property owners to acquire rights of way is dropped;
- Clarification of research and monitoring tasks;
- Clarification of management of debris and vegetation;
- Streamline language and requirements for acquisition of a River Work Permit;
- Add a requirement to show that proposed project work would not induce downcutting;
- Make copies of River Work Permits available through the District's public outreach platform (e.g., on the District's web site).

A draft version of Rules 11, 123, and 127 as they would be written after adoption of Ordinance 181 is attached as **Exhibit 21-D**.

Summary of Comments and District Responses

CALTRANS: District 5 informed MPWMD that an encroachment permit is required for work within any CALTRANS right of way and that all work must conform to CALTRANS standards. MPWMD responded with an email that all permits issued by MPWMD include a requirement to obtain necessary local, State, and Federal permits. There is one CALTRANS right of way along the main stem of the Carmel River at Highway 1.

CDFW: The main concern expressed by CDFW is that the MND does not contain specific mitigation measures to reduce potential impacts to plant and animal species of concern. MPWMD responded that an extension of the riparian corridor does not have a physical impact to the environment and that mitigation measures for specific projects would be developed in response to individual project applications for work. MPWMD also suggested working through the existing Routine Maintenance Agreement process MPWMD has with CDFW to address their concerns about potential impacts from proposed projects and about cooperation on regulating activities in the Riparian Corridor.

NAHC: The NAHC recommended consulting with California Native American Tribes about the proposed Project. In 2015, the Ohlone/Costanoan-Esselen Indian Nation (OCEN) requested formal notification for projects within the District's area of jurisdiction. As requested and in

compliance with AB 52, the District notified the OCEN Tribal Chairwoman, who received a notification package on March 15, 2019. MPWMD provided the Notice of Intent to adopt Ordinance 181 and a copy of the MND. No comments on this project were received from OCEN and no request for consultation was received within 30 days of notification. The 1984 EIR previously certified by the Board determined that there could be cultural resources that would be affected by proposed projects and recommended investigations of cultural resources as a mitigation measure. It should be noted that such studies are usually mandated by either Monterey County or the US Army Corps of Engineers as part of the review process. As with many of the comments from CDFW about potential impacts, determining whether cultural resources could be affected cannot be determined until a project is proposed at a particular site.

California Environmental Quality Act

The District will rely on the Carmel River Management Program Environmental Impact Report adopted by the Board in 1984; on the proposed Mitigated Negative Declaration described in the February 21, 2019 meeting packet; and responses to comments received in making a final determination (CEQA Section 15153). The Monterey County filing fee for a MND is \$2,404.75, which includes \$2,354.75 for the CDFW Environmental Document Filing Fee.

IMPACT TO DISTRICT RESOURCES: Extending the Carmel River Riparian Corridor could require additional staff time to enforce District Rules. Other District activities such as vegetation management, technical assistance, and carrying out restoration projects would continue to be carried out as funding allows.

EXHIBITS

- 21-A** Draft Ordinance 181 with strikeout and additions
- 21-B** Initial Study/Mitigated Negative Declaration
- 21-C** Comments and Responses
- 21-D** Draft of Rules 11, 123, and 127 after adoption of Ordinance 181

DRAFT ORDINANCE NO. 181

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MONTEREY
PENINSULA WATER MANAGEMENT DISTRICT AMENDING DISTRICT RULES
AND REGULATIONS TO MODIFY THE EXTENT OF THE CARMEL RIVER
RIPARIAN CORRIDOR
(AMENDING RULES 11, 123, and 127)**

FINDINGS

WHEREAS, the Board of Directors of the Monterey Peninsula Water Management District (District) finds as follows:

1. The California Legislature has charged the District with the integrated management of water resources and problems affecting the Monterey Peninsula and the Carmel River basin.
2. On July 26, 1983, the District approved Ordinance 10, which added District Rules to implement the Carmel River Management Plan to promote the balanced uses of these resources; protect the water course, the watershed, public ways, life and property in a portion of the Carmel River; promote the restoration of river banks and scenic resources; reduce environmental degradation; and enhance the fish and wildlife habitat.
3. On October 29, 1984, the District adopted Resolution 84-26 making findings, a statement of overriding considerations, and certifying the Final Environmental Impact Report for the Carmel River Management Plan (CRMP) and Boronda Erosion Control Project.
4. On August 11, 1986, the District adopted Resolution 86-17 to approve Phase 3 of the Schulte Project and an Addendum to the CRMP EIR.
5. On August 8, 1988, the District approved a Negative Declaration on the Scarlett Restoration Project.
6. On July 20, 1992, the District approved the Valley Hills Restoration Project and filed a Notice of Determination.
7. On August 17, 1992, the District approved the deDampierre Restoration Project and filed a Notice of Determination.
8. On June 21, 1993, the District adopted Ordinance 69 amending its Rules and Regulations to continue implementing certain Carmel River management activities.
9. On August 18, 1997, the District approved an Addendum for the Red Rocks and All Saints Projects and added mitigation measures to the CRMP EIR to protect California red-legged frogs.
10. On August 21, 2000, the District approved an Addendum for Repairs to the Valley Hills and Schulte Restoration Projects.
11. On February 22, 2018, the District approved an Addendum for the Rancho San Carlos Road Streambank Stabilization Project.

12. Ordinance 10 and 69 apply to activities in the Carmel River within a defined Riparian Corridor between the Pacific Ocean and the eastern end of Camp Stephani at the confluence of Klondike Creek with the main stem, approximately 15.4 River Miles upstream of the Pacific Ocean. Between 1984 and the present, the District has regularly approved River Work Permits in accordance with the Rules adopted by the District to protect the Riverbed and banks of the Carmel River.

13. The Carmel River undergoes periodic and sudden changes from drought, flood and other factors, some of which originate outside of the Riparian Corridor defined under Ordinance 10. The District desires to protect and restore all the riparian resources of the Carmel River and its surrounding environs and to update its Rules for the Carmel River to reflect changes in the river environment and the need to better manage the resources of the Carmel River.

14. The District finds that changes to the river and watershed upstream of the confluence with Klondike Creek due to human activities have or can significantly affect riverfront properties and the streamside environment within the Riparian Corridor. To better protect the resources of the river, the District desires to extend the definition of the Riparian Corridor and apply the District Rules concerning activities in the Riparian Corridor to the main stem of the Carmel River between the Pacific Ocean and the boundary of the Ventana Wilderness.

15. The District finds that such an extension would not have adverse impacts to the environment with proposed mitigation measures.

16. In compliance with the California Environmental Quality Act, Section 15153, the District has determined that the Final Environmental Impact Report for the Carmel River Management Plan (CRMP) and Boronda Erosion Control Project adequately describes potential impacts and mitigation measures and that a Mitigated Negative Declaration should be prepared for an extension of the CRMP.

17. On February 21, 2019, the District authorized staff to publish a Notice of Intent to adopt a Mitigated Negative Declaration to modify the extent of the Carmel River Riparian Corridor.

18. On February 21, 2019, the District held a Public Hearing to receive comment on the Mitigated Negative Declaration and first reading of proposed Ordinance 181.

19. On April 15, 2019, the District held a Public Hearing to receive comment on the first reading of a revised proposed Ordinance 181.

20. On _____, the District held a Public Hearing to approve the Mitigated Negative Declaration and Ordinance 181.

21. The following District Rules shall be amended by this ordinance: Rule Nos. 11, 123, and 127.

NOW THEREFORE, be it ordained as follows:

ORDINANCE

Section One: Short Title

This ordinance shall be known as the "2019 Carmel River Riparian Corridor Ordinance Update" of the Monterey Peninsula Water Management District.

Section Two: Statement of Purpose

The purpose of the ordinance is to protect and restore the natural values and beneficial uses of the Carmel River and its Riparian Corridor, including: (1) protection of existing riparian vegetation; (2) protection from riverbank erosion; (3) protection of aquatic and wildlife habitats; (4) protection of water quality; and (5) protection of open space and aesthetic values.

Section Three: Scope

This ordinance amends existing District Rules and Regulations to modify the definition of the Riparian Corridor, extend District Rules for Carmel River main stem activities to the area between the Pacific Ocean and the Ventana Wilderness boundary, and clarify staff functions with regards to District activities carried out in the Carmel River.

Section Four: District Rules Modifications and Additions

The Rules and Regulations of the Monterey Peninsula Water Management District shall be amended as follows:

The following Rules shall be amended as shown in bold italics (***bold italics***) and strikeout (~~strikethrough~~).

Rule No. 11 - DEFINITIONS

RIPARIAN CORRIDOR – shall mean:

- a. 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~~ between the Pacific Ocean and the Ventana Wilderness boundary.
- b. 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 Rule 123 A~~ 10% chance flood between the Pacific Ocean and the Ventana Wilderness boundary. In those areas where the 10% chance flood is not defined, a constructive line shall be determined by the District Engineer using a generally accepted method of determining the extent of the 10% chance flood. Lawns, landscaping, and cultivated areas as shown on the June 2017 aerial photographs on file with the District are exempt unless a lawn, landscaping, or cultivated area is the subject of a violation of the District Rules as of the day of adoption of this Ordinance.

Added by Ordinance No. 10 (7/26/83); amended by Ordinance 181 (Month/Day/2019)

~~RIVERBANK ASSESSMENT LINE – “Riverbank Assessment Line” shall mean the waterline of the Carmel River during the flow with a recurrence interval of ten (10) years (ten year flood), as determined for the Federal Insurance Administration by Nolte and Associates; the waterline shall be determined by the step-backwater method described in the United States Geologic Survey Water Supply Paper 1968-A, 1966, “Definition of Stage-Discharge Relationship in Natural Channels by Step-backwater Analysis”, by J.F. Bailey and H.A. Ray. In those areas where the Riverbank Assessment Line cannot be determined through use of the foregoing criteria, a constructive Riverbank Assessment Line shall be determined by the General Manager based upon interpreting the spring 1983 aerial photographs.~~

Added by Ordinance No. 10 (7/26/83); deleted by Ordinance 181 (month/day/2019)

~~RIVERBED – “Riverbed” shall mean the more or less permanent and natural hollow, path or channel over which the 10% chance flow regular or usual waters of the Carmel River flow with a occurs recurring or annual interval. The term “channel” includes the riverbanks and shall be synonymous with the term “Riverbed”. The 10% chance flow shall be determined using a generally accepted method of statistical hydrology, such as described in USGS Bulletin 17-B, using historically gaged Carmel River flows. The waterline of the 10% chance flow shall be determined by applying the standard step backwater method using a computer simulation program such as HEC-RAS developed by the U.S. Army Corps of Engineers. Where the lateral extent of the Riverbed cannot be determined using the foregoing criteria, a constructive limit of the Riparian Corridor shall be determined by the District Engineer based upon historical analysis of aerial photographs and other data as appropriate.~~

Added by Ordinance No. 10 (7/26/83); amended by Ordinance 181 (month/day/2019)

RULE 123 RIVER MANAGEMENT ACTIVITIES

The following activities fall within the purview of the Carmel River Management Plan and may be undertaken by the District as discretionary acts to the extent that funds are reasonably available.

A. EROSION PROTECTION AND PREVENTION**1. Formulation of Standards**

Develop technical standards and a structural master plan to guide all riverbank and channel modification projects. Guidelines may (a) set the optimum channel width and bank steepness to depth relationships, (b) address coordination requirements among nearby property owners, (c) evaluate the cost and effectiveness of alternative bank stabilization solutions, (d) establish preferred solutions, (e) define acceptable circumstances and processes for sediment ~~removal~~ management, (f) set general engineering requirements for material and design, (g) establish requirements for covering, replanting and maintaining works once completed. Standards shall be reviewed to reflect experience gained during implementation of the program, and (h) establish aesthetic requirements for erosion works.

2. Annual Review

Review aerial photos as required to remain familiar with the changing environment of the river ~~taken each spring; regularly inspect the Riverbed walk the entire alluvial reach of the river from Camp Steffani to the Carmel River lagoon.~~ Review areas that may be subject to erosion during high flows ~~the next storm season.~~

3. Removal of Hazardous Trees

Identify trees that appear to be diseased or likely to fall into the river. Attempt to effect removal or modification or replacement of such trees where their removal or modification does not conflict with ~~the~~ shade or wildlife requirements.

4. Snag Removal

Remove or modify snags and debris from the channel that increase the risk of bank erosion at high flows, ~~or secure with cables where appropriate.~~

5. Technical Assistance

Provide technical assistance through staff as follows:

a. Permits

Coordinate issuance of ~~River~~ Work ~~Permits~~ with the requirements of the County of Monterey, the California Department of Fish and Wildlife Game, ~~and the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and any other agency that regulates activities in the Riverbed.~~

b. Design of Works

Provide design, engineering and construction supervision upon request to landowners proposing riverbank or channel protection projects.

- c. Landowners
Assist landowners to ~~acquire rights of way and assist groups of landowners to select~~ carry out appropriate projects by providing information on standards and costs.
 - d. Government
Monitor the availability of outside funding and review proposed legislation affecting the program or the interests of the Carmel River.
 - e. Funding
Participate in specific ~~R~~River ~~w~~Works projects as feasible and desired by the Board. Financial participation may be partial or full at the discretion of the Board.
- 6. Project Sponsor
Administer grant funds, donations, and District projects with multiple property owner participation.
 - 7. Construction
Construct riverbank and channel works.
 - 8. Maintenance of Works
Operate and maintain District projects and works related to riverbank and ~~R~~Riverbed erosion along the Carmel River.

B. MAINTENANCE OF VEGETATION

- 1. Monitoring
Review ~~annual~~ aerial photos, ~~and conduct~~ inspections of the ~~R~~Riparian ~~e~~Corridor and use other monitoring data to determine changes in the health of the riparian vegetation and stability of riverbanks. Maintain records a file of photos and maps showing changes in the ~~R~~Riparian ~~e~~Corridor.
- 2. Planting and Revegetation
Replant areas as needed and prioritize areas for planting. Costs of planting may be borne fully or partially by the District.
- 3. Technical Assistance
As District resources and priorities allow, Pprovide technical assistance through staff as follows:
 - a. Permits
Assist individuals seeking permits to revegetate and change the vegetation type along the ~~R~~Riparian ~~e~~Corridor.
 - b. Design
Provide design, engineering, and construction support upon request to

landowners proposing irrigation systems for watering riparian vegetation in the corridor.

4. Construction of Irrigation Systems

Design District ~~i~~rrigation ~~s~~System standards and specifications and identify reaches where such irrigation is necessary to the health of the ~~#~~Riparian ~~e~~Corridor. Prioritize areas for irrigation. Irrigation development and construction costs may be borne fully or partially by the District at the discretion of the Board.

5. Operations and Maintenance

Monitor and maintain District ~~i~~rrigation ~~s~~Systems. Operation should integrate monitoring of plant health.

6. Channel Clearing

Monitor reaches where vegetation or debris has become established in the ~~Riverbed~~ low flow channel or on gravel bars. If feasible, Maintain an adequate clearance within the Riverbed channel capacity to safely pass debris or reduce the risk of erosion due to or prevent blockages that could cause damage to streambanks ~~property~~ and riparian habitat due to storm flows with in the Riverbed ~~a magnitude that is less than or equal to the once in ten (10) year runoff event.~~

C. INSPECTION

1. Erosion Protection Works

Inspect bank work and channel modification projects to obtain compliance with standards and permit conditions.

2. Vegetation Removal

Monitor activities along the river to prevent unauthorized vegetation removal, grading, and works.

D. EDUCATION

1. Erosion Works and Prevention

Educate landowners and the general public regarding river management and erosion prevention. Initiate forums with landowners to provide information on the cost, effectiveness and liabilities of bank modification.

2. Vegetation

Assist property owners to encourage planting of desirable species and to discourage removal of native vegetation. Provide information on desirable species, spacing and maintenance.

3. Grading

Develop and distribute information on grading.

4. Regulation

Develop and distribute standards and conditions to be met in ~~#~~River ~~w~~Work

~~p~~Permits and emergency ~~r~~River ~~w~~Work ~~p~~Permits pursuant to Rule 127.
Distribute information as to those activities which may be undertaken without a
~~r~~River ~~w~~Work ~~p~~Permit, and activities which are defined as "minor works"
pursuant to Rule 127.

E. RESEARCH

Research stream geomorphology, erosion potential, fishery and vegetation to understand the system dynamics and to maintain appropriate standards.

F. EASEMENTS AND AGREEMENTS

Accept and acquire easements or agreements needed to provide right-of-way for
~~i~~Irrigation ~~s~~Systems and access to undertake works, and accept other property interests
deeded to the District.

G. EMERGENCY

Provide emergency response to remove *or modify* snags and to minimize damage where the river is causing erosion or threatening to erode.

H. *PERIODICALLY REVIEW AND UPDATE MAPS SHOWING THE LIMITS OF THE RIPARIAN CORRIDOR*

Develop and periodically update a geo-referenced set of maps showing property lines, the 10-year flowline, and the limits of the Riparian Corridor.

I. OTHER RELATED ACTIVITIES

Manage the ~~r~~Riparian ~~e~~Corridor, examine sedimentation from non-riparian drainage areas and evaluate culvert design at tributary junctions in conjunction with the Monterey County Department of Public Works. Monitor existing trails for impact upon the ~~r~~Riparian ~~e~~Corridor. Develop and propose trail standards. Accept river management funds, grants, and deeds from public and private sources.

*Added by Ordinance No. 10 (7/26/83); amended by Ordinance No. 22 (3/11/85);
Ordinance No. 69 (6/21/93); **Ordinance 181** (month/day/2019)*

RULE 127 - PERMIT PROCESS**A. RIVER WORK PERMITS**

1. Applications for River Work Permits shall be made to the Monterey Peninsula Water Management District on forms supplied by District staff and shall be accompanied by plans showing appropriate Site, improvement and engineering information as may be required by District staff. The fee prescribed by Rule 60 shall be required for any River Work Permit.
2. Any application which appears to propose an activity regulated pursuant to the National Flood Insurance Program, including but not limited to:
 - a. grading or changes in land forms that might alter channel hydraulics or the configuration of the floodway, or
 - b. levees or other flood control works that might alter channel hydraulics or the configuration of the floodway, shall be referred for review and comment to the Monterey County Water Resources Agency.
3. ~~A public hearing shall be held by the General Manager or District Engineer on the application after the Within 30 days of receipt of application, District Staff shall determines whether that the information submitted by the Applicant is sufficient to consider the matter. If the Application is not sufficient, District Staff shall identify what additional information is required and inform the Applicant to submit the additional information (normally within 30 days of notification of the deficiencies). ; not less than ten (10) calendar days prior to the public hearing the District shall give notice of the hearing by one publication in a newspaper of general circulation and by posting notice in conspicuous places close to the properties affected by the application. The General Manager or his delegate shall have sole discretion as to where to post such notice, and a failure to post shall not invalidate the proceedings. The General Manager or his delegate shall also give notice of such hearing by mailing postage prepaid a notice of the time and place of such hearing to persons owning property adjacent to the exterior boundaries of the area actually occupied by the use for which the River Work Permit was applied. Addresses shall be used from the last equalized assessment roll, or alternatively, from such other records of the Assessor or the Tax Collector as contain more recent addresses in the opinion of the General Manager. No hearing shall be required of non-controversial minor works.~~
4. The Board of Directors shall by resolution promulgate upon advice of the Carmel River Advisory Committee a list of “minor works.” ~~for which Permits, in the absence of controversy, may be granted by the General Manager upon payment of the fee prescribed by Rule 60 without published notice or public hearing.~~ Minor work permits and regular River Work Permits which have been issued shall be prominently posted in the Monterey Peninsula Water Management District office, and shall not become effective until seven (7) days after issuance. Such ~~P~~ermits may be appealed to the Board pursuant to Rule 127-C of this ~~R~~egulation. Holders

of a minor work ~~P~~permit may undertake such work immediately upon issuance of the ~~P~~permit (~~but before the Permit becomes effective~~), provided however, that each Applicant for a minor work ~~P~~permit who undertakes work prior to the effective date of such ~~P~~permit agrees in writing to proceed during that seven-day period at his own risk, and agrees to indemnify and hold harmless the Monterey Peninsula Water Management District for any damage which may result, and agrees to comply with any Board order should the ~~P~~permit be denied or conditioned on appeal.

5. In order to grant a regular River Work Permit, an emergency work ~~P~~permit, or a minor work ~~P~~permit, the General Manager or the District Engineer shall make the following findings based upon facts apparent from the ~~d~~District files, the ~~P~~permit application or other relevant facts ~~presented at the hearing~~:

- a. the work allowed by the proposed permit does not appear to adversely affect adjoining or other properties;
- b. the work allowed does not degrade habitat value and appears to be visually compatible with the natural appearance of the river channel, banks and Riparian Corridor;
- c. the work allowed appears to be appropriate for the intended purpose, and be consistent with technical standards and plans set by the District~~Carmel River~~
~~Advisory Committee~~;
- ~~e.d.~~ the work allowed will not contribute to adverse levels of downcutting;
- ~~d.e.~~ the establishment, maintenance or operation of the use or work applied for does not appear under the circumstances of the particular case, to be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the District, ~~and;~~
- f. the work permitted appears either to comply with, or be exempt from the requirements of the National Flood Insurance Program; and
- ~~e.g.~~ the work permitted will not adversely affect traditional or cultural values of California Native American tribes.-

6. The General Manager or the District Engineer may designate conditions in connection with the ~~P~~permit to secure the purposes of this ~~R~~Regulation, in addition to any standard ~~P~~permit conditions which may be required by the Board. The General Manager or the District Engineer may also require bond and guarantees to assure compliance with the conditions.

Each permit shall briefly set forth or refer to the information used to develop permit condition~~evidence supporting the findings~~.

7. Each ~~P~~permit issued by the General Manager or the District Engineer shall become effective seven (7) days after the date such ~~P~~permit was issued and

remain valid until the date of expiration stated on the Ppermit; or if no date of expiration is stated, or otherwise specified, all such Ppermits shall expire one year from the date of granting said Ppermit.

8. When a property owner wishes to maintain the river channel and/or riverbank on a regular basis, a River Work Permit may be issued by the General Manager or District Engineer upon the approval of an appropriate management plan. Permits granted for such ongoing activity under this Rule shall state this basis for termination as follows:

“This Ppermit shall terminate on the date set forth below; and if no date of termination is set, shall terminate one year after the repeal of this Rule or Regulation.”

9. *Each permit shall be publicly posted at the District office for a period of not less than 21 days and shall be made available for public viewing through other District communication platforms, such as on the District’s internet web site.*

B. EMERGENCY RIVER WORK PERMITS

Emergency riverbank or Riverbed protection or channel modification measures performed under this Regulation shall require a subsequent emergency River Work Permit from the General Manager or District Engineer. An application for such a Ppermit shall be submitted within ten (10) calendar days after commencement of such measures. The fee prescribed by Rule 60 shall be required for any emergency River Work Permit. The intent of such a subsequent emergency River Work Permit is to ensure that any emergency bank and bed protection measures conform to or will be brought into conformance with the technical standards promulgated in accord with this Regulation. To the extent practicable, emergency River Work Permits shall be administered and granted in accordance with Rule 127-A above, and may also be appealed to the Board in accord with Rule 127-C. Standards shall be developed and distributed summarizing the design concepts that will be required in emergency Ppermits. Persons undertaking emergency River Works without prior approval shall bear sole responsibility for the adequacy and safety of such work, and shall be deemed to proceed at their own risk. The District, upon later review of the emergency River Work Permit, reserves the right to require removal or modification of such works to that measure compatible with the structural management plan.

C. PERMIT APPEALS

Determinations of the General Manager or the District Engineer may be appealed to the Board of Directors pursuant to Rule 70, “Appeals” upon payment of the fee specified in Rule 60.

*Rule added by Ordinance No. 10 (7/26/83); amended by Ordinance No. 22 (3/11/85); Ordinance No. 14 (11/12/84); Ordinance No. 69 (6/21/93); Ordinance No. 120 (3/21/2005); Ordinance No. 125 (9/18/2006); **Ordinance 181** (Month/Day/2019)*

Section Five: Publication and Application

The provisions of this ordinance shall cause the republication and amendment of *Rules 11, 123, and 127 of* the permanent Rules and Regulations of the Monterey Peninsula Water Management District. This ordinance shall be read in conjunction with and complement those provisions of the District's Rules and Regulations, provided, however that the provisions enacted by this measure shall take precedence and supersede any contradictory provision of those rules. Section titles and captions are provided for convenience and shall not be construed to limit the application of the text.

Section Six: Effective Date and Sunset

This ordinance shall be given effect at 12:01 a.m., Month Day, 2019.

This ordinance shall not have a sunset date.

Section Seven: 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 or unenforceability 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. ~~His~~ It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion of Director _____ and second by Director _____, the foregoing ordinance is duly adopted this ____ day of _____, 2019, by the following votes:

AYES

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a full, true and correct copy of an ordinance duly adopted on this ____ day of _____, 2019, and now is of record in my office.

Witness my hand and seal of the Board of Directors this ____ day of _____ 2019.



EXHIBIT 21-B

DRAFT MITIGATED NEGATIVE DECLARATION FOR

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT AMENDING DISTRICT RULES AND REGULATIONS TO MODIFY THE EXTENT OF THE CARMEL RIVER RIPARIAN CORRIDOR

The District Engineer has reviewed the proposed ordinance to determine whether it could have a significant effect on the environment as a result of implementation. “Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: 2019 Carmel River Riparian Corridor Ordinance Update

PROJECT FILE NUMBER:

PROJECT DESCRIPTION: The Monterey Peninsula Water Management District (MPWMD or District) is charged with the integrated management of the water resources of the Carmel River basin, which is a coastal basin located a few miles southeast of Monterey in Monterey County. The District currently implements a comprehensive program to protect and restore water resources along the lower 15.4 miles of the main stem of the Carmel River. The District desires to extend this program upstream by 13.5 miles, such that all properties between the Pacific Ocean and the Ventana Wilderness boundary would be included in the program. The definition of the Carmel River Riparian Corridor, which includes area within 25 lineal feet of the 10% chance flood line, and the District Rules concerning activities in the Riparian Corridor to the main stem of the Carmel River would apply to all the properties in this reach of the river.

The Carmel River Management Program (CRMP) includes Rules to require a valid permit from MPWMD to alter the bed or banks of the river and to remove vegetation. In addition, the program provides technical assistance to property owners, funds to mitigate for impacts to the environment, monitoring of the health of the stream, and research to understand system dynamics and to maintain appropriate standards.

The District now proposes to extend its Rules that protect the bed and banks of the main stem Carmel River from River Mile (RM, measured from the ocean) 15.4 at the confluence of the main stem with Klondike Creek to the Ventana Wilderness boundary at approximately RM 28.8, which would result in an additional 13.5 miles that would be included in the District’s program. The reach is sparsely populated, but includes some private residences, the Stonepine Resort, the former

San Clemente Dam site, a portion of Prince's Camp, the Cachagua Community Center, and the Los Padres Dam and Reservoir. The approximate middle of the reach is at latitude 36.416N; longitude -121.709E.

The natural resources of the Carmel River downstream of the Ventana Wilderness have been impacted by a variety of causes in the past two hundred years that include early grazing and clearing of the Valley for agriculture, impoundment of water and sediment retention at Los Padres, Old Carmel River, and San Clemente dams, surface water diversions, gravel mining, development of the flood plain, vegetation removal, groundwater pumping, disorganized responses to widespread streambank erosion, and fire suppression in the surrounding watershed.

Along many reaches of the lower Carmel River below San Clemente Dam, extensive changes in channel form have occurred since the mid-1960s. Changes include widening of the bed in some areas and downcutting in others, extensive bank erosion, and damage or loss of streamside vegetation. Effects have been particularly dramatic during winter storm events when damage to property can be significant.

Steelhead and their habitat from the Pacific Ocean to the confluence of Danish Creek with the main stem (at RM 26) have undergone cyclic degradation due to sediment starvation, dewatering, vegetation removal, development, bank erosion, increases in water temperature (due to the presence of main stem reservoirs), passage problems, and changes to the food supply.

The District desires to protect and restore all the riparian resources of the Carmel River and its surrounding environs downstream of the Ventana Wilderness boundary and to update its Rules for the Carmel River to reflect changes in the river environment and the need to better manage the resources of the Carmel River basin.

The District finds that changes to the river and watershed upstream of the confluence with Klondike Creek due to human activities have or can significantly affect riverfront properties and the streamside environment within the lower portion of the river. Current program activities such as monitoring, vegetation management, restoration activities, and Rules enforcement would not change. However, this program would be extended upstream to cover the additional area. It should be noted that MPWMD presently carries out a comprehensive steelhead monitoring, rescue, and enhancement program throughout the length of the river between the Pacific Ocean and the limit of anadromy in the main stem.¹

The existing program to protect and restore the lower 15.4 miles of the river was approved by MPWMD on October 29, 1984 (SCH Number: 84032705). The District adopted Resolution 84-26 making findings, a statement of overriding considerations, and certifying the Final Environmental Impact Report for the Carmel River Management Plan and Boronda Erosion Control Project. This program includes Rules to require a valid permit from MPWMD to alter the bed or banks of the river and to remove vegetation. In addition, the program provides technical assistance to property owners, funds to mitigate for impacts to the environment, monitoring of the

¹ The limit of anadromy is about three miles upstream of the Ventana Wilderness boundary along the Miller Fork branch of the Carmel River. Within the Ventana Wilderness, steelhead habitat is monitored, but no rescues or habitat enhancement occurs.

health of the stream, and research to understand system dynamics and to maintain appropriate standards.

Streamside conditions along the lower 15.4 miles of the river have significantly improved as compared with the conditions at the time of the 1984 EIR. These changes are the result of: 1) a significant reduction in Cal-Am diversions to municipal use and a cessation of surface water diversions at the former San Clemente Dam; 2) restrictions placed by Monterey County on floodplain development; and 3) a comprehensive program to mitigate for stream diversions and restore the natural resources of the river. In addition to legacy impacts from human activities over the past two hundred years, two fundamental ongoing problems remain that affect all of the river from Los Padres Reservoir downstream: 1) impoundment of the natural sediment supply from the upper watershed behind Los Padres Dam; and 2) diversions in the watershed that contribute to seasonal dewatering of the Carmel Valley Alluvial Aquifer. The primary management goal of the CRMP – “...a progressive and predictable transition of the river to an equilibrium 'stable' channel for those sites below Robles del Rio where such conditions do not today exist” – is still valid.

The 1984 EIR described one potentially adverse impact from implementing the CRMP – adverse downcutting, especially in the reaches above the Narrows at RM 9.9 and a parallel decline of the water table. While the previous analysis was correct in recognizing the effects of sediment starvation, the actual impact has manifested itself more in the lower seven miles of the river than above the Narrows. In the lowest reach, there has been several feet of downcutting which has exposed infrastructure in the active channel and contributed to streambank instability.

The quasi equilibrium state of the river² described for the 1921-1965 period appears to be re-established in some reaches of the river downstream of Robles del Rio (in Carmel Valley Village). However, the removal of San Clemente Dam at RM 18.6 in 2015 has been a significant event and the cumulative effect of its removal may not be clear for several years.

Stream conditions described in the 1984 EIR have evolved as a result of the enactment of the CRMP, reduced water diversions, and changes in municipal supply operations. In 1984, the most impacted reaches of the river were between Schulte Road and Robles del Rio. After most groundwater pumping was shifted to downstream of Schulte Road in the mid-1980s, the reach between Schulte Road and Rancho Cañada became the most heavily impacted. Much of the reach upstream of the Narrows recovered naturally with the resumption of perennial flow.

Extending the District’s Rules to include all of the river downstream of the Ventana Wilderness will provide the District with the tools to help manage any proposed alterations in the main stem. This will also provide better opportunities to become involved in restoration projects in the upper watershed.

² The lower 15.4 miles of the Carmel River is described as being in a transition zone between a stable, single thread channel and an unstable, braided channel. Changes in sediment supply, water flow, and streambank vegetation can affect whether the river moves from one form to another. Since the implementation of the CRMP, the river has transitioned in most reaches to a single-thread channel.

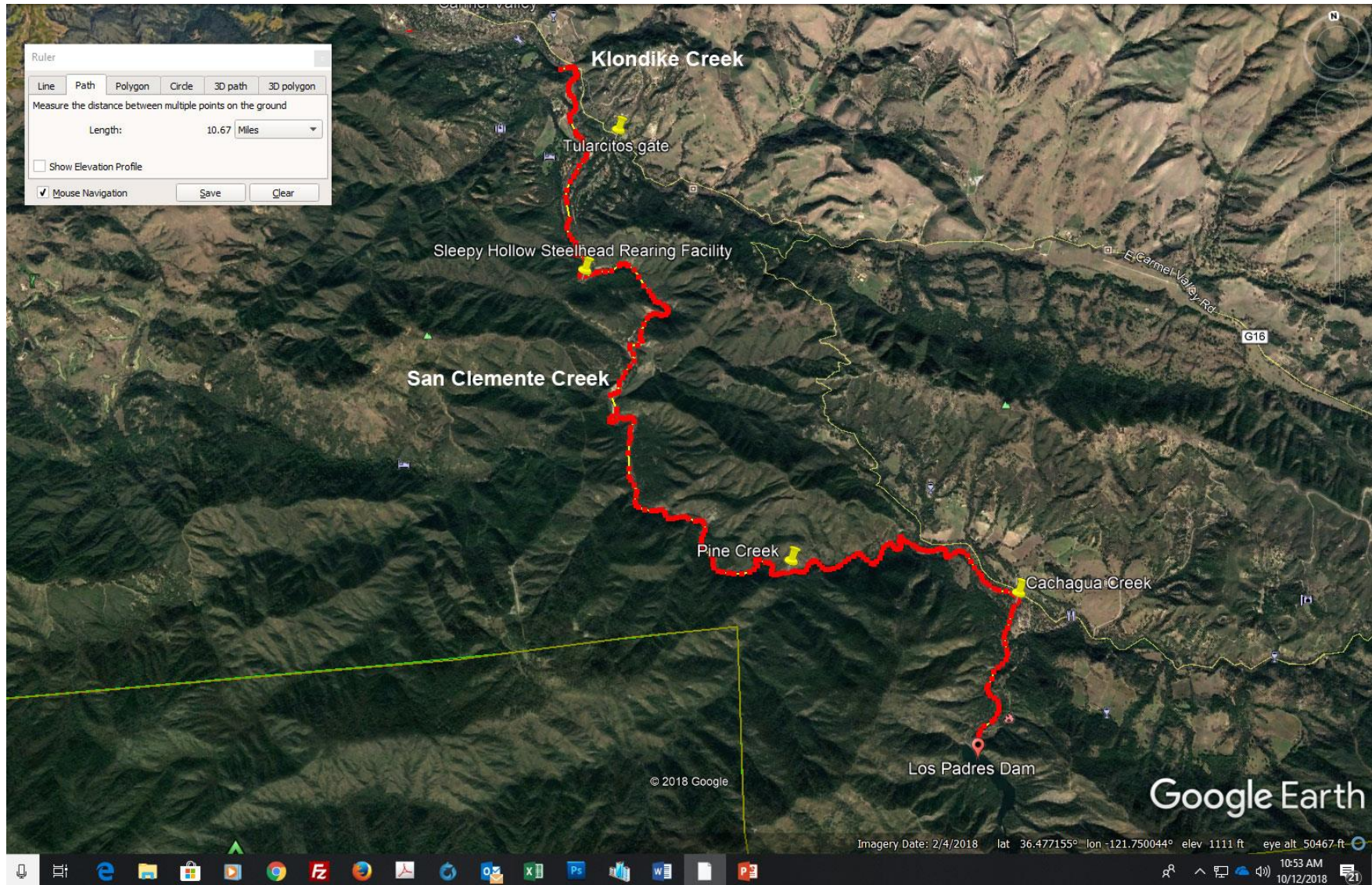


Figure 1a – Carmel River from Klondike Creek confluence to Los Padres Dam

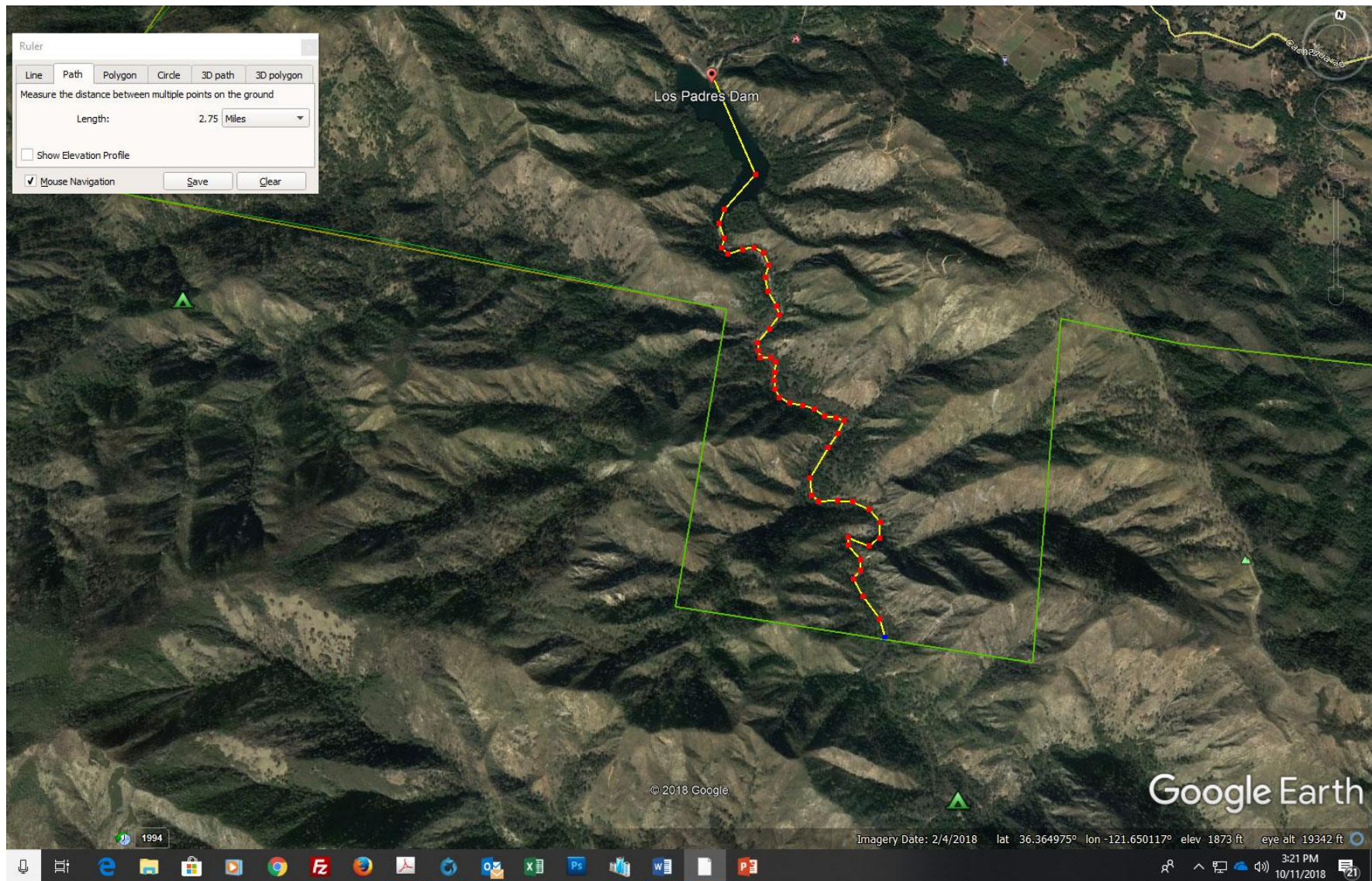
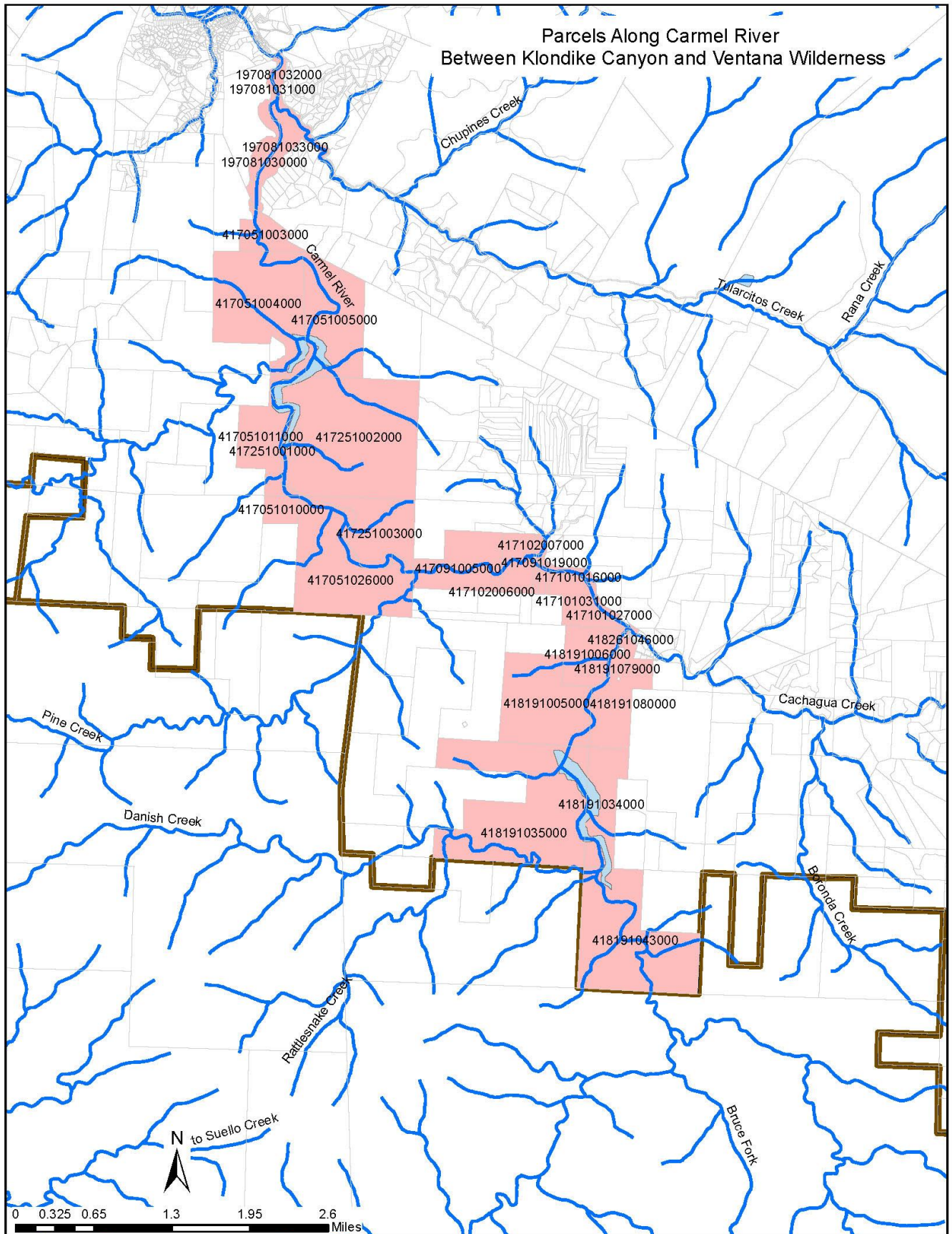


Figure 1b – Carmel River from Los Padres Dam to Ventana Wilderness boundary



**Table 1 - Parcels along the Carmel River
upstream of Klondike Creek**

417101015000	JAMES RAQUEL E TR
418261046000	PRINCES CAMP LLC
418191034000	CALIFORNIA-AMERICAN WATER CO
417102005000	HIBINO HENRY K & EVELYN N &
417102006000	BONSPER D & PAM BONSPER TRS
418261011000	VOSS LESLIE DENISE
417091019000	BALDWIN TIMOTHY J TR ET AL
417101031000	MONTEREY PENINSULA REGIONAL PARK DISTRICT
417251003000	MONTEREY PENINSULA REGIONAL PARK
418261047000	JIMENEZ PAULINO & PEREA JUANITA TRS
417251001000	PAGE CHARLES H TR ET AL
417051026000	DORMODY DONNA D TR
418191043000	CALIFORNIA-AMERICAN WATER CO
417091005000	CALIFORNIA-AMERICAN WATER CO
418191080000	CALIFORNIA-AMERICAN WATER CO
417101027000	BATEMAN MARCIA J TR
418191079000	MONTEREY PENINSULA REGIONAL PARK DISTRICT
418191035000	CALIFORNIA-AMERICAN WATER CO
417102009000	EID PAUL CHARLES TR
417051005000	CALIFORNIA-AMERICAN WATER CO
418191005000	CALIFORNIA-AMERICAN WATER CO
417101016000	GALANTE JOHN C & DAWN R
417102008000	DAHLER GEORGE F & NANCY L
417051011000	CALIFORNIA-AMERICAN WATER CO
418261008000	PRINCES CAMP LLC
417051003000	CALIFORNIA-AMERICAN WATER CO
418261009000	BENNETT STEVEN WILLIAM & GERALDINE ROSE TRS
417051010000	CALIFORNIA-AMERICAN WATER CO
418261018000	SAN PAOLO MARIO JOSEPH TR
418191006000	MONTEREY PENINSULA REGIONAL PARK DISTRICT
417101012000	SAN PAOLO MARIANO JOSEPH TR
417051004000	CALIFORNIA-AMERICAN WATER CO
417251002000	MONTEREY PENINSULA REGIONAL PARK DISTRICT
417102007000	HILLIARD MATTHEW RYAN & JENNIFER MARIE
417101032000	FLAVIN CHRISTOPHER & FLAVIN COLIN
197081032000	CALIFORNIA-AMERICAN WATER CO
197081033000	CALIFORNIA-AMERICAN WATER CO
197081031000	HENTSCHEL GORDON & HENTSCHEL NOEL IRWIN
197081030000	HENTSCHEL GORDON &

PROJECT LOCATION & ASSESSORS PARCEL NO.: The approximate middle of the reach is at latitude 36.416N: longitude -121.709E. It is comprised of the Assessor's parcels listed in Table 1.

APPLICANT CONTACT INFORMATION:

Larry Hampson, District Engineer larry@mpwmd.net, phone (831) 658-5620
 Monterey Peninsula Water Management District
 P.O. Box 85, Monterey, California 93942

FINDING

The District Engineer finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the District, before public release of this draft Mitigated Negative Declaration, has agreed to include measures that clearly mitigate the effects to a less than significant level.

MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

- I. AESTHETICS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- II. AGRICULTURE RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- III. AIR QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- IV. BIOLOGICAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- V. CULTURAL RESOURCES** – The 1984 EIR determined that the streamside environment has a high potential for archeological sites. To mitigate for this, a cultural resources investigation would be required for projects that could impact Native American cultural resources.
- VI. GEOLOGY AND SOILS** – The Final EIR for the Carmel River Management Plan identified a single unavoidable significant environmental impact of the project, which is the potential accelerated downcutting of portions of the Carmel River by reason of implementation of the project. This potential impact was as a result of the proposal to place gabion structures to “train” the river toward the center of the channel and control lateral streambank migration. Factors to mitigate this impact were identified in the Final EIR as:
 - a. Installation of gradient control structures within the bed of the river channel to prevent further downcutting.
 - b. Construction of a flood control dam which would be capable of reducing the major flood peaks.

c. Installation of gabions deep enough so they will not be undercut before the bed elevation reaches a new equilibrium level.

Concerning mitigation (a), one grade control structure was placed in the river in 1992 at approximately RM 5.2 at the District-sponsored Valley Hills Restoration Project. The structure consists of approximately 1,000 tons of rock riprap buried six feet deep across 90 feet of the active channel bottom with the top of the riprap set at the 1992 river bottom elevation. Subsequently, a deep pool has scoured on the downstream side of the structure and the structure sets a control on the grade upstream of the riprap. It is likely that downcutting downstream of the grade control is a result of sediment starvation rather than due to the grade control structure, as several feet of degradation of the lower five miles of river between 1984 and 2016 is evident.³

Although, the structure does not appear to affect steelhead passage, use of grade control structures along a stream used by steelhead may not be appropriate without hydraulic analysis and/or installing fishways or other devices allowing volitional passage. Therefore, any project that could induce or accelerate downcutting would be required to provide an analysis of the effects of the project on the stream channel gradient and propose measures to reduce any potential impacts.

Concerning mitigation (b), all past proposals since the 1970s to install a main stem dam to reduce major flood peaks in the Carmel River have been rejected. There is no reason to believe that a new main stem dam for flood control is a feasible option in the foreseeable future. Therefore, this mitigation measure to reduce downcutting is not deemed feasible for actions that would be implemented under this proposed ordinance.

Concerning mitigation (c), installation of structural protection below the riverbed, MPWMD currently recommends placing structural protection four (4) to six (six) feet below the existing riverbed lowest elevation at a project site to account for scour and future bed degradation; however, gabions are not allowed in the lower 8 feet of the river channel. In addition, State and Federal requirements encourage the use of biotechnical streambank protection as a first choice of materials, rather than structural solutions such as continuous rock slope protection (RSP) or gabions. Crib walls, rootwads, willow wattles, and coir rolls are examples of bioengineered solutions to bank erosion.

Channel bed elevation changes

Since 1984, MPWMD has periodically surveyed the thalweg of the river (the lowest point in the channel) and cross-sections in key locations. During episodes of erosion between 1978 and 1983 and again between 1993 and 1998, the riverbed aggraded several feet in many places as large volumes of sediment were entrained into the active channel by bed and bank erosion. Subsequent average flow years removed that material and the riverbed degraded several feet in many places. High flows in 2017 resulted in aggradation in some reaches and degradation in others. It is not clear that the riverbed elevation has reached equilibrium, especially in the deDampierre Park area and in the lowest four miles.

³ See thalweg profiles of the lower 15.4 mile of the Carmel River from 1984, 2015, and 2016.

At present, there is evidence of adverse downcutting between the Carmel Area Wastewater District (CAWD) pipeline at RM 0.7 and the Rancho San Carlos Road Bridge at RM 3.9. In this reach of the river, some of the infrastructure in the active channel is now clearly exposed where it had not been for several decades. At the CAWD pipeline encasement across the river, a scour hole of about seven (7) feet deep has developed on the downstream side. About one foot of the upstream side of the encasement is exposed across the bottom of the channel. Riprap placed several feet below the riverbed after the 1995 and 1998 floods along Rancho Cañada and Quail Lodge properties is now exposed. Downcutting of up to about five feet can be seen at the Rancho Cañada golf cart bridges and at the Via Mallorca and Rancho San Carlos Road bridges.

There is evidence of both aggradation and downcutting at other locations; however, except within the deDampierre Park area, structures within the active channel and streambank integrity do not appear to be under threat at these locations currently. The fundamental cause of adverse degradation in the areas where the river is downcutting is a lack of natural sediment supply to the lower river. Placement of structural protection along streambanks may contribute indirectly to sediment starvation and streambed degradation by “locking up” floodplain sediment that would otherwise be entrained into the active channel by river meandering during high flows. Therefore, “hardening” of streambanks through the use of riprap, gabions, or similar methods may over the long term contribute to adverse degradation.

New Mitigation Measure

With the removal of San Clemente Dam in 2015 and the re-connection of a portion of the upper watershed to the lower river, sediment supply to the lower river may increase and the river may reach a new equilibrium level. Should this not occur within a reasonable amount of time (10 to 20 years), to mitigate for the potential impact of adverse downcutting, the District proposes to add a requirement to Rule 127, Section 5 that work allowed by the District would not contribute to adverse levels of downcutting. The project proponent would need to demonstrate that the proposed works do not prevent the stream near the proposed project from reaching equilibrium. Or the project proponent should demonstrate that the stream has reached a new equilibrium.

With this mitigation, the project will have a less than significant effect.

- VII. GREENHOUSE GAS EMISSIONS:** The project will not have a significant impact on this resource, therefore no mitigation is required.
- VIII. HAZARDS AND HAZARDOUS MATERIALS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- IX. HYDROLOGY AND WATER QUALITY** – Projects could have the potential to reduce the available sediment supply in the alluvial portion of the river⁴, which could result in a

⁴ The alluvial portion of the river is generally characterized as the lower 18.3 miles of the river between the former Old Carmel River Dam (OCD) site to the Pacific Ocean. There may be other areas of the river upstream of OCD that contain localized alluvial deposits; however, it is likely that much of the interdam reach between the former San Clemente Dam and Los Padres Dam contains shallow deposits of alluvial material. No municipal demand wells are in use in this reach. The extent to which private properties along this reach rely on water extraction from alluvial

lowered water table due to downcutting in the riverbed. Project proponents would be required to demonstrate that no adverse downcutting of the riverbed would result from implementing a proposed project.

Placement of materials to protect streambanks could alter river flow patterns. Proposed projects would be required to use best management practices such as revegetation with native plantings, installation of erosion protection, and monitoring to reduce the potential for erosion or siltation. The project will have a less than significant impact with these mitigation measures.

- X. LAND USE AND PLANNING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XI. MINERAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XII. NOISE** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIII. POPULATION AND HOUSING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIV. PUBLIC SERVICES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XV. RECREATION** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XVI. TRANSPORTATION / TRAFFIC** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XVII. TRIBAL CULTURAL RESOURCES:** The Ohlone/Costanoan-Esselen Nation (OCEN) consider the Carmel River and its streamside resources to be culturally affiliated with the OCEN. The tribe has requested consultation under PRC 21080.3.1, subd. (b) for projects within the jurisdiction of MPWMD. The District will consult with the OCEN over the potential for finding significant archeological resources.

Several studies conducted since the 1980s in association with proposed new main stem dams near the former San Clemente Dam and near the existing Los Padres Dam have documented the presence of archeological sites in the project reach and sites that may be eligible for listing as a historical resource.

Any future permit issued by the District that would involve work to disturb native river sediment would require a cultural resources investigation by a qualified investigator prior to issuance of a permit.

deposits or from surface diversion is not well established. However, this reach has been perennial for as long as records exist. Future changes in the depth of alluvium may not affect water production in this reach.

XVIII. UTILITIES AND SERVICE SYSTEMS – The project will not have a significant impact on this resource, therefore no mitigation is required.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE – The combined effects to the lower 15 miles of the Carmel River from implementation of the existing Carmel River Management Plan, removal of San Clemente Dam, and future projects associated with extending the District's Riparian Corridor upstream to the Ventana Wilderness may be beneficial. But these effects cannot be fully estimated at this time. With mitigation actions proposed by the District for projects that would occur along the river between the Pacific Ocean and the Ventana Wilderness, impacts should be reduced to less than significant. The monitoring program initiated with the 1984 CRMP will be continued to determine what, if any, cumulative effects occur from these actions.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on March 25, 2019, any person may:

1. Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or
2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, District staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.

MPWMD will hold a Public Hearing to consider approval of this project on April 15, 2019, beginning at 7 p.m. in the District Conference Room located at 5 Harris Court, Bldg. G, Monterey CA 93940.

Larry Hampson, District Engineer

Circulated on:

Adopted on: _____

CEQA Environmental Checklist

PROJECT DESCRIPTION AND BACKGROUND

Project Title:	AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT AMENDING DISTRICT RULES AND REGULATIONS TO MODIFY THE EXTENT OF THE CARMEL RIVER RIPARIAN CORRIDOR
Lead agency name and address:	Monterey Peninsula Water Management District, P.O. Box 85, Monterey CA 93942
Contact person and phone number:	Larry Hampson, (831) 658-5620
Project Location:	Carmel River, Monterey County
Project sponsor's name and address:	Monterey Peninsula Water Management District, P.O. Box 85, Monterey CA 93942
General plan description:	
Zoning:	
Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.)	The Monterey Peninsula Water Management District (MPWMD or District) is charged with the integrated management of the water resources of the Carmel River basin, which is a coastal basin located a few miles southeast of Monterey in Monterey County. MPWMD initiated a program to protect and restore streamside resources in the lower 15.4 miles of the river in 1983. This program includes Rules to require a valid permit from MPWMD to alter the bed or banks of the river and to remove vegetation. In addition, the program provides technical assistance to property owners, funds to mitigate for impacts to the environment, monitoring of the health of the stream, and research to understand system dynamics and to maintain appropriate standards. The District now proposes to extend its Rules and program that protect the bed and banks of the main stem Carmel River from River Mile (RM, measured from the ocean) 15.4 at the confluence of the main stem with Klondike Creek to the Ventana Wilderness boundary at approximately RM 28.8. The reach is sparsely populated, but includes some private residences, the Stonepine Resort, the former San Clemente Dam site, a portion of Prince's Camp, the Cachagua Community Center, and the Los Padres Dam and Reservoir. The approximate middle of the reach is at latitude 36.416N: longitude -121.709E.
Surrounding land uses and setting; briefly describe the project's surroundings:	The proposed project is located along the Carmel River between about 15 miles upstream of the Pacific Ocean to about 29 miles upstream of the Pacific Ocean. The site is on the eastern side of the Santa Lucia Mountains, which are part of the Pacific Coast Range system. The Carmel Valley is sparsely populated. The town of Carmel Valley Village (population 4,325 in 2013) is the furthest upstream populated place and is at the northeastern end of the proposed project area.

Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):	U.S. Army Corps of Engineers, National Marine Fisheries Service, U.S. Fish and Wildlife Service, California Regional Water Quality Control Board, California Department of Fish and Wildlife, Monterey County
<p>Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?</p> <p>Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.</p>	<p>Yes. In a June 28, 2015 letter to MPWMD, the Ohlone/Costanoan-Esselen Nation requested consultation under PRC 21080.3.1, subdivision (b). Consultation has not begun.</p>

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:


The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on page 3 for additional information.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input checked="" type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials	<input checked="" type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation/Traffic	<input checked="" type="checkbox"/>	Tribal Cultural Resources	<input type="checkbox"/>	Utilities/Service Systems
<input checked="" type="checkbox"/>	Mandatory Findings of Significance				

DETERMINATION:

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: 	Date: February 12, 2019
Printed Name: Larry Hampson, District Engineer	For: MPWMD

CEQA Environmental Checklist

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FOREST RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. BIOLOGICAL RESOURCES: Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The District will initiate consultation with the OCEN tribal contact. In addition, any future permit issued that would involve work to disturb native river sediment would require a cultural resources investigation by a qualified investigator prior to issuance of a permit.

VI. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? Proposed projects would be required to resist liquefaction or collapse due to high river flow.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. GREENHOUSE GAS EMISSIONS: Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS:				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<p>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p> <p>Projects could have the potential to reduce the available sediment supply to the lower 15 miles of the river. Project proponents would be required to demonstrate that no adverse downcutting of the riverbed would result because of implementing a proposed project.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</p> <p>Proposed projects would be required to use best management practices such as revegetation, installation of erosion protection, and monitoring to reduce the potential for erosion or siltation.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>f) Otherwise substantially degrade water quality?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI. MINERAL RESOURCES: Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. NOISE: Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. POPULATION AND HOUSING: Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. PUBLIC SERVICES:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. RECREATION:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. TRANSPORTATION/TRAFFIC: Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVII. TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The District will initiate consultation with the OCEN tribal contact. In addition, any future permit issued that would involve work to disturb native river sediment would require a cultural resources investigation by a qualified investigator prior to issuance of a permit.

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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XVIII. UTILITIES AND SERVICE SYSTEMS:

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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XIX. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The combined effects to the lower 15 miles of the Carmel River from the existing Carmel River Management Plan, removal of San Clemente Dam, and future projects associated with extending the CRMP upstream are probably beneficial but cannot be fully estimated at this time. The monitoring program initiated with the 1984 CRMP will be continued to determine what the cumulative effects of these actions is.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

DEPARTMENT OF TRANSPORTATION

CALTRANS DISTRICT 5
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
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www.dot.ca.gov/dist05/



Making Conservation
a California Way of Life.

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MAR 14 2019

MPWMD

March 6, 2019

MON/1/72.35
SCH#2019029145

Mr. Larry Hampson
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, CA 93942

Dear Mr. Hampson,

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the Notice of Preparation (NOP) for the Modification of the Extent of the Carmel River Riparian Corridor. Caltrans offers the following comment in response to the NOP:

1. Please be aware that if any work is completed in the State's right-of-way it will require an encroachment permit from Caltrans, and must be done to our engineering and environmental standards, and at no cost to the State. The conditions of approval and the requirements for the encroachment permit are issued at the sole discretion of the Permits Office, and nothing in this letter shall be implied as limiting those future conditioned and requirements. For more information regarding the encroachment permit process, please visit our Encroachment Permit Website at: <http://www.dot.ca.gov/trafficops/ep/index.html>.

Thank you for the opportunity to review and comment on the proposed project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 549-3157 or email christopher.bjornstad@dot.ca.gov.

Sincerely,

Chris Bjornstad
Transportation Planner

From: Larry Hampson
Sent: Thursday, March 07, 2019 8:26 AM
To: 'Bjornstad, Christopher@DOT'
Subject: RE: Caltrans Comment Letter (Carmel River Riparian Corridor)

Thank you. Any permits issued along the Carmel River by MPWMD require the project proponent to obtain all necessary local, State, and Federal permits/authorizations prior to initiating work. I believe the only CALTRANS easement or ROW across the Carmel River is at Highway 1.

Larry Hampson, District Engineer
Monterey Peninsula Water Management District
5 Harris Ct., Bldg G, Monterey CA 93940
P.O. Box 85, Monterey CA 93942
OFFICE: (831) 658-5620
FAX: (831) 644-9560 or MOBILE: (831) 238-2543
<http://www.mpwmd.net/>



From: Bjornstad, Christopher@DOT <Christopher.Bjornstad@dot.ca.gov>
Sent: Wednesday, March 06, 2019 4:34 PM
To: Larry Hampson <Larry@mpwmd.net>
Subject: Caltrans Comment Letter (Carmel River Riparian Corridor)

Good Afternoon,

Please see the attached Caltrans District 5 comment letter for the Modification of the Extent of the Carmel River Riparian Corridor. An original copy has been sent via mail. If you have any questions please let me know.

Thanks,
Chris Bjornstad
Caltrans, District 5
Transportation Planner
(805) 549-3157





April 26, 2019

Renée Robison, Environmental Scientist
State of California – Natural Resources Agency
Department of Fish and Wildlife
Central Region
1234 East Shaw Avenue
Fresno, California 93710

**SUBJECT: Comments on Carmel River Riparian Corridor Update (Project)
Draft Mitigated Negative Declaration
Schedule #2019029145**

Dear Ms. Robison:

This is a response to the comment letter dated April 2, 2019 (received April 3, 2019) from the California Department of Fish and Wildlife (CDFW) concerning the above Project. A copy of that letter with comments numbered is attached. The Monterey Peninsula Water Management District (MPWMD or District) intends to hold a public hearing concerning approval of this Project and the Draft Mitigated Negative Declaration (MND) at its May 20, 2019. A Final MND will be prepared to reflect comments received and the District's responses.

Overview and General Response to CDFW comment letter

MPWMD understands and has many of the same concerns as CDFW about preventing or reducing potential impacts to the Riparian Corridor from activities within the Carmel River. However, there appears to be a significant difference in the understanding of this Project between CDFW and MPWMD.

Extending the District's jurisdiction further upstream from its present limit is fundamentally a programmatic decision that does not involve a physical change to the environment. What this Project would do is enable the District to take further specific actions prior to authorizing a physical change to the river. This latter action occurs through the District's River Work Permit process, which includes an application to MPWMD for a permit, identification of site-specific potential impacts, and mitigation measures to reduce potential impacts.

MPWMD believes that most of CDFW's concerns and recommended mitigation measures would be better addressed by amending the existing Routine Maintenance Agreement (RMA) that MPWMD has with CDFW (RMA 1600-2013-0053-R4 – attached). An amendment would include extending the geographical limit that the RMA covers to be coincident with MPWMD's jurisdictional limit and could include additional mitigation measures under RMA section

California Department of Fish and Wildlife
April 26, 2019
Page 2 of 7

“Protective Measures to Protect Fish and Wildlife Resources” that CDFW would recommend. The District has entered into a similar administrative arrangement with the Corps of Engineers for activities along the Carmel River that are covered by Regional General Permit 244600S. For a project proposed by a property owner along the river, MPWMD acts as an administrator to determine if a project is consistent with the RGP, notifies the Corps (and other agencies involved with the RGP), and follows through with a MPWMD River Work Permit that includes a condition requiring the project sponsor to comply with the requirements in the Corp permit. MPWMD believes that adding a standard condition into the MPWMD River Work Permit that a project sponsor must comply with the requirements described in the CDFW RMA (or an amended RMA) should satisfy concerns about MPWMD extending its jurisdiction in the Riparian Corridor along the Carmel River.

In addition to the above response, MPWMD has these specific responses to CDFW comments.

CDFW-1: P. 3 Comments and Recommendations

Comment: “As currently drafted, the MND does not contain any mitigation measures specific to minimize impacts to biological resources.”

Response: District Rule 127 RIVER WORK PERMITS, Section 5. b, as proposed to be amended, states that in order to grant a permit the District must make a finding that the project work “...does not degrade habitat value and appears to be visually compatible with the natural appearance of the river channel, banks and Riparian Corridor.”

District staff are broadly qualified in botany and biological fields and in some cases, such as fisheries biology, are certified as experts by the American Fisheries Society. These staff review applications to determine if there would be impacts. The District can impose mitigation measures for potential impacts that fall within the District’s regulatory powers, such as vegetation removal, grading, or that actions could directly impact sensitive species.

CDFW-2: P. 3 Comments and Recommendations

Comment: “...these [mitigation] measures [for proposed Projects] do not include Notification to CDFW, may not be enforceable, and may themselves result in violation of Fish and Game Code if CDFW is not Notified.”

Response: When the District receives a River Work Permit application, staff ordinarily advises Project sponsors that other local, State, and Federal laws and ordinances may apply to proposed work. In all cases, the District includes a condition in a River Work Permit that states it is the responsibility of the permit holder to obtain all other applicable authorizations for work. The permit holder must acknowledge in writing the conditions under which river work is permitted in order have a valid permit. In some cases, the District provides a copy of a River Work Permit to other agencies. As described above, when a project sponsor proposes a project or applies for a

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River Work Permit, the District can include a requirement to comply with the CDFW RMA. Concerning the enforceability of measures that the District would require to mitigate for potential impacts, the District has broad powers to enforce its Rules and Regulations.¹ Enforcement measures include fines, recording a notice of non-compliance on a property title, filing a lawsuit, and imposition of a lien.

The District agrees that if a property owner does go forward with work described in a River Work Permit without notifying CDFW and that work is within the jurisdiction of CDFW, the property owner may be in violation of Fish and Game Code. However, the District has no authority to enforce Fish and Game Code. Should CDFW become aware of such a situation concerning an otherwise valid MPWMD River Work Permit, MPWMD can cooperate with CDFW to address this situation with measures such as halting work and/or issuing a Notice of Non-Compliance.

CDFW-3: P. 3 Comments and Recommendations

Comment: “CDFW advises inclusion of enforceable measures in the CEQA document prepared for this Project, as well as to any future tiered projects falling under the District's jurisdiction, to inform any potential permitting needs.”

Response: Please see **Overview** response. Also, concerning enforceable measures for this Project, please see Response to **CDFW-1 and CDFW-2**.

Concerning future tiered projects sponsored by the District, the District Board approves such projects. District-sponsored projects normally involve multiple properties involving potentially significant effects to the environment that require detailed plans and measures to reduce impacts to less than significant. For CEQA compliance, the District Board approves a project and certifies either an Addendum or a Negative Declaration. The choice of what CEQA process is appropriate and whether additional mitigation measures are required depends on the particular circumstances of a proposed project.

Privately-sponsored projects are normally ministerial in nature and usually involve minor alterations of the bed or banks of the river or vegetation modification that is consistent with the District's permit requirements adopted under Ordinance 10 and as described in the CRMP EIR. These types of projects are approved at a staff level without additional CEQA review.

CDFW-4: P. 4 Comments and Recommendations

Comment: CDFW asserts that “... when an MND is prepared, mitigation measures must be

¹ District Rule 124 – “It shall be a violation of these Rules and Regulations, and an infraction/misdemeanor pursuant to the Monterey Peninsula Water Management District Law, (Sections 256 and 369, adopted by the California Legislature by Chapter 986, Statutes of 1981, and Chapter 767, Statutes of 1983, respectively) for any individual to do one or more of the following acts within the Riparian Corridor ...”

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specific, clearly defined, and cannot be deferred to a future time.”

Response: MPWMD generally agrees with this statement for potential impacts *that are clearly defined*. For example, potential impacts and mitigation measures at a specific project site can be clearly identified through biological and topographic surveys and analysis. However, MPWMD is relying on the programmatic descriptions in the Carmel River Management Program EIR and subsequent CEQA actions to extend the District’s jurisdiction. Under CEQA Section 15153, preparation of a MND is appropriate to extend jurisdiction²; however, impacts can only be broadly defined as potentially occurring anywhere along the Riparian Corridor. The District’s River Work Permit application and review process, which is part of the Project, has been established to review specific project proposals, make findings concerning the project, and to condition those projects to reduce potential impacts.

CDFW-5 P. 5 (top) COMMENT 1: Lake and Streambed Alteration

Comment: CDFW states that mitigation measures for potential impacts including a lowered water table and altered flow patterns may not be enforceable.

Response: Please see response in **Overview** and **CDFW-1** and **CDFW-2**.

CDFW-6: P. 6 Recommended Mitigation Measure 1: Notification of Lake or Streambed Alteration

Comment: CDFW recommends being notified of actions within its jurisdiction.

Response: Please see response in **Overview** and **CDFW-2**.

CDFW-7: P. 6 Recommended Mitigation Measure 2: Water Diversion

Comment: CDFW recommends several actions concerning stream dewatering.

Response: Please see response in **Overview** and **CDFW-2**.

CDFW-8: P. 7, 8, 9 Recommended Mitigation Measures 3, 4, 5, and 6 for FYLF

Comment: CDFW recommends adding Foothill Yellow-Legged Frog (FYLF) habitat assessments, surveys, reporting, and obtaining take authorization as mitigation measures.

Response: MPWMD notes that there are no confirmed FYLF sightings in the Carmel River watershed since 11 frogs were found in San Clemente Creek in one day in 1939.³ However,

² 15153. Use of an EIR from an Earlier Project, Section (c), “An EIR prepared for an earlier project may also be used as part of an Initial Study to document a finding that a later project will not have a significant effect. In this situation a Negative Declaration will be prepared.”

³ Center for Biological Diversity, status review of the foothill yellow-legged frog (*Rana boylei*) (Docket #FWS-R8-

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concerns about this species could be addressed as described in the **Overview**.

CDFW recommends adding a mitigation measure to the MND that a take authorization from CDFW would be obtained. This is not an appropriate mitigation measure in the MND, since MPWMD has no authority to require CDFW to issue such authorization.

CDFW-9: P. 9, 10 & 11 California red-legged frog (CRLF)

Comment: CDFW requests several actions concerning CRLF.

Response: The District adopted an Addendum to the Carmel River Management Program EIR in 1997 recognizing potential impacts to CRLF and appended U.S. Fish and Wildlife Service (USFWS) Biological Opinion 1-8-96-F-42 concerning avoidance and minimization measures for CRLF to the EIR. Since 2004, the District has acted as agent and administrator for the Corps of Engineers Regional General Permit (RGP) 244600S that includes avoidance and minimization measures to reduce potential impacts to CRLF and authorizes incidental take of CRLF. The biological opinion from USFWS for CRLF has subsequently been updated with each renewal of the RGP. MPWMD includes as a condition of each River Work Permit that project sponsors must comply with all measures in the RGP, including those to protect CRLF.

The geographical limitation of the RGP is from the ocean to River Mile 18.5 (at the former San Clemente Dam site). When the RGP comes up for renewal in 2022, the District will request an extension of the RGP geographical limits to be coincident with the District's jurisdictional limit of the Riparian Corridor. Until then, projects outside of the current geographical limit would be conditioned to obtain a Nationwide or Individual permit from the Corps, which would likely include review and a biological opinion by USFWS for protection of CRLF.

CDFW-10: P. 11 & 12 Special Status Plants

Comment: CDFW requests several actions concerning Special Status Plants.

Response: Please see **Overview** response.

CDFW-11: P. 12 & 13 Western Pond Turtle

Comment: CDFW requests several actions concerning Western Pond Turtle.

Response: Please see **Overview** response.

CDFW-12: P 13 and 14 South-Central California Coast Distinct Population Segment (DPS) of

ES-2015-0050), 2015. https://www.biologicaldiversity.org/species/amphibians/foothill_yellow-legged_frog/pdfs/CBD_comments_on_FYLF_8-28-15.pdf

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Steel head (*Oncorhynchus mykiss irideus* pop. 9)

Comment: CDFW requests a comprehensive evaluation of potential impacts to this species and its habitat as a consequence of temporal differences in flow volumes.

Response: Activities along the Riparian Corridor that would be permitted under the District's River Work Permit do not permanently affect flow volumes in the river or the volume of sediment moving through the river. Any temporary affects due to implementation of projects would be mitigated by actions required under a MPWMD River Work Permit. Concerning potential effects to groundwater elevations, the District is proposing to add a requirement that a project must demonstrate that project work must not contribute to adverse levels of downcutting. (Draft Rule 127 A. 5. d.)

CDFW-13: Federally Listed Species

Comment: CDFW recommends consulting with USFWS on potential impacts to CRLF and SCCC DPS steelhead.

Response: Please see response to **CDFW-9**. MPWMD is not aware that USFWS consults on potential impacts to SCCC DPS steelhead. The National Marine Fisheries Service consults on this species. Current activities within the Riparian Corridor are covered under NMFS Biological Opinion WCR-2018-10492.

CDFW-14: P14 Environmental Data

Comment: CDFW requires information developed for the MND be submitted to the California Natural Diversity Database

Response: Please see **Overview**.

CDFW-15: Filing Fees

Comment: CDFW comments that payment of fees is required for the Project approval to be operative, vested, and final.

Response: The District intends to pay required fees.

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April 26, 2019
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Should you have any questions about this letter, please contact me at larry@mpwmd.net or 831/658-5620.

Sincerely,

A handwritten signature in blue ink that reads "Larry Hampson".

Larry Hampson
District Engineer

Attachments: 1 – CDFW comment letter with numbered comments
2 – RMA 1600-2013-0053-R4

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

EXHIBIT 21-C

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



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MPWMD

April 2, 2019

Larry Hampson, District Engineer
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**Subject: Carmel River Riparian Corridor Ordinance Update (Project),
MITIGATED NEGATIVE DECLARATION (MND)
SCH # 2019029145**

Dear Mr. Hampson:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from the Monterey Peninsula Water Management District for the above-referenced Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through exercise of its own regulatory authority under the Fish and Game Code. Although the comment period for your request has passed, the content of the MND does not preclude the need for the District to comply with other State and federal laws pertaining to the "take" of species listed under the California Endangered Species Act (CESA), the federal Endangered Species Act (ESA), or Fish and Game Code, specifically as related to take of fully protected species and Fish and Game Code section 1600 et seq.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, construction activities resulting from the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

PROJECT DESCRIPTION SUMMARY

Proponent: Monterey Peninsula Water Management District (District)

Objective: The Carmel River Management Program (CRMP) includes rules to require a valid permit from the District to alter the beds or banks of the Carmel River and to remove vegetation. In addition, the CRMP provides technical assistance to property owners, funds to mitigate impacts to the environment, stream monitoring, and research to understand system dynamics and to maintain appropriate standards.

The District currently implements a program for water resources along the lower 15.4 miles of the main stem of the Carmel River (hereafter, the River). Through the Project, the District seeks to extend the program 13.4 miles upstream. The definition of the Carmel River Riparian Corridor includes an area within 25 lineal feet of the 10% chance flood line. If adopted, the District rules pursuant this ordinance would apply to all properties along this reach of the River. If the MND is approved and the District adopts an ordinance to implement a change to the District program, the District would regulate activities along the Carmel River main stem between the Pacific Ocean and the Ventana Wilderness.

The District's rules instruct staff what services the District can provide to property owners adjacent to the River and also describes regulations concerning activities within the riparian corridor. Rule concerning activities within the riparian corridor are not proposed to be changed; however, if approved by the District, property owners affected by the new ordinance will be required to secure a permit from the District for certain activities within the riparian corridor that could alter the bed or banks of the River.

To analyze environmental impacts of the Project, the District intends to rely on the previously certified 1984 Final Environmental Impact Report (EIR) for the Carmel River

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Management Program to comply with CEQA, citing that circumstances are essentially the same. The existing program for the lower 15.4 miles of the River was approved by the District on October 29, 1984 (SCH No. 84032705). The primary management goal of the CRMP is "a progressive and predictable transition of the River to an equilibrium 'stable' channel for those sites below the Robles del Rio," and the MND states that this goal is still valid. The MND defines an equilibrium channel as being a single channel, as opposed to what the MND refers to as an "unstable, braided channel."

Location: The Project would extend the District's rules from River Mile (RM) 15.4 at the confluence of the main stem with Klondike Creek to the Ventana Wilderness boundary at approximately RM 28.8, which would result in an additional 13.5 miles included in the District's program. The approximate middle of the reach lies at 36.416 N, -121.709 E. The Project will impact 39 unique parcels.

Timeframe: Not specified.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the District in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

CDFW-1 The Project will impose "rules" on future development projects within the District's jurisdiction. As currently drafted, the MND does not contain any mitigation measures specific to minimize impacts to biological resources. The MND does contain mitigation measures that relate to activities that fall under the lake and streambed alteration regulatory authority of CDFW pursuant Fish and Game Code section 1600 et seq. in both the Geology and Soils and Hydrology sections of the MND; however, as currently drafted, these measures do not include Notification to CDFW, may not be enforceable, and may themselves result in violation of Fish and Game Code if CDFW is not Notified.

CDFW-2 In addition, development of future projects has the potential to result in take of CESA-listed species and species meeting the definition of rare or endangered under CEQA (CEQA Guidelines, § 15380 et seq.). Specifically, CDFW is concerned regarding the Project's impacts to the State candidate threatened foothill yellow-legged frog (*Rana boylei*); State species of special concern California red-legged frog (*Rana draytonii*) and western pond turtle (*Emys marmorata*); and special-status plant species including, but not limited to, California Rare Plant Ranked (CRPR) 1B.2 species Carmel Valley malacothrix (*Malacothrix saxatilis* var. *arachnoidea*) and Toro manzanita (*Arctostaphylos montereyensis*).

CDFW-3 CDFW advises inclusion of enforceable measures in the CEQA document prepared for this Project, as well as to any future tiered projects falling under the District's jurisdiction, to inform any potential permitting needs.

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If significant environmental impacts will occur as a result of Project implementation and cannot be mitigated to less than significant levels, an MND would not be appropriate.

CDFW-4 Further, when an MND is prepared, mitigation measures must be specific, clearly defined, and cannot be deferred to a future time. When an EIR is prepared, the specifics of mitigation measures may be deferred, provided the lead agency commits to mitigation and establishes performance standards for implementation. Regardless of whether an MND or EIR is prepared, CDFW recommends that the CEQA document provide quantifiable and enforceable measures, as needed, that will reduce impacts to less than significant levels.

I. Environmental Setting and Related Impact

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or United States Fish and Wildlife Service (USFWS)?

COMMENT 1: Lake and Streambed Alteration

Issue: The purpose of the Project is to update an ordinance related to riparian habitat along the River. If approved, property owners will be required to secure permits from the District for certain activities within the riparian corridor that alter the bed or bank of the River or that remove vegetation. As currently drafted, the MND includes several mitigation measures in both the Geology and Soils and Hydrology sections that will result in activities that fall under the lake and streambed alteration regulatory authority of CDFW pursuant Fish and Game Code section 1600 et seq. For example, the Geology and Soils section of the MND identifies accelerated downcutting of portions of the River as a result of Project implementation. To minimize this impact the following mitigation measures are identified in the 1984 EIR and cited in the MND: (1) installation of gradient control structures within the bed of the River channel, (2) construction of a flood control dam to reduce major flood peaks, and (3) installation of gabions deep enough (4 to 6 feet) not to be undercut before the bed elevation reaches a new equilibrium. The Hydrology section of the MND states that the Project has the potential to reduce sediment supply in the lower 18.3 miles of the River, resulting in a lowered water table due to downcutting in the riverbed. This has the potential to adversely affect riparian vegetation and the habitat upon which other special-status species addressed subsequently in this letter depend on. To mitigate this impact, the MND requires that subsequent project proponents demonstrate that "no adverse downcutting of the riverbed" would result from their projects. In addition, the MND's Hydrology section states that placement of materials to protect streambanks could result in altered river flow patterns. To mitigate this impact the MND requires that subsequent projects under the District's jurisdiction use "best management practices such as revegetation with native

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plantings, installation of erosion protection, and monitoring to reduce the potential of erosion or siltation." These mitigation measures may not be enforceable.

Specific impact: As acknowledged in the MND, work within stream channels has the potential to result in substantial diversion or obstruction of natural flows; substantial change or use of material from the bed, bank, or channel (including removal of riparian vegetation); deposition of debris, waste, sediment, toxic runoff or other materials into water causing water pollution and degradation of water quality. In addition, the MND states that there is evidence of adverse downcutting and scour holes exposing infrastructure in portions of the stream that the ordinance already applies to, therefore these impacts are possible further upstream following an extension of the ordinance to upstream reaches of the River.

Evidence impact is potentially significant:

Lake and Streambed Alteration

The Project will extend the existing ordinance 13.5 miles upstream and will result in the District permitting activities within the bed and bank of the River along this 13.5 miles stretch. Activities within the River are subject to CDFW's lake and streambed alteration regulatory authority. Construction activities within this feature have the potential to impact downstream waters. Streams function in the collection of water from rainfall, storage of various amounts of water and sediment, discharge of water as runoff and the transport of sediment, and they provide diverse sites and pathways in which chemical reactions take place and provide habitat for fish and wildlife species. Disruption of stream systems can have significant physical, biological, and chemical impacts that can extend into the adjacent uplands adversely affecting not only the fish and wildlife species dependent on the stream itself, but also the flora and fauna dependent on the adjacent upland habitat for feeding, reproduction, and shelter.

Water Diversion and Alteration of Flow Regimes

The MND currently includes installation of a flood control dam and flow control structures as mitigation measures. These measures have the potential to result in water diversion or the alteration of flow regimes. Prolonged low flows can cause streams to become degraded and cause channels to become disconnected from floodplains (Poff et al. 1997). This process decreases available habitat for aquatic species including fish that utilize floodplains for nursery grounds. Prolonged low flows can also increase mortality for species that rely on specific flow regimes, such as salmonids (Moyle 2002). Amphibians can also be sensitive to decreased flows. Kupferberg et al. (2012) reported that low flows were strongly correlated with early life stage mortality and decreased adult densities of California red-legged frogs, a species of special concern in California, and one with potential to occur in the Project area.

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Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting)

CDFW recommends editing the MND to include the following measures as conditions of Project approval and conducting the following evaluation of individual project areas prior to implementation of Project activities.

Recommended Mitigation Measure 1: Notification of Lake or Streambed Alteration

CDFW-6

Project-related activities that have the potential to change the bed, bank, and channel of streams and other waterways or alter riparian habitat, are subject to CDFW's lake and streambed alteration regulatory authority pursuant Fish and Game Code section 1600 et seq., therefore Notification is recommended. Fish and Game Code section 1600 et seq. requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial. CDFW is required to comply with CEQA in the issuance of a Lake and Streambed Alteration Agreement. For additional information on notification requirements, please contact our staff in the Lake and Streambed Alteration Program at (559) 243-4593.

Recommended Mitigation Measure 2: Water Diversion

CDFW-7

In the event that stream diversion is necessary, CDFW advises that diversions (1) be conducted in a manner that prevents pollution and/or siltation; (2) provides flows to downstream reaches during all times that the natural flow would support aquatic life; (3) that said flows are of sufficient quality and quantity, and of appropriate temperature to support aquatic life, both above and below the diversion, and (4) that normal flows be restored to the affected stream immediately upon completion of work. With regard to cofferdams, CDFW recommends that they not be made of silt, sand and gravel, or other substances subject to erosion unless first enclosed by protective material and that the enclosure and supportive material be removed as soon as the work is completed. With regard to dewatering, CDFW recommends (1) that turbid water pumped from project sites be discharged to a location outside the wetted channel to allow sediment to drop out, (2) water be allowed to return to the stream below the project site to maintain water flow, (3) temporary diversion structures used to isolate project sites be constructed in a manner that prevents seepage into the project site, and (4) the structure, including all fill, enclosure material, and trapped sediments, be removed when the project is completed.

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If it is necessary to dewater a project site, either by pump or gravity flow, CDFW recommends that the suction end of the intake pipe be fitted with fish screens meeting CDFW and National Marine Fisheries Service (NMFS) criteria, as outlined in the NMFS (1997) *Fish Screening Criteria for Anadromous Salmonids*, to prevent entrainment or impingement of small fish and other wildlife. CDFW recommends development of a wildlife removal and rescue plan and that this plan be submitted to CDFW for approval prior to the start of project activities. As part of the wildlife removal and rescue plan, CDFW recommends that a record be maintained of all wildlife rescued and moved. CDFW further advises that the record include information on the date of capture and relocation, the method of capture, location of relocation in relation to the project site, and the number and type of wildlife captured and relocated.

Please note that implementation of the above recommendations does not eliminate the need to obtain the appropriate permits prior to the start of stream diversion or dewatering activities.

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS?

COMMENT 2: Foothill Yellow-Legged Frog (FYLF)

CDFW-8

Issue: The FYLF is known to have historically occupied the River (CDFW 2019). On July 7, 2017, the Fish and Game Commission published its acceptance of a petition for consideration and designation of the FYLF as a candidate species. Pursuant to Fish and Game Code section 2074.6, CDFW has initiated a status review report to inform the Commission's decision on whether listing of FYLF, pursuant CESA, is warranted. During the candidacy period, consistent with CEQA Guidelines, section 15380, the status of the FYLF as a threatened candidate species under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.) qualifies it as an endangered, rare, or threatened species under CEQA. It is unlawful to import into California, export out of California or take, possess, purchase, or sell within California, FYLF and any part or product thereof, or attempt any of those acts, except as authorized pursuant to CESA. Under Fish and Game Code section 86, take means to hunt, pursue, catch, capture, or kill, or to attempt to hunt pursue, catch, capture, or kill. Consequently, take of FYLF during the status review period is prohibited unless authorization pursuant to CESA is obtained. As stated above, the MND does not identify any mitigation measures for biological resources and therefore, impacts of the Project or subsequent projects under the District's jurisdiction may result in significant impacts to the species.

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Specific impact: FYLF are found in the vicinity of streams in a variety of habitats. While FYLF are considered primarily stream dwelling, the species has been documented as far as 40 meters from a stream (Borque 2008, Thomson et al. 2016). Potentially significant impacts associated with Project activities include inadvertent entrapment, destruction of eggs and oviposition sites, degradation of water quality, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Evidence impact would be significant: Land use changes that result in degradation or destruction of riparian habitat, road development and use, urbanization, and water diversion are among proximate factors contributing to local declines of FYLF (Thomson et al. 2016, USDA 2016). FYLF have been estimated to be extirpated from 45% of historically occupied locations in California (Jennings and Hayes 1994 in Thomson et al. 2016). Land use changes that result in degradation or destruction of riparian habitat, road development and use, urbanization, and water diversion are among proximate factors contributing to local declines of FYLF (Thomson et al. 2016, USDA 2016). In the context of the Project and declining population trend within this portion of the FYLF range, the effect of Project development on local and regional populations of FYLF may be significant.

Recommended Potentially Feasible Mitigation Measure(s)

CDFW recommends editing the MND to include the following measures as conditions of Project approval and conducting the following evaluation of individual project areas prior to implementation of Project activities.

Recommended Mitigation Measure 3: FYLF Habitat Assessment

CDFW-8

CDFW recommends that a qualified biologist conduct a habitat assessment of individual Project areas in advance of Project implementation, to determine if the Project area or its vicinity contains suitable habitat for FYLF.

Recommended Mitigation Measure 4: FYLF Surveys

Because take of FYLF during its candidacy period is prohibited unless authorization pursuant to CESA is obtained, if it is determined through site assessment that habitat suitable to support FYLF is present within or near project sites, CDFW recommends that focused visual encounter surveys be conducted by a qualified biologist during appropriate survey period(s) (April – October) in areas where potential habitat exists. CDFW advises that these surveys generally follow the methodology described in pages 5–7 of *Considerations for Conserving the Foothill Yellow-Legged Frog* (CDFW 2018a). In addition, CDFW advises surveyors adhere to *The Declining Amphibian Task Force Fieldwork Code of Practice* (DAPTF 1998). If any life stage of the FYLF (adult, metamorph, larvae, egg mass) is found, CDFW

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recommends consulting with CDFW to develop avoidance measures and evaluate permitting needs.

CDFW-8

Recommended Mitigation Measure 5: Reporting Survey Results

Submission of survey results to CDFW is recommended. In the event of negative findings, CDFW recommends that consultation with CDFW include documentation demonstrating FYLF are unlikely to be present in the vicinity of the project site. Information submitted may include, but is not limited to, a full habitat assessment and survey results. If any life stage of FYLF is detected, consultation with CDFW is advised to determine if an Incidental Take Permit (ITP) is necessary to comply with CESA.

Recommended Mitigation Measure 6: Take Authorization

CDFW recognizes there may be circumstances where take of FYLF during candidacy may be unavoidable. If surveys find that FYLF are occupying the project area and cannot be avoided, CDFW may issue an ITP authorizing take of FYLF, pursuant to Fish and Game Code section 2081(b). Take authorization is issued only when take is incidental to an otherwise lawful activity, the impacts of the take are minimized and fully mitigated, the applicant ensures there is adequate funding to implement any required measures, and take is not likely to jeopardize the continued existence of the species.

COMMENT 3: California red legged frog (CRLF)

CDFW-9

Issue: CRLF are known to occur within the vicinity of the Project area (CDFW 2019). CRLF require a variety of habitats including aquatic breeding habitats and upland dispersal habitats. Breeding sites of the CRLF are in aquatic habitats including pools and backwaters within streams and creeks, ponds, marshes, springs, sag ponds, dune ponds and lagoons. Additionally, CRLF frequently breed in artificial impoundments such as stock ponds (USFWS 2002). Breeding sites are generally found in deep, still or slow-moving water (greater than 2.5 feet) and can have a wide range of edge and emergent cover amounts. CRLF can breed at sites with dense shrubby riparian or emergent vegetation, such as cattails or overhanging willows or can proliferate in ponds devoid of emergent vegetation and any apparent vegetative cover (i.e., stock ponds). CRLF habitat includes nearly any area within 1 to 2 miles of a breeding site that stays moist and cool through the summer; this includes non-breeding aquatic habitat in pools of slow-moving streams, perennial or ephemeral ponds, and upland sheltering habitat such as rocks, small mammal burrows, logs, densely vegetated areas, and even man-made structures (i.e., culverts, livestock troughs, spring-boxes, abandoned sheds) (USFWS 2017).

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The MND currently does not identify any mitigation measures to reduce impacts to biological resources.

Specific impact: Without appropriate avoidance and minimization measures for CRLF, potentially significant impacts associated with the project activities could include alteration to the natural flow regime of the adjacent streams, direct mortality effects, and indirect negative effects by altering habitat availability and quality.

Evidence impact is potentially significant: CRLF populations throughout the State have experienced ongoing and drastic declines and many have been extirpated (Thomson et al. 2016). Habitat loss from growth of cities and suburbs, mining, overgrazing by cattle, invasion of nonnative plants, impoundments, water diversions, stream maintenance for flood control, degraded water quality, and introduced predators, such as bullfrogs are the primary threats to CRLF (Thomson et al. 2016, USFWS 2017). As stated above, the MND does not identify any mitigation measures for biological resources and therefore, impacts of the Project or subsequent projects under the District's jurisdiction may result in significant impacts to the species.

CDFW-9

Recommended Potentially Feasible Mitigation Measure(s)

CDFW recommends editing the MND to include the following measures as conditions of Project approval and conducting the following evaluation of individual project areas prior to implementation of Project activities.

Recommended Mitigation Measure 7: CRLF Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of project implementation, to determine if project sites or their immediate vicinity contain suitable habitat for CRLF.

Recommended Mitigation Measure 8: CRLF Surveys

If suitable habitat is present, CDFW recommends that a qualified wildlife biologist conduct surveys for CRLF within 48 hours prior to commencing work (two night surveys immediately prior to construction or as otherwise required by the USFWS) in accordance with the USFWS *Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog* (USFWS 2005) to determine if CRLF are within or adjacent to individual project sites.

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Recommended Mitigation Measure 9: CRLF Avoidance

If any CRLF are found during preconstruction surveys or at any time during construction, CDFW recommends that construction cease and that CDFW be contacted to discuss a relocation plan for CRLF.

CDFW-9

CDFW recommends that initial ground-disturbing activities be timed to avoid the period when CRLF are most likely to be moving through upland areas (November 1 and March 31). If ground-disturbing activities must take place between November 1 and March 31, CDFW recommends that a qualified biologist monitor construction activity daily.

COMMENT 4: Special-Status plants

Issue: Several special-status plant species have been documented to occur in the vicinity of the Project area (CDFW 2019). These species meet the definition of rare or endangered under CEQA § 15380. The MND currently contains no mitigation measures to minimize impacts to special-status plant species to a level that is less than significant.

CDFW-10

Specific impact: Without appropriate avoidance and minimization measures for special-status plants, potential significant impacts resulting from ground- and vegetation-disturbing activities associated with Project construction include inability to reproduce and direct mortality.

Evidence impact would be significant: Carmel Valley malacothrix and Toro manzanita are narrowly distributed, endemic species which require chaparral, coastal scrub, or woodland habitats (CNPS 2019). These species are threatened by road maintenance activities (CNPS 2019) which presumably have the potential to occur through development of subsequent projects subject to the District's jurisdiction.

Recommended Potentially Feasible Mitigation Measure(s)

CDFW recommends editing the MND to include the following measures as conditions of Project approval and conducting the following evaluation of individual project areas prior to implementation of Project activities.

Recommended Mitigation Measure 10: Special-Status Plant Habitat Assessment

CDFW recommends that a qualified botanist conduct a habitat assessment in advance of project implementation, to determine if individual Project sites or their immediate vicinity contain suitable habitat for special-status plant species.

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Recommended Mitigation Measure 11: Special-Status Plant Surveys

If suitable habitat is present, CDFW recommends that the project area be surveyed for special-status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities" (CDFW 2018b). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary.

Recommended Mitigation Measure 12: Special-Status Plant Avoidance

CDFW-10

CDFW recommends special-status plant species be avoided whenever possible by delineating and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species.

Recommended Mitigation Measure 13: State-listed Plant Take Authorization

If a plant species listed pursuant to CESA or the Native Plant Protection Act is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground-disturbing activities may be warranted. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code § 2081(b).

COMMENT 5: Western Pond Turtle (WPT)

CDFW-11

Issue: The Project area likely supports suitable aquatic habitat for WPT. The Project area also potentially supports upland habitat for WPT, which require loose soils and/or leaf litter for nesting and occasionally overwintering. In addition, WPT are known to occur in the vicinity of the Project area (CDFW 2019). WPT are capable of nesting up to 1600 feet away from waterbodies. Nesting occurs in spring or early summer and hatching occurs in fall. Hatchlings can remain in the nest throughout the first winter, emerging the following spring. In addition, WPT are slow to reach sexual maturity, which naturally reduces the number of WPT that are recruited into a population each year (Thomson et al. 2016).

Specific impact: Without appropriate avoidance and minimization measures for WPT, potential significant impacts associated with development of subsequent

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projects include nest abandonment, reduced reproductive success, and reduced health and vigor of eggs and/or young.

Evidence impact would be significant: Threats to WPT include land use changes and habitat fragmentation associated with development, road mortality, as well as a decrease in suitable upland nesting/overwintering habitat (Thomson et al. 2016), all of which are potential impacts of the Project or subsequent projects under the District's jurisdiction. As a result, Project development has the potential to significantly impact the local population of WPT.

Recommended Potentially Feasible Mitigation Measure(s)

CDFW recommends editing the MND to include the following measures as conditions of Project approval and conducting the following evaluation of individual project areas prior to implementation of Project activities.

Recommended Mitigation Measure 14: Preconstruction Surveys

CDFW recommends that a qualified wildlife biologist conduct focused surveys for WPT during the nesting season (March through August). If any nests are discovered, CDFW recommends that they remain undisturbed until the eggs have hatched and the nestlings are capable of independent survival. In addition, CDFW recommends conducting pre-construction surveys for WPT immediately prior to initiation of construction activities.

Recommended Mitigation Measure 15: Avoidance

WPT detection during surveys warrants consultation with CDFW to discuss how to implement project activities and avoid take. However, CDFW recommends that if any WPT are discovered at a site immediately prior to or during project activities they be allowed to move out of the area on their own volition. If this is not feasible, CDFW recommends that a qualified biologist who holds a Scientific Collecting Permit for the species, capture and relocate the turtle(s) out of harm's way to the nearest suitable habitat immediately upstream or downstream from the project site.

II. Editorial Comments and/or Suggestions

South-Central California Coast Distinct Population Segment (DPS) of Steelhead (*Oncorhynchus mykiss irideus* pop. 9)

Steelhead trout inhabiting the Carmel River are part of the South-Central California Coast Distinct Population Segment (SCCC DPS) as defined by NMFS. The SCCC DPS includes steelhead populations in streams from the Pajaro River (inclusive) to (but not including) the Santa Maria River. The NMFS listed steelhead trout in the SCCC DPS as

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a federally threatened species effective October 17, 1997 (Federal Register Vol. 62, No. 159) and the Carmel River is designated by ESA as critical habitat for the SCCC DPS. The SCCC DPS is considered by NMFS to be distinct from the Southern California DPS to its south and the Central California Coast Evolutionarily Significant Unit (ESU) to its north. Of the runs that this DPS occupies, NMFS has identified the Carmel River run as having undergone a long-term decline, with an average decline of 50% per generation (NMFS 2016). This decline has been exacerbated by extended drought (NMFS 2016). Critical recovery actions for this ESU include alleviating threats to instream flows and impediments to fish passage. Any changes to the Carmel River's flow volumes, changes the channel sediment regime, and reductions of the groundwater (aquifer) table associated with the proposed Project or subsequent projects under the District's authority could worsen conditions for steelhead. Therefore, CDFW advises that the MND comprehensively evaluate the potential for impacts to this species, including its habitat, as a consequence of temporal differences in flow volumes as a result of the Project or subsequent projects under the District's authority.

CDFW-13

Federally Listed Species: CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, CRLF and SCCC DPS of steelhead. Take under the ESA is more broadly defined than CESA; take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with ESA is advised well in advance of any Project activities.

ENVIRONMENTAL DATA

CDFW-14

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database that may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, has the potential to impact fish and/or wildlife, and assessment of filing fees may be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project

Larry Hampson, District Engineer
Monterey Peninsula Water Management District
April 2, 2019
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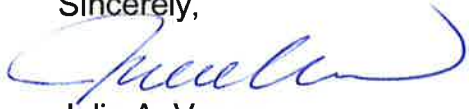
approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the District in identifying and mitigating subsequent project's impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Questions regarding this letter or further coordination should be directed to Renée Robison, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 243-4014 extension 274, or by electronic email at Renee.Robison@wildlife.ca.gov.

Sincerely,



Julie A. Vance
Regional Manager

Larry Hampson, District Engineer
Monterey Peninsula Water Management District
April 2, 2019
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Monterey Peninsula Water Management District
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DEPARTMENT OF FISH AND WILDLIFE

CHARLTON H. BONHAM, Director



Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4593
www.wildlife.ca.gov



May 30, 2014

RECEIVED

JUN - 5 2014

MPWMD

Thomas Christensen
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, California 93942

Subject: Final Lake or Streambed Alteration Agreement
Notification No. 1600-2013-0053-R4
Carmel River – Monterey County

Dear Mr. Christensen:

Enclosed is the final Streambed Alteration Agreement (Agreement) for the MPWMD Routine Maintenance Agreement (Project). Before the California Department of Fish and Wildlife (Department) may issue an Agreement, it must comply with the California Environmental Quality Act (CEQA). In this case, the Department, acting as a responsible agency, filed a notice of determination (NOD) on the same date it signed the Agreement. The NOD was based on information contained in the Environmental Impact Report the lead agency prepared for the Project.

Pursuant to CEQA Guidelines sections 15075(g) and 15094(g), filing of a NOD starts a 30-day statute of limitations during which a party may challenge the filing agency's approval of the Project. You may begin your Project before the 30-day period expires if you have obtained all necessary local, state, and federal permits or other authorizations. However, if you elect to do so, it will be at your own risk.

If you have any questions regarding this matter, please contact Robb Tibstra, Environmental Scientist, at (805) 594-6116 or Robert.Tibstra@wildlife.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey R. Single".

Jeffrey R. Single, Ph.D.
Regional Manager

cc: Robb Tibstra

NOTICE OF DETERMINATION

TO: Office of Planning and Research
Post Office Box 3044
Sacramento, California 95814

FROM: California Department of Fish and Wildlife
Central Region
1234 East Shaw Avenue
Fresno, California 93710

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

PROJECT TITLE: Stream Alteration Agreement No. 1600-2013-0053-R4 for the Routine Maintenance Agreement—Monterey Peninsula Water Management District.

STATE CLEARINGHOUSE NUMBER: 84032705

LEAD AGENCY: Monterey Peninsula Water Management District
CONTACT: Thomas Christensen, (831) 238-2547

RESPONSIBLE AGENCY: California Department of Fish and Wildlife
CONTACT: Robb Tibstra, (805) 594-6116

PROJECT LOCATION: The Project will occur at various locations on the Carmel River from the currently existing San Clemente Dam at River Mile 18.6 (Latitude 36° 26' 9.728" N; Longitude 121° 42' 31.986" W) to the lagoon at River Mile 0 (Latitude 36° 32' 10.159" N; Longitude 121° 55' 42.353" W), entirely within Monterey County.

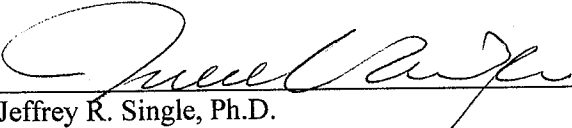
PROJECT DESCRIPTION: The California Department of Fish and Wildlife is executing a Lake or Streambed Alteration Agreement pursuant to Section 1602 of the Fish and Game Code for routine maintenance activities, including removal of woody and herbaceous plants, downed trees, debris, and litter that pose potential flow restrictions near structures and facilities; installation of new and repair of existing bank stabilization structures to minimize erosion. All work will occur in isolation of stream flow.

This is to advise that CDFW as a Responsible Agency approved the Project described above on 10/2/14 and has made the following determinations regarding the above described Project.

1. The Project will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this Project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the Project.
4. A Statement of Overriding Considerations was not adopted for this Project
5. Findings were made pursuant to the provisions of CEQA.

This is to certify that a copy of the Environmental Impact Report prepared for this Project is available to the general public and may be reviewed at: Monterey Peninsula Water Management District, 5 Harris Court, Building G, Monterey, California 93942. Please contact the person specified above.

Date: 10/2/14


Jeffrey R. Single, Ph.D.
Regional Manager, Central Region
California Department of Fish and Wildlife

Date received for filing at OPR: _____

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
REGION 4-CENTRAL REGION
1234 EAST SHAW AVENUE
FRESNO, CALIFORNIA 93710



ROUTINE MAINTENANCE AGREEMENT
STREAMBED ALTERATION AGREEMENT
NOTIFICATION No. 1600-2013-0053-R4
CARMEL RIVER—MONTEREY COUNTY

THOMAS CHRISTENSEN
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
5 HARRIS COURT, BUILDING G
MONTEREY, CALIFORNIA 93942

ROUTINE MAINTENANCE AGREEMENT--MPWMD (PROJECT)

This Routine Maintenance Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and the Monterey Peninsula Water Management District (referred to as Permittee), represented by Thomas Christensen.

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, Permittee notified CDFW on March 19, 2013, that Permittee intends to complete the Project described herein.

WHEREAS, pursuant to FGC section 1603, CDFW has determined that the Project could substantially adversely affect existing fish or wildlife resources and has included Protective Measures in this Agreement necessary to protect those resources.

WHEREAS, Permittee has reviewed this Agreement and accepts its terms and conditions, including the Protective Measures to protect fish and wildlife resources.

NOW THEREFORE, Permittee agrees to complete the Project in accordance with this Agreement.

PROJECT LOCATION

The Project will occur at various locations on the Carmel River from the currently existing San Clemente Dam at River Mile 18.6 (Latitude 36° 26' 9.728" N; Longitude 121° 42' 31.986" W) to the lagoon at River Mile 0 (Latitude 36° 32' 10.159" N; Longitude 121° 55' 42.353" W), entirely within Monterey County.

PROJECT DESCRIPTION

The Project includes the following routine maintenance activities:

- Removal of parts of woody and herbaceous plants that potentially cause flow restrictions in areas adjacent to man-made structures and facilities. Debris lodged in the bed or bank of the River shall be cut off at the bed or bank level with hand tools. Total linear distance treated will not exceed 2,640 feet or 30 feet in width.
- Removal of downed trees or branches, associated debris, rubbish, and litter that poses potential to impede flows or create a fire hazard. Tree root structure will not be disturbed.
- Removal of soil, silt, debris, algae, or other materials from the channel that potentially impede flow. Such activities will be conducted in isolation of standing water.
- Removal of non-native, invasive plant species and planting of native riparian vegetation by hand, using cuttings from adjacent species.
- Repair of existing bank stabilization structures that are damaged or have failed sections of rock rip-rap. Repairs shall be within the existing footprint of the original structure.
- Installation of bio-engineered bank stabilization and erosion control in areas up to 400 linear feet. Materials will include porous materials such as hydro and broadcast seeding, vegetative and riparian planting, use of geotextile fabric, installation of root wads, log crib walls, and other bio-engineered techniques. Locations and specific methods and design plans will be approved by the CDFW prior to implementation as specified below.
- All work is anticipated to occur outside the wetted portion of the channel. If necessary to operate equipment or otherwise cause disturbance to the active channel, a dewatering plan will be developed and approved by CDFW prior to work proposed in wetted portions of the channel.
- No heavy equipment will enter the wetted portion of the channel.
- In most years loppers, chain saws, and other hand tools will be used. Heavy equipment may be used for stream bank repairs and new bank stabilization.

PROJECT IMPACTS

This Agreement is intended to avoid, minimize, and mitigate adverse impacts to the fish and wildlife resources that occupy the area of the Carmel River within the Project area, and the immediate adjacent habitat. Absent implementation of the Protective Measures required by this Agreement, the following species and habitat types could potentially be impacted within the area covered by this Agreement: the Federally threatened and

State species of special concern (SSC) California red-legged frog (*Rana draytonii*), the Federally threatened south-central California coast steelhead (*Oncorhynchus mykiss*), the Federally endangered tidewater goby (*Eucyclogobius newberryi*), and the SSC Pacific pond turtle (*Actinemys marmorata*), as well as other birds, mammals, fish, reptiles, amphibians, invertebrates, and plants that comprise the local ecosystem. The California Natural Diversity Data Base (CNDDB) and other CDFW files and references contain information on species that could be subject to potential impacts generated from this Project.

PROTECTIVE MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

Permittee shall meet each administrative Protective Measure described below.

- 1.1 Documentation at Project Site. Permittee shall make this Agreement, any extensions and amendments to this Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the Project site at all times and shall be presented to CDFW personnel or personnel from another State, Federal, or local agency upon request.
- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of this Agreement and any extensions and amendments to this Agreement to all persons who will be working on the Project at the Project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a Protective Measure in this Agreement might conflict with a provision imposed on the Project by another local, State, or Federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees that CDFW personnel may enter the Project site at any time to verify compliance with this Agreement.
- 1.5 Legal Obligations. This Agreement does not exempt Permittee from complying with all other applicable local, State, and Federal law, or other legal obligations.
- 1.6 Unauthorized Take. This Agreement does not authorize the "take" (defined in Fish and Game Code Section 86 as to hunt, pursue, catch, capture, or kill; or attempt to hunt, pursue, catch, capture, or kill) of State- or Federally-listed threatened or endangered species. Any such "take" shall require separate permitting as may be required.
- 1.7 Property Not Owned by Permittee. To the extent that the Protective Measures of this Agreement provide for activities that require Permittee to enter on another owner's property, they are agreed to with the understanding that Permittee possesses the legal right to so enter.

- 1.8 Water Diversion. To the extent that the Protective Measures of this Agreement provide for the diversion of water, they are agreed to with the understanding that Permittee possesses the legal right to so divert such water.
- 1.9 Work Plan. Permittee shall submit an Annual Work Plan to CDFW (mail, email, or fax to (805) 542-4609, with reference to Agreement 2013-0053-R4) for approval by June 1 (and at least two (2) weeks prior to initiation of work) of each calendar year that this Agreement is valid, prior to beginning any activities covered by this Agreement. The Work Plan shall include activities, activity locations, seasonal timing (i.e., a date range), area covered by each activity, and specific treatment methods for each site (including anticipated equipment used). Notification for maintenance activities covered by this Agreement but not indicated in the annual work plan shall be submitted to CDFW for approval at least two (2) weeks prior to initiation of work. No activities shall commence until CDFW has provided written (e.g., email) approval that the activities proposed in the Work Plan and any subsequent notices are consistent with the Project description of this Agreement.
- 1.10 Training. Prior to starting any activity covered by this Agreement, all employees, contractors, landowners at Project areas, and visitors who will be present during Project activities shall receive training from a qualified individual on the contents of this Agreement, the resources at stake, and the legal consequences of non-compliance. Documentation of this training shall be provided to CDFW within the Annual Report specified in Section 4 below.

2. Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, Permittee shall implement each Protective Measure listed below.

- 2.1 Construction/Work Hours. All non-emergency work activities shall be confined to daylight hours. For purposes of this Agreement, "daylight hours" are defined as that daytime period between sunrise and sunset.
- 2.2 Flagging/Fencing. Prior to any activity covered by this Agreement, Permittee shall identify the limits of the required access routes and encroachment into the stream. These "work area" limits shall be identified with brightly-colored flagging/fencing. Work completed under this Agreement shall be limited to this defined area only. Flagging/fencing shall be maintained in good repair for the duration of the Project. All areas beyond the identified work area limits shall be considered Environmentally Sensitive Areas (ESA) and shall not be disturbed. Alternate flagging and fencing protocols protecting ESAs may be developed in consultation with CDFW and utilized for specific Projects as proposed in the Annual Work Plan (Administrative Measure 1.9).
- 2.3 Listed and Other Special Status Species.
- (a) This Agreement does not authorize "take" of any State- or Federally-listed threatened or endangered, or fully-protected species. Liability for any "take,"

or "incidental take," of such listed species remains the responsibility of Permittee for the duration of the Project. Any unauthorized "take" of such listed species may result in prosecution and nullify this Agreement.

- (b) Permittee affirms that no "take" of listed species will occur as a result of this Project and will take prudent measures to ensure that all "take" is avoided. Permittee acknowledges and fully understands that it does not have State "incidental take" authority. If any State- or Federally-listed threatened or endangered species occur within the proposed work area or could be impacted by the work proposed, and thus "taken" as a result of Project activities, Permittee is responsible for obtaining and complying with required State and Federally threatened and endangered species permits or other written authorization before proceeding with this Project.
- (c) Permittee shall immediately notify CDFW of the discovery of any rare, threatened, or endangered species prior to and during Project activities.
- (d) Pre-activity surveys for potential rare, listed, or other sensitive species (with emphasis on the species listed above) shall be conducted by a qualified biologist within 30 days prior to commencement of Project activities unless specified in species-specific measures below. Surveys must be conducted on the work area and all access routes to avoid and minimize "incidental take," confirm previous observations, identify any areas occupied by listed or sensitive species, and clearly mark all resources to be avoided by Project activities. If any State- or Federally-listed threatened or endangered animal species are found or could be impacted by the work proposed, Permittee shall notify CDFW of the discovery prior to commencement of construction. A new Agreement and/or a 2081(b) State Incidental Take Permit may be necessary and a new CEQA analysis may need to be conducted, before work can begin. All survey results will be documented and submitted as part of the Annual Report (Reporting Measure 4.2).
- (e) Prior to Project activities, a qualified biologist shall conduct training sessions to familiarize all workers with identification of the listed species listed above, their habitat, the native and non-native plant species in the Project area, general provisions and protections afforded by the California and Federal Endangered Species Acts, measures implemented to protect these species, and a review of the Project boundaries.
- (f) South-Central California Coast Steelhead and Tidewater Goby: Active treatment activities with potential to disturb the bed, bank, or channel in areas located within 25 feet of surface water shall occur between June 15 and October 31.
- (g) California Red-Legged Frog: Within 48 hours prior to commencing Project activities in any area that provides habitat for the species, the Project site shall be surveyed for California red-legged frog by a qualified biologist. If any individuals are found before or during Project activities, CDFW shall be

contacted immediately and work cease or shall not start, whichever applies, until CDFW has provided written approval for work to continue. All survey results, including those resulting in no detections, will be provided to CDFW as part of the Annual Report (Reporting Measure 4.2).

- (h) Western Pond Turtle: Any turtles discovered at the site immediately prior to or during Project activities shall be allowed to leave the Project area of their own accord, or shall be captured by a qualified biologist who holds a Scientific Collecting Permit for the species and relocated out of harm's way to the nearest suitable habitat immediately upstream or downstream from the Project site but out of the influence of Project.

2.4 Fish and Wildlife.

- (a) If any fish or wildlife is encountered during the course of Project activity, said fish or wildlife shall be allowed to leave the Project area unharmed.
- (b) Pursuant to FGC Sections 3503 and 3503.5, it is unlawful to "take," possess, or destroy the nest or eggs of any bird or bird-of-prey. To protect nesting birds, no Project activities shall be completed from March 1 through August 31 unless the following surveys are completed by a qualified biologist within 30 days prior to commencing Project activities in each location of work each year.

Non-Listed Raptors: Survey for nesting activity of raptors within a 500-foot radius of the Project site. Surveys shall be conducted at appropriate nesting times and concentrate on trees with the potential to support raptor nests. If any active nests are observed, these nests and nest trees shall be designated an ESA and protected with a minimum 500-foot buffer until young have fledged and are no longer reliant on the nest site or parental care.

Other Avian Species: Survey riparian areas for nesting activity within a 250-foot radius of the Project area. If any nesting activity is found, these nests shall be designated an ESA and protected with a minimum 250-foot buffer until young have fledged and are no longer reliant on the nest site or parental care.

CDFW may consider variances from these buffers when there is a compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest site by topography.

2.5 Vegetation.

- (a) The disturbance or removal of vegetation within the Project Boundaries shall not exceed the minimum necessary to complete Project goals as defined in the above Project description. Precautions shall be taken to avoid other damage to non-target vegetation by people or equipment.

- (b) Woody shrubs and trees, including oak trees, shall only be removed from the Project sites to the minimum extent necessary to complete maintenance activities. Trimming of such vegetation shall consist of no more than cutting to 1-foot above ground level. All damaged or removed woody-stemmed trees and shrubs with a diameter at breast height (DBH) of four (4) inches or greater shall be mitigated at a 3:1 ratio (replaced to lost). Mitigation for heritage trees 24-inches DBH or greater shall be replaced at a 10:1 ratio. Permittee shall document the number and species of all woody-stemmed plants/trees with a DBH of four (4) inches or greater that will be removed or damaged. This documentation shall be used as the basis for replacement mitigation and shall be submitted to CDFW with the Revegetation Plan (see Revegetation and Restoration).
- (c) Trimmed vegetation and cleared woody debris shall be removed from the vicinity of the stream channel and disposed of in a legal manner.
- (d) Heavy equipment and other machinery shall be inspected for the presence of undesirable species and cleaned prior to on-site use to reduce the risk of introducing exotic plant species into the Project site.

2.6 Vehicles.

- (a) Vehicles shall not be operated in areas where surface water is present.
- (b) Vehicle access to the stream's banks and bed shall be limited to predetermined ingress and egress corridors on or adjacent to existing roads. All other areas adjacent to the work site shall be considered an ESA and shall remain off-limits to construction equipment.
- (c) Any equipment or vehicles driven and/or operated within or adjacent to the stream shall be checked and maintained daily to prevent leaks of materials that, if introduced to water, could be deleterious to aquatic and terrestrial life.
- (d) Staging and storage areas for equipment, materials, fuels, lubricants, and solvents shall be located outside of the stream channel and banks. Stationary equipment such as motors, pumps, generators, compressors and welders, located within or adjacent to the stream, shall be positioned over drip-pans. Vehicles shall be moved away from the stream prior to refueling and lubrication.

2.7 Structures.

- (a) Permittee confirms that any and all structures and constructed features shall be properly aligned and otherwise engineered, installed, and maintained, to assure resistance to washout, and to erosion of the stream bed, stream banks and/or fill and that they will not cause long-term changes in water flows that adversely modify the existing upstream or downstream stream bed/bank contours or increase sediment deposition.

- (b) For any new bank stabilization structures or instream features: Permittee shall submit Engineered Design Plans to CDFW for approval at least 60 days prior to beginning work. Acceptance may be dependent upon Permittee providing additional information to CDFW that includes engineering calculations (such as design flow, 100 year flow, rock size calculations, etc.) used in determining design parameters. CDFW may provide written approval of Engineered Design Plans, based upon the anticipated performance of the structures and their influence on the future geomorphology of the Carmel River relating to fish passage for all life stages of Steelhead and other species that may be present at the site.
- 2.8 Fish Rescue. If fish are present in the work site and dewatering is necessary, a qualified biologist, with all necessary State and Federal permits, shall rescue any fish within the work site prior to diverting water. Rescued fish shall be moved to the nearest appropriate site outside of the work area. A record shall be maintained of all fish rescued and moved. The record shall include, at a minimum, the date of capture and relocation, the method of capture, location of relocation in relation to the Project site, and the number and type of fish captured and relocated. The record shall be provided to CDFW within two (2) weeks of the completion of the work season or Project, whichever comes first. Any fish rescue activity shall not conflict with any Biological Opinions from USFWS and NOAA Fisheries obtained as part of the Project.
- 2.9 Water Diversion/Dewatering Plan. If any Project locations require dewatering to create dry conditions, a Dewatering Plan shall be submitted to CDFW for approval at least 30 days prior to implementation. The Plan shall detail the specific locations and methods of implementing dewatering activity and incorporate the following:
- (a) Instream work shall be done in isolation from surface water flow. Water drafting, pumping, or other water diversion shall be done in a manner that is not harmful to fish or other aquatic or semi-aquatic species of wildlife. Pump inflow tubes or hoses shall be screened according to criteria for small diversions as specified by the Department and NOAA Fisheries (http://www.dfg.ca.gov/fish/Resources/Projects/Engin/Engin_ScreenCriteria.asp).
- (b) Any equipment or structures placed in the active channel for water drafting, pumping or diversion shall be done in a manner that a) prevents pollution and/or siltation; b) provides flows to downstream reaches at all times to support aquatic life; c) provides flows of sufficient quality and quantity, and of appropriate temperature to support aquatic life, both above and below the diversion; and d) restores normal flows to the affected stream immediately upon completion of work at each location.
- (c) Temporary diversion structures used to isolate the work area shall be constructed in a manner that prevents seepage from the work area. Said structures shall be constructed of non-erodible materials unless enclosed by sheet piling, rock riprap, or other protective material. The structure, including

all fill, enclosure material, and trapped sediments, shall be removed when the Project is completed.

- (d) Any Project-related water drafting, pumping, or other water diversion including ground disturbing activities not specifically addressed in this Agreement, is subject to further Protective Measures through an amendment to this Agreement.

2.10 Fill/Spoil. Spoil storage sites shall not be located within the stream or where spoil will be washed into the stream. Rock, gravel, and/or other materials shall not be imported into or moved within the bed or banks of the stream, except as otherwise addressed in this Agreement.

2.11 Erosion.

- (a) No work within the banks of the stream shall be conducted during or within 24 hours following large rainfall events. For purposes of this Agreement, a "large rainfall event" is defined as rainfall totaling one half of 1-inch (1/2-inch) of rain in any 24-hour period.
- (b) All disturbed soils within the Project site shall be stabilized to reduce erosion potential, both during and following Project activity. Temporary erosion control devices, such as straw bales, silt fencing, and sand bags, may be used, as appropriate, to prevent siltation of the stream. Any installation of non-erodible materials not described in the original Project description shall be coordinated with CDFW.
- (c) Precautions to minimize siltation may require that the work site be isolated so that silt or other deleterious materials are not allowed to pass to downstream reaches. The placement of any structure or materials in the stream for this purpose, not included in the original Project description, shall be coordinated with CDFW. If it is determined that silt levels resulting from Project-related activities constitute a threat to aquatic life, activities associated with the siltation shall be halted until effective CDFW-approved control devices are installed, or abatement procedures are initiated.

2.12 Pollution.

- (a) Raw cement, concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to fish or wildlife resulting from Project-related activities, shall be prevented from contaminating the soil and/or entering the "Waters of the State".
- (b) Permittee and all contractors shall be subject to the water pollution regulations found in FGC Sections 5650 and 12015.

- (c) The cleanup of all spilled materials shall begin immediately. CDFW shall be notified immediately by Permittee of any spills and shall be consulted regarding cleanup procedures.
- (d) All Project-generated debris and rubbish shall be removed from the stream and from areas where such materials could be washed into the stream.

3. Compensatory Measures

To compensate for adverse impacts to fish and wildlife resources identified above that cannot be avoided or minimized, Permittee shall implement each Protective Measure listed below.

3.1 Revegetation and Restoration.

- (a) For trees and shrubs four (4) inches DBH and larger that are trimmed or otherwise damaged, Permittee shall develop a Revegetation Plan for the site and submit it to CDFW for approval prior to commencement of the proposed Project activity. The Revegetation Plan shall specifically address plantings of native trees as indicated in Avoidance and Minimization Measure 2.5(b) above, and include monitoring and maintenance to ensure a minimum of 70 percent survival for the plantings after five (5) years, including a period of three (3) consecutive years when supplemental watering may be utilized followed by an additional two (2) years without such assistance. The Plan shall propose the planting location(s) and include requirements for annual monitoring, performance criteria, and remedial actions in the event that plantings are not successful. Tree and shrub removal shall not commence until the Revegetation Plan is approved by CDFW.
- (b) If the Project causes any exposed slopes or exposed areas on stream banks, these areas shall be seeded (with weed-free straw or mulch) with a blend of a minimum of three (3) locally native grass species. One (1) or two (2) sterile non-native perennial grass species may be added to the seed mix provided that amount does not exceed 25 percent of the total seed mix by count. Locally native wildflower and/or shrub seeds may also be included in the seed mix. The seeding shall be completed as soon as possible, but no later than November 15 of the year construction ends or as otherwise approved in advance and in writing by CDFW. A seed mixture shall be submitted to CDFW for approval prior to application. At the discretion of CDFW, all exposed areas where seeding is considered unsuccessful after 90 days shall receive appropriate soil preparation and a second application of seeding, straw, or mulch as soon as is practical on a date mutually agreed upon.
- (c) Where suitable vegetation cannot be reasonably expected to become established, non-erodible materials shall be used for such stabilization. Any installation of non-erodible materials not described in the original Project description shall be coordinated with CDFW. Coordination may include the negotiation of additional Protective Measures for this activity.

4. Reporting Measures

Permittee shall meet each reporting requirement described below.

4.1 Obligations of Permittee.

- (a) Permittee shall have primary responsibility for monitoring compliance with all Protective Measures in this Agreement. Protective Measures must be implemented within the time periods indicated in this Agreement and the program described below.
- (b) Permittee (or Permittee's designee) shall ensure the implementation of the Protective Measures of this Agreement, and shall monitor the effectiveness of the Protective Measures.

4.2 Reports. Permittee shall submit the following Reports to CDFW. All reports shall be sent as hard copy to CDFW, and Permittee may additionally send reports in electronic format to the CDFW contact (see Contact Information, below).

- An Annual Work Plan submitted for CDFW approval by June 1 of each calendar year and at least two weeks before commencing Project activity (Administrative Measure 1.8). If necessary, additional work sites not included in the Annual Work Plan shall be submitted for CDFW approval at least two (2) weeks prior to initiation of work (Administrative Measure 1.9).
- Annual Status Report: An Annual Status Report and associated fees (see Fees, below) shall be submitted to CDFW by February 1 of each calendar year that this Agreement is valid, for the previous calendar year. The Annual Status Report shall include the following information:
 - A summary of all work for each maintenance activity that was completed the previous calendar year.
 - Documentation of employee training (Administrative Measure 1.10 and Avoidance and Minimization Measure 2.3(e)).
 - A summary of Protective Measures implemented at each Project site where maintenance activities occurred.
 - Results of biological surveys, conducted as warranted (Avoidance and Minimization Measures 2.3(d and g), and 2.4(b)).
 - Reports shall include photo documentation consisting of "before and after" photos of the Project areas where each maintenance activity was completed.
 - If no work was conducted during the calendar year, an Annual Status Report will be submitted to CDFW indicating that status.

- Design plans for new bank stabilization or instream structures, submitted for approval at least 30 days prior to implementation (Avoidance and Minimization Measure 2.7(b)).
- Results of any Fish Rescue operations within two (2) weeks of implementation (Avoidance and Minimization Measure 2.8).
- Dewatering Plan, submitted to CDFW for approval at least 30 days prior to implementation for each activity requiring dewatering (Avoidance and Minimization Measure 2.9).
- Documentation of trees and shrubs four (4) inches DBH or larger that are trimmed or damaged (Avoidance and Minimization Measure 2.5(b)); and a Revegetation Plan if any trees four (4) inches DBH and larger will be removed or damaged, submitted to CDFW for approval at least 30 days prior to commencing the Project activity (Compensatory Measure 3.1(a)).
- A seed mixture to be used to control erosion, submitted to CDFW for approval prior to application (Compensatory Measure 3.1(b)).
- A Four-Year Status Report no later than 90 days prior to the end of each four (4) year period for the duration of this Agreement, including the following:
 - 1) A copy of the original Agreement.
 - 2) The status of the activity covered by this Agreement.
 - a. An evaluation of the success or failure of the Protective Measures in this Agreement to protect the fish and wildlife resources that the activity may substantially adversely affect.
 - b. A discussion of any factors that could increase the predicted adverse impacts on fish and wildlife resources, and a description of the resources that may be adversely affected.

CONTACT INFORMATION

Any communication that Permittee or CDFW submits to the other shall be in writing and any communication or documentation shall be delivered to the address below by U.S. mail, fax, or email, or to such other address as Permittee or CDFW specifies by written notice to the other.

To Permittee:

Thomas Christensen
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, California 93942
Thomas@mpwmd.net

To CDFW:

California Department of Fish and Wildlife
Region 4 – Central Region
1234 East Shaw Avenue
Fresno, California 93710
Attn: Lake and Streambed Alteration Program – Robb Tibstra
Notification #1600-2013-0053-R4
Phone: (805) 594-6116
Robert.Tibstra@wildlife.ca.gov

FEES

California Code of Regulations, Title 14 (CCR 14, Section 699.5) establishes fees for Projects subject to Fish and Game Code 1602. Fees for activities authorized by this Agreement shall be assessed pursuant to FGC§ 1609.

A lump sum fee shall be paid to CDFW, submitted with the Annual Report, based on the total number of routine maintenance Projects undertaken for that year (which shall be equal to the number of Projects indicated in the Annual Report. Fees shall be assessed based upon the fee schedule that is prevailing at the time of payment.

A one-time extension fee shall be based upon the fee schedule (CCR14, Section 699.5(f)) that is prevailing at the time of payment.

Amendment fees shall be based upon the fee schedule (CCR 14, Section 699.5(g)) that is prevailing at the time of payment and according to the scope of change.

LIABILITY

Permittee shall be solely liable for any violations of this Agreement, whether committed by Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the Project or any activity related to it that this Agreement authorizes.

This Agreement does not constitute CDFW's endorsement of, or require Permittee to proceed with the Project. The decision to proceed with the Project is Permittee's alone.

SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety this Agreement if it determines that Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with this Agreement.

Before CDFW suspends or revokes this Agreement, it shall provide Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide Permittee

an opportunity to correct any deficiency before CDFW suspends or revokes this Agreement, and include instructions to Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in this Agreement precludes CDFW from pursuing an enforcement action against Permittee instead of, or in addition to, suspending or revoking this Agreement.'

Nothing in this Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from obtaining any other permits or authorizations that might be required under other Federal, State, or local laws or regulations before beginning the Project or an activity related to it.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the FGC including, but not limited to, FGC sections 2050 *et seq.* (threatened and endangered species), 3503 (bird nests and eggs), 3503.5 (birds of prey), 5650 (water pollution), 5652 (refuse disposal into water), 5901 (fish passage), 5937 (sufficient water for fish), and 5948 (obstruction of stream).

Nothing in this Agreement authorizes Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

CDFW may amend this Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

Permittee may amend this Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and Permittee. To request an amendment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's fee schedule at the time of the request (see Cal. Code Regs., Title 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of this Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of this Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's fee schedule at the time of the request (see Cal. Code Regs., Title 14, § 699.5).

EXTENSIONS

In accordance with FGC section 1605(b), Permittee may request one (1) extension of this Agreement, provided the request is made prior to the expiration of this Agreement's term. To request an extension, Permittee shall submit to CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's fee schedule at the time of the request (see Cal. Code Regs., Title 14, § 699.5). CDFW shall process the extension request in accordance with FGC 1605(b) through (e).

If Permittee fails to submit a request to extend this Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the Project this Agreement covers (FGC § 1605, subd. (f)).

EFFECTIVE DATE

This Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after Permittee's signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable FGC section 711.4 filing fee listed at http://www.wildlife.ca.gov/habcon/ceqa/ceqa_changes.html.

TERM

This Agreement shall remain in effect for 12 years beginning on the date signed by CDFW, unless it is terminated or extended before then. All Protective Measures in this Agreement shall remain in force throughout its term. Permittee shall remain responsible for implementing any Protective Measures specified herein to protect fish and wildlife resources after this Agreement expires or is terminated, as FGC section 1605(a)(2) requires.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

In approving this Agreement, CDFW is independently required to assess the applicability of CEQA. The features of this Agreement shall be considered as part of the overall Project description.

Permittee's concurrence signature on this Agreement serves as confirmation to CDFW that the activities conducted under the terms of this Agreement are consistent with the Project as described in the CEQA Environmental Impact Report (EIR) prepared by Monterey Peninsula Water Management District as the Lead Agency for the Carmel River Management Plan, and approved on November 2, 1984 (State Clearinghouse No. 84032705). A copy of the EIR was provided to CDFW by Permittee.

CDFW, as a CEQA Responsible Agency, shall submit a Notice of Determination and Findings to the State Clearinghouse upon signing this Agreement.

EXHIBITS

The document listed below is included as an exhibit to this Agreement and is incorporated herein by reference.

Figure 1. Project Location USGS Quad Map.

AUTHORITY

If the person signing this Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the terms herein.

AUTHORIZATION

This Agreement authorizes only the Project described herein. If Permittee begins or completes a Project different from the Project this Agreement authorizes, Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with FGC section 1602.

CONCURRENCE

The undersigned accepts and agrees to comply with all the terms of this Agreement.

**FOR MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT**



Thomas Christensen

5/22/14

Date

**FOR CALIFORNIA DEPARTMENT OF FISH AND
WILDLIFE**



Jeffrey R. Single, Ph.D.

Regional Manager – Central Region

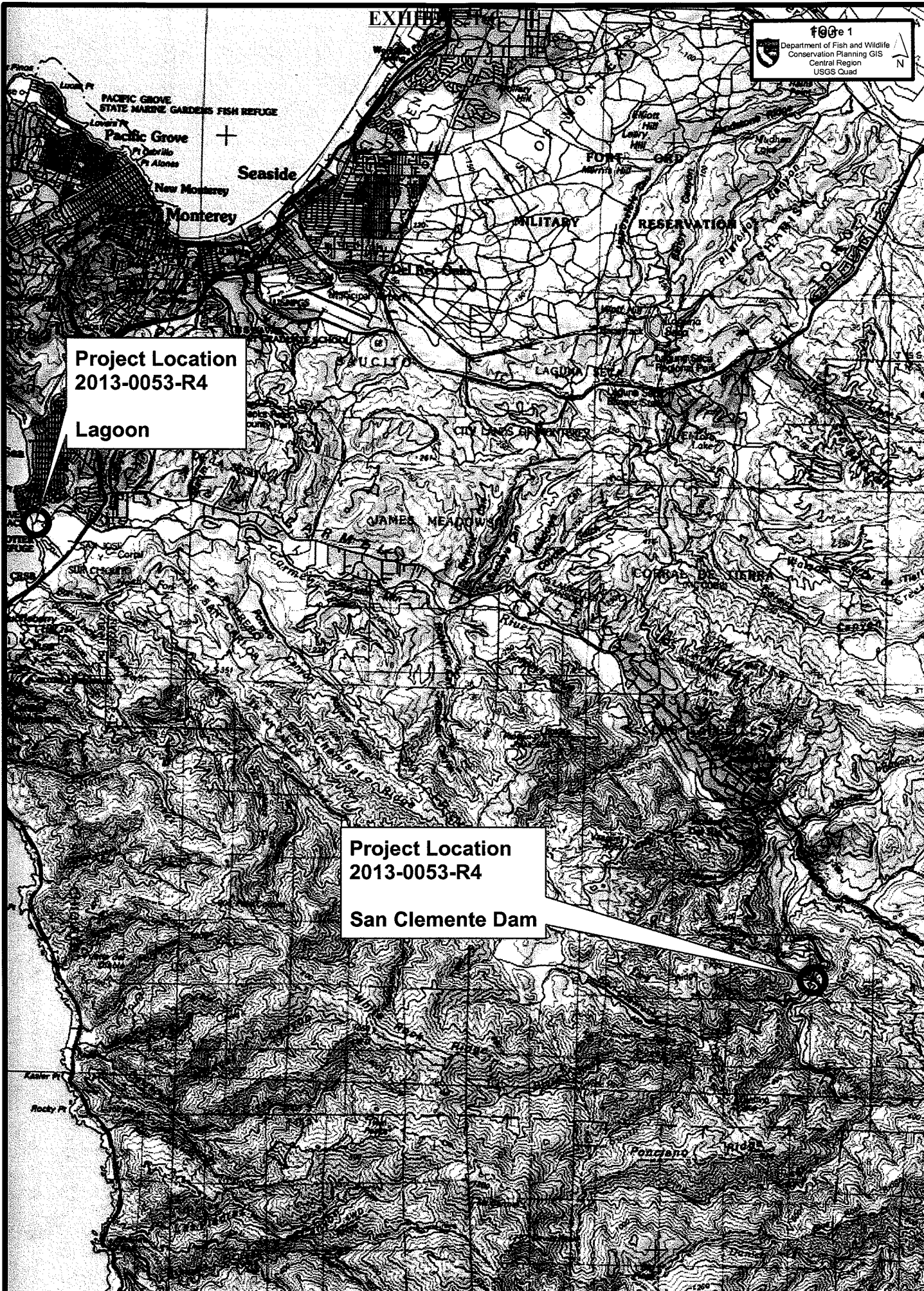
6/2/14

Date

Prepared by: Robb Tibstra
Environmental Scientist

Figure 1

Exhibit A



Project Location
2013-0053-R4

Lagoon

Project Location
2013-0053-R4

San Clemente Dam

NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department

1550 Harbor Blvd., Suite 100

West Sacramento, CA 95691 Phone (916) 373-3710

Email: nahc@nahc.ca.gov

Website: <http://www.nahc.ca.gov>

Twitter: @CA_NAHC



RECEIVED

APR 02 2019

MPWMD

March 28, 2019

Larry Hampson
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, CA 93942-0085

RE: SCH# 2019029145 Modification of the Extent of the Carmel River Riparian Corridor, Monterey County

Dear Mr. Hampson:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email

address: Gayle.Totton@nahc.ca.gov.

Sincerely,



for

Gayle Totton

Associate Governmental Program Analyst

cc: State Clearinghouse



March 7, 2019

Via certified U.S. mail

Louise J. Miranda Ramirez
OCEN Tribal Chairwoman
P.O. Box 1301
Monterey, CA 93942

**SUBJECT: Draft Mitigated Negative Declaration for an Ordinance to
Modify the Extent of the Carmel River Riparian Corridor**

Dear Chairwoman Ramirez:

As requested in your letter to the Monterey Peninsula Water Management District (MPWMD or District) dated June 28, 2015, this is a formal notice of intent (NOI) to adopt a Mitigated Negative Declaration (MND) to extend the District's defined Carmel River Riparian Corridor. Attached is the NOI and draft MND.

Should you have any questions about this, please contact me at larry@mpwmd.net or 831/658-5620.

Sincerely,

A handwritten signature in blue ink that reads "Larry Hampson".

Larry Hampson
District Engineer

Attachments: 1 – Notice of Intent
2 – Draft Mitigated Negative Declaration

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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Louise J. Miranda Ramirez OCEN Tribal Chairwoman P.O. Box 1301 Monterey, CA 93942</p>		<p>B. Received By (Printed Name) <i>W Casares</i></p> <p>C. Date of Delivery <i>3-15-19</i></p>	
<p>2. Article Number (Transfer from service label) 7015 1520 0001 3315 8378</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>9590 9402 2998 7094 1176 50</p>		<p>3. Service Type</p> <p> <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) </p> <p> <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery </p>	
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Ohlone/Costanoan-Esselen Nation

*Previously acknowledged as
The San Carlos Band of
Mission Indians
The Monterey Band
And also known as
O.C.E.N. or Esselen Nation
P.O. Box 1301
Monterey, CA 93942*

www.ohlonecostanoanesselenation.org

June 28, 2015

Monterey Peninsula Water
Management District
P.O. Box 85
Monterey, CA 93942-0085

Re: California Environmental Quality Act Public Resources Code section 21080.3, subd. (b) Request for
Formal Notification of Proposed Projects within the Ohlone/Costanoan-Esselen Nation's Geographic
Area of Traditional and Cultural Affiliation.

Saleki Atsa,

As of the date of this letter, in accordance with Public Resources Code Section 21080.3.1, subd. (b), Ohlone/Costanoan-Esselen Nation, which is traditionally and culturally affiliated with a geographic area within your agency's geographic area of jurisdiction, requests formal notice of and information on proposed projects for which your agency will serve as a lead agency under the California Environmental Quality Act (CEQA), Public Resources Code section 210000 et seq.

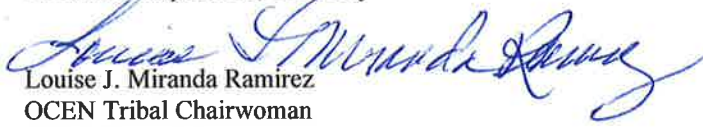
Pursuant to Public Resources Code section 21080.3.1, subd. (b), and until further notice, we hereby designate the following person as the tribe's lead contact person for purposes of receiving notices of proposed projects from your agency:

Name: Louise J. Miranda Ramirez
Title: OCEN Tribal Chairwoman
Address: P.O. Box 1301
Monterey, CA 93942
Phone/Fax Number: (408) 629-5189
Cell Phone: (408) 661-2486
Email: ramirez.louise@yahoo.com

We request that all notices be sent via certified U.S. Mail with return receipt. Following receipt and review of the information your agency provides, within the 30-day period proscribed by Public Resources Code section 21080.3.1, subd. (d), the Ohlone/Costanoan-Esselen Nation may request consultation, as defined by Public Resources Code section 21080.3.1, subd. (b), pursuant to Public Resources Code section 21080.3.2 to mitigate any project impacts a specific project may cause to tribal cultural resources.

If you have any questions or need additional information, please contact our lead contact person listed above.

Nimasianexelpasaleki, Sincerely


Louise J. Miranda Ramirez
OCEN Tribal Chairwoman
2653 McLaughlin Ave.
San Jose, CA 95121

Cc: Native American Heritage Commission
OCEN Tribal Council

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Draft of Rules 11, 123, and 127 (after Adoption of Ordinance 181)**Rule No. 11 - DEFINITIONS**

RIPARIAN CORRIDOR – shall mean:

- a. All that area which comprises the Riverbed and riverbanks of the Carmel River which lies between the Pacific Ocean and the Ventana Wilderness boundary.
- b. All those areas which lie within 25 lineal feet of the 10% chance flood between the Pacific Ocean and the Ventana Wilderness boundary. In those areas where the 10% chance flood is not defined, a constructive line shall be determined by the District Engineer using a generally accepted method of determining the extent of the 10% chance flood. Lawns, landscaping, and cultivated areas as shown on the June 2017 aerial photographs on file with the District are exempt unless a lawn, landscaping, or cultivated area is the subject of a violation of the District Rules as of the day of adoption of this Ordinance.

Added by Ordinance No. 10 (7/26/83); amended by Ordinance 181 (Month/Day/2019)

Added by Ordinance No. 10 (7/26/83); deleted by Ordinance 181 (month/day/2019)

RIVERBED – “Riverbed” shall mean the natural hollow, path or channel over which the 10% chance flow of the Carmel River occurs. The term “channel” includes the riverbanks and shall be synonymous with the term “Riverbed”. The 10% chance flow shall be determined using a generally accepted method of statistical hydrology, such as described in USGS Bulletin 17-B, using historically gaged Carmel River flows. The waterline of the 10% chance flow shall be determined by applying the standard step backwater method using a computer simulation program such as HEC-RAS developed by the U.S. Army Corps of Engineers. Where the lateral extent of the Riverbed cannot be determined using the foregoing criteria, a constructive limit of the Riparian Corridor shall be determined by the District Engineer based upon historical analysis of aerial photographs and other data as appropriate.

Added by Ordinance No. 10 (7/26/83); amended by Ordinance 181 (month/day/2019)

RULE 123 RIVER MANAGEMENT ACTIVITIES

The following activities fall within the purview of the Carmel River Management Plan and may be undertaken by the District as discretionary acts to the extent that funds are reasonably available.

A. EROSION PROTECTION AND PREVENTION**1. Formulation of Standards**

Develop technical standards and a structural master plan to guide all riverbank and channel modification projects. Guidelines may (a) set the optimum channel width and bank steepness to depth relationships, (b) address coordination requirements among nearby property owners, (c) evaluate the cost and effectiveness of alternative bank stabilization solutions, (d) establish preferred solutions, (e) define acceptable circumstances and processes for sediment management, (f) set general engineering requirements for material and design, (g) establish requirements for covering, replanting and maintaining works once completed. Standards shall be reviewed to reflect experience gained during implementation of the program, and (h) establish aesthetic requirements for erosion works.

2. Annual Review

Review aerial photos as required to remain familiar with the changing environment of the river ; regularly inspect the Riverbed. Review areas that may be subject to erosion during high flows .

3. Removal of Hazardous Trees

Identify trees that appear to be diseased or likely to fall into the river. Attempt to effect removal or modification or replacement of such trees where their removal or modification does not conflict with shade or wildlife requirements.

4. Snag Removal

Remove or modify snags and debris from the channel that increase the risk of bank erosion at high flows.

5. Technical Assistance

Provide technical assistance through staff as follows:

a. Permits

Coordinate issuance of River Work Permits with the requirements of the County of Monterey, the California Department of Fish and Wildlife, the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and any other agency that regulates activities in the Riverbed.

b. Design of Works

Provide design, engineering and construction supervision upon request to landowners proposing riverbank or channel protection projects.

c. Landowners

Assist landowners to carry out appropriate projects by providing information on standards and costs.

d. Government

Monitor the availability of outside funding and review proposed legislation affecting the program or the interests of the Carmel River.

e. Funding

Participate in specific River Works projects as feasible and desired by the Board. Financial participation may be partial or full at the discretion of the Board.

6. Project Sponsor

Administer grant funds, donations, and District projects with multiple property owner participation.

7. Construction

Construct riverbank and channel works.

8. Maintenance of Works

Operate and maintain District projects and works related to riverbank and Riverbed erosion along the Carmel River.

B. MAINTENANCE OF VEGETATION

1. Monitoring

Review aerial photos, conduct inspections of the Riparian Corridor and use other monitoring data to determine changes in the health of the riparian vegetation and stability of riverbanks. Maintain records showing changes in the Riparian Corridor.

2. Planting and Revegetation

Replant areas as needed and prioritize areas for planting. Costs of planting may be borne fully or partially by the District.

3. Technical Assistance

As District resources and priorities allow, provide technical assistance through staff as follows:

a. Permits

Assist individuals seeking permits to revegetate and change the vegetation type along the Riparian Corridor.

b. Design

Provide design, engineering, and construction support upon request to landowners proposing irrigation systems for watering riparian vegetation in the corridor.

4. Construction of Irrigation Systems

Design District Irrigation System standards and specifications and identify reaches where such irrigation is necessary to the health of the Riparian Corridor. Prioritize areas for irrigation. Irrigation development and construction costs may be borne fully or partially by the District at the discretion of the Board.

5. Operations and Maintenance

Monitor and maintain District Irrigation Systems. Operation should integrate monitoring of plant health.

6. Channel Clearing

Monitor reaches where vegetation or debris has become established in the Riverbed. If feasible, maintain an adequate clearance within the Riverbed to safely pass debris or reduce the risk of erosion due to blockages that could cause damage to streambanks and riparian habitat due to storm flows within the Riverbed.

C. INSPECTION

1. Erosion Protection Works

Inspect bank work and channel modification projects to obtain compliance with standards and permit conditions.

2. Vegetation Removal

Monitor activities along the river to prevent unauthorized vegetation removal, grading, and works.

D. EDUCATION

1. Erosion Works and Prevention

Educate landowners and the general public regarding river management and erosion prevention. Initiate forums with landowners to provide information on the cost, effectiveness and liabilities of bank modification.

2. Vegetation

Assist property owners to encourage planting of desirable species and to discourage removal of native vegetation. Provide information on desirable species, spacing and maintenance.

3. Grading

Develop and distribute information on grading.

4. Regulation

Develop and distribute standards and conditions to be met in River Work Permits and emergency River Work Permits pursuant to Rule 127. Distribute information as to those activities which may be undertaken without a River Work Permit, and activities which are defined as "minor works" pursuant to Rule 127.

E. **RESEARCH**

Research stream geomorphology, erosion potential, fishery and vegetation to understand the system dynamics and to maintain appropriate standards.

F. **EASEMENTS AND AGREEMENTS**

Accept and acquire easements or agreements needed to provide right-of-way for Irrigation Systems and access to undertake works, and accept other property interests deeded to the District.

G. **EMERGENCY**

Provide emergency response to remove or modify snags and to minimize damage where the river is causing erosion or threatening to erode.

H. **PERIODICALLY REVIEW AND UPDATE MAPS SHOWING THE LIMITS OF THE RIPARIAN CORRIDOR**

Develop and periodically update a geo-referenced set of maps showing property lines, the 10-year flowline, and the limits of the Riparian Corridor.

I. **OTHER RELATED ACTIVITIES**

Manage the Riparian Corridor, examine sedimentation from non-riparian drainage areas and evaluate culvert design at tributary junctions in conjunction with the Monterey County Department of Public Works. Monitor existing trails for impact upon the Riparian Corridor. Develop and propose trail standards. Accept river management funds, grants, and deeds from public and private sources.

Added by Ordinance No. 10 (7/26/83); amended by Ordinance No. 22 (3/11/85); Ordinance No. 69 (6/21/93); Ordinance 181 (month/day/2019)

RULE 127 - PERMIT PROCESS**A. RIVER WORK PERMITS**

1. Applications for River Work Permits shall be made to the Monterey Peninsula Water Management District on forms supplied by District staff and shall be accompanied by plans showing appropriate Site, improvement and engineering information as may be required by District staff. The fee prescribed by Rule 60 shall be required for any River Work Permit.
2. Any application which appears to propose an activity regulated pursuant to the National Flood Insurance Program, including but not limited to:
 - a. grading or changes in land forms that might alter channel hydraulics or the configuration of the floodway, or
 - b. levees or other flood control works that might alter channel hydraulics or the configuration of the floodway, shall be referred for review and comment to the Monterey County Water Resources Agency.
3. Within 30 days of receipt of application, District Staff shall determine whether the information submitted by the Applicant is sufficient to consider the matter. If the Application is not sufficient, District Staff shall identify what additional information is required and inform the Applicant to submit the additional information (normally within 30 days of notification of the deficiencies).
4. The Board of Directors shall by resolution promulgate upon advice of the Carmel River Advisory Committee a list of “minor works.” Minor work permits and regular River Work Permits which have been issued shall be prominently posted in the Monterey Peninsula Water Management District office, and shall not become effective until seven (7) days after issuance. Such permits may be appealed to the Board pursuant to Rule 127-C of this Regulation. Holders of a minor work permit may undertake such work immediately upon issuance of the permit , provided however, that each Applicant for a minor work permit who undertakes work prior to the effective date of such permit agrees in writing to proceed during that seven-day period at his own risk, and agrees to indemnify and hold harmless the Monterey Peninsula Water Management District for any damage which may result, and agrees to comply with any Board order should the permit be denied or conditioned on appeal.
5. In order to grant a regular River Work Permit, an emergency work permit, or a minor work permit, the General Manager or the District Engineer shall make the following findings based upon facts apparent from the District files, the permit application or other relevant facts:
 - a. the work allowed by the proposed permit does not appear to adversely affect adjoining or other properties;

- b. the work allowed does not degrade habitat value and appears to be visually compatible with the natural appearance of the river channel, banks and Riparian Corridor;
 - c. the work allowed appears to be appropriate for the intended purpose, and be consistent with technical standards and plans set by the District;
 - d. the work allowed will not contribute to adverse levels of downcutting;
 - e. the establishment, maintenance or operation of the use or work applied for does not appear under the circumstances of the particular case, to be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the District;
 - f. the work permitted appears either to comply with, or be exempt from the requirements of the National Flood Insurance Program; and
 - g. the work permitted will not adversely affect traditional or cultural values of California Native American tribes.
6. The General Manager or the District Engineer may designate conditions in connection with the permit to secure the purposes of this Regulation, in addition to any standard permit conditions which may be required by the Board. The General Manager or the District Engineer may also require bond and guarantees to assure compliance with the conditions.
- Each permit shall briefly set forth or refer to the information used to develop permit conditions.
7. Each permit issued by the General Manager or the District Engineer shall become effective seven (7) days after the date such permit was issued and remain valid until the date of expiration stated on the permit; or if no date of expiration is stated, or otherwise specified, all such permits shall expire one year from the date of granting said permit.
8. When a property owner wishes to maintain the river channel and/or riverbank on a regular basis, a River Work Permit may be issued by the General Manager or District Engineer upon the approval of an appropriate management plan. Permits granted for such ongoing activity under this Rule shall state this basis for termination as follows:
- “This permit shall terminate on the date set forth below; and if no date of termination is set, shall terminate one year after the repeal of this Rule or Regulation.”
9. Each permit shall be publicly posted at the District office for a period of not less than 21 days and shall be made available for public viewing through other District communication platforms, such as on the District’s internet web site.

B. EMERGENCY RIVER WORK PERMITS

Emergency riverbank or Riverbed protection or channel modification measures performed under this Regulation shall require a subsequent emergency River Work Permit from the General Manager or District Engineer. An application for such a permit shall be submitted within ten (10) calendar days after commencement of such measures. The fee prescribed by Rule 60 shall be required for any emergency River Work Permit. The intent of such a subsequent emergency River Work Permit is to ensure that any emergency bank and bed protection measures conform to or will be brought into conformance with the technical standards promulgated in accord with this Regulation. To the extent practicable, emergency River Work Permits shall be administered and granted in accordance with Rule 127-A above, and may also be appealed to the Board in accord with Rule 127-C. Standards shall be developed and distributed summarizing the design concepts that will be required in emergency permits. Persons undertaking emergency River Works without prior approval shall bear sole responsibility for the adequacy and safety of such work, and shall be deemed to proceed at their own risk. The District, upon later review of the emergency River Work Permit, reserves the right to require removal or modification of such works to that measure compatible with the structural management plan.

C. PERMIT APPEALS

Determinations of the General Manager or the District Engineer may be appealed to the Board of Directors pursuant to Rule 70, "Appeals" upon payment of the fee specified in Rule 60.

Rule added by Ordinance No. 10 (7/26/83); amended by Ordinance No. 22 (3/11/85); Ordinance No. 14 (11/12/84); Ordinance No. 69 (6/21/93); Ordinance No. 120 (3/21/2005); Ordinance No. 125 (9/18/2006); Ordinance 181 (Month/Day/2019)

ITEM: PUBLIC HEARING**22. CONSIDER SECOND READING AND ADOPTION OF ORDINANCE NO. 182 – AMENDING RULES 11, 20, 21, 22, 23, 23.8, 24, 25, 25.5, 33, 141, 142, 161, AND 180****Meeting Date:** May 20, 2019 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** Stephanie Locke **Cost Estimate:** N/A**General Counsel Review:** Yes**Committee Recommendation:** The Water Demand Committee reviewed the concept ordinance November 6, 2018 and provided direction to staff.**CEQA Compliance:** 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.**SUMMARY:** Ordinance No. 182, "The 2019-1 Rules and Regulations Amendment Ordinance" amends, clarifies and refines certain procedures necessary to process, issue, and enforce requirements related to Water Permits and Water Distribution System Permits, Water Use Permits, water efficiency requirements, Rebates, and ex parte communications. The draft ordinance is shown as **(Exhibit 22-A)**.**DISCUSSION:** The following points summarize the sections of Ordinance No. 182:

1. Rule 11 (Definitions) is amended to clarify the definition of "User." "Municipal Unit" and "Municipal Unit Allotments" definitions are deleted as these definitions are obsolete. New definitions are proposed for "District Reserve Allocation," "Intertie," and "Manufactured Home" and "Mobile Home." The latter two definitions relate to clarifications pertaining to permits and conservation requirements.
2. This ordinance eliminates unnecessary language in Rule 20-B (Permits to Connect to or Modify a Connection to a Water Distribution System) and adds Manufactured Homes to the list of structures subject to the Water Permit requirements.
3. Rule 21 (Applications) is amended to clarify the language in Rule 21-B-1.
4. Rule 22 (Action on Application for Permit to Create/Establish a Water Distribution System or Request a Confirmation of Exemption) has been clarified with respect to Interties and their connection to the Main California American Water System.

5. Rule 23 (Action on Application for a Water Permit to Connect to or Modify a Connection to an Existing Water Distribution System) has been clarified to indicate that condominiums and Common Interest Developments are included under the Multi-Family Dwelling sub-metering provision consistent with the definition in Rule 11. Use of an Entitlement has been added. A recommended location for a sub-meter is added to facilitate future Connections to the California American Company WDS as required by Rule 23-A-1-i-(4), as well as the required location for the split of the fire and domestic water lines in the meter box.
6. The D.B.O. Development No. 30 Water Entitlement (Rule 23.8) was revised to clarify that the Benefited Properties are those that overlie the Seaside Groundwater Basin and are supplied by California American Water's WDS from the Seaside Groundwater Basin. This right was authorized by the Monterey County Superior Court, the Seaside Groundwater Basin Watermaster, and Sixth District Court of Appeal.
7. Rule 24 has several amendments. Rule 24-A-3-k has been revised to clarify deed restrictions for second Bathroom additions. Residential and Non-Residential calculations of Water Use Capacity (Rule 24-A and 24-B) have been modified to resolve conflicts with Rule 142.1 (Water Efficient Landscape Requirements). Outdoor water use language proposed for deletion pre-dates the adoption of Rule 142.1. Permanent reductions in use caused by the installation of proven water saving technology (e.g. ozone, Recycled Water, etc.) in Non-Residential uses will result in a reduction in the Estimated Annual Water Use Capacity of a project. These projects are classified as Group IV uses in Rule 24, Table 2, consistent with how Residential technology is addressed. Table 2 is also amended to clarify that the factor for dormitories is based on the number of beds, not the number of rooms (new for second reading).
8. Rule 25 (Cancellation, Expiration, Suspension, Abandonment and Revocation of Water Permits) was revised to separate Water Distribution System Permit actions from Water Permit actions, and to address the expiration of hydrant meter permits consistent with current practices.
9. Rule 25.5 (Water Use Credits and On Site Water Credits) would change the title to reflect current definitions. Amendments would eliminate the extension period for a Water Use Credit. Water Use Credits are extended for the full ten-year period, making the current codified process pointless and unnecessary. Use of (and expiration of) Water Use Credits are tracked in the Water Permit database, and verification occurs when a final inspection is conducted at the completion of a project. If the project is non-compliant at the final inspection, removal of added fixtures or amendment of the Water Permit is required.
10. This ordinance adds a description of the District Reserve Allocation to Rule 33.
11. Minor clarifying language is added to Rule 141 (Rebates).
12. Rule 142 is amended to clarify that all Sites supplied with water from a Water Distribution System regulated by the District must comply with the District's water efficiency standards, including Manufactured Homes.

13. Property managers and owners of rental property are required to provide their tenants with information about conservation requirements and Non-Essential Water Use. This requirement was unintentionally left out of Rule 161, General Provisions of the 2016 Water Conservation and Rationing Plan.
14. The language in Rule 180, Disclosure of Agents (ex parte communications), was revised for clarity.

RECOMMENDATION: Staff recommends the Board receive public comment and adopt Ordinance No. 182 on second reading. The ordinance will be effective 30 days after adoption.

EXHIBIT

22-A Draft Ordinance No. 182

EXHIBIT 22-A

2nd READING DRAFT

ORDINANCE NO. 182

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF
THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING RULES 11, 20, 21, 22, 23, 23.8, 24, 25, 25.5, 33, 141, 142, 161, AND 180**

FINDINGS

1. The Monterey Peninsula Water Management District is a special act District formed by the California Legislature authorized and operating in accord with the Statutes of 1977, Chapter 527.
2. The Monterey Peninsula Water Management District (District or Water Management District) is charged under the Monterey Peninsula Water Management District Law with the integrated management of the ground and surface water resources in the Monterey Peninsula area.
3. The 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.
4. 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.
5. The Monterey Peninsula Water Management District has lawfully enacted ordinances to regulate the limited water supplies available to the Monterey Peninsula. This extensive management regime is specifically authorized by state law, and has been validated by both the California Supreme Court and the Court of Appeal. The regulatory and enforcement actions of the Monterey Peninsula Water Management District have been recognized with approval by both the California Public Utilities Commission and the State Water Resources Control Board.

6. Rule 11 (Definitions) is amended to clarify the definition of “User.” “Municipal Unit” and “Municipal Unit Allotments” definitions are deleted as these definitions are obsolete. New definitions are proposed for “District Reserve Allocation,” “Intertie,” and “Manufactured Home” and “Mobile Home.” The latter two definitions relate to clarifications pertaining to permits and conservation requirements.
7. This ordinance eliminates unnecessary language in Rule 20-B (Permits to Connect to or Modify a Connection to a Water Distribution System) and adds Manufactured Homes to the list of structures subject to the Water Permit requirements.
8. Rule 21 (Applications) is amended to clarify the language in Rule 21-B-1.
9. Rule 22 (Action on Application for Permit to Create/Establish a Water Distribution System or Request a Confirmation of Exemption) has been clarified with respect to Interties and their connection to the Main California American Water System.
10. Rule 23 (Action on Application for a Water Permit to Connect to or Modify a Connection to an Existing Water Distribution System) has been clarified to indicate that condominiums and Common Interest Developments are included under the Multi-Family Dwelling sub-metering provision consistent with the definition in Rule 11. Use of an Entitlement has been added. A recommended location for a sub-meter is added to facilitate future Connections to the California American Company WDS as required by Rule 23-A-1-i-(4), as well as the required location for the split of the fire and domestic water lines in the meter box.
11. The D.B.O. Development No. 30 Water Entitlement (Rule 23.8) was revised to clarify that the Benefited Properties are those that overlie the Seaside Groundwater Basin and are supplied by California American Water’s WDS from the Seaside Groundwater Basin. The Monterey County Superior Court, the Seaside Groundwater Basin Watermaster, and the Sixth District Court of Appeal authorized this right.
12. Rule 24 has several amendments. Rule 24-A-3-k has been revised to clarify deed restrictions for second Bathroom additions. Residential and Non-Residential calculations of Water Use Capacity (Rule 24-A and 24-B) have been modified to resolve conflicts with Rule 142.1 (Water Efficient Landscape Requirements). Outdoor water use language proposed for deletion pre-dates the adoption of Rule 142.1. Permanent reductions in use caused by the installation of proven water saving technology (e.g. ozone, Recycled Water, etc.) in Non-Residential uses will result in a reduction in the Estimated Annual Water Use

Capacity of a project. These projects are classified as Group IV uses in Rule 24, Table 2, consistent with how Residential technology is addressed.

13. Rule 25 (Cancellation, Expiration, Suspension, Abandonment and Revocation of Water Permits) was revised to separate Water Distribution System Permit actions from Water Permit actions, and to address the expiration of hydrant meter permits consistent with current practices.
1. Rule 25.5 (Water Use Credits and On Site Water Credits) would change the title to reflect current definitions. Amendments would eliminate the extension period for a Water Use Credit. Water Use Credits are extended for the full ten-year period, making the current codified process pointless and unnecessary. Use of (and expiration of) Water Use Credits are tracked in the Water Permit database, and verification occurs when a final inspection is conducted at the completion of a project. If the project is non-compliant at the final inspection, removal of unpermitted fixtures or amendment of the Water Permit is required.
14. This ordinance adds a description of the District Reserve Allocation to Rule 33.
15. Minor clarifying language is added to Rule 141 (Rebates).
16. Rule 142 is amended to clarify that all Sites supplied with water from a Water Distribution System regulated by the District must comply with the District's water efficiency standards, including Manufactured Homes.
17. Property managers and owners of rental property are required to provide their tenants with information about conservation requirements and Non-Essential Water Use. This requirement was unintentionally left out of Rule 161, General Provisions of the 2016 Water Conservation and Rationing Plan.
18. The language in Rule 180, Disclosure of Agents (ex parte communications), was revised for clarity.
19. 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 as follows:

ORDINANCE**Section One: Short Title**

This ordinance shall be known as the 2019-1 Rules and Regulations Amendment Ordinance.

Section Two: Purpose

This ordinance amends and clarifies Rules related to definitions, Water Distribution Systems and Water Permits, D.B.O. Development No. 30 Water Entitlement, Water Efficiency Standards and the 2016 Water Conservation and Rationing Plan, and ex parte communications.

Section Three: Amendments to Rule 11 – Definitions

Rule 11, Definitions, shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

1. DISTRICT RESERVE ALLOCATION – ***“District Reserve Allocation” shall mean a quantity of water held for use at the discretion of the District.***
2. ***INTERTIE*** – ***“Intertie” shall mean an interconnection permitting passage of utility service (e.g., water) between two or more systems.***
3. ~~MUNICIPAL UNIT~~ – ~~“Municipal Unit” means the Cities of Carmel, Del Rey Oaks, Monterey, Pacific Grove, Sand City and Seaside and the portion of the County of Monterey inside the District.~~
4. ~~MUNICIPAL UNIT ALLOTMENTS~~ – ~~“Municipal Unit Allotment” means the maximum quantity of water that can be delivered by a particular Water Distribution System within a Municipal Unit in one water year beyond which Permits for Creation or Establishment and Permits for Expansion of a Water Distribution System are not authorized for approval in that Municipal Unit.~~
5. ***MANUFACTURED HOME*** – ***“Manufactured Home” shall mean a large trailer or transportable prefabricated structure that is situated in one particular place and used as a permanent living accommodation. Mobile Home shall have the same meaning as “Manufactured Home.”***
6. ***MOBILE HOME*** – ***“Mobile Home” shall mean a large trailer or transportable prefabricated structure that is situated in one particular place and used as a permanent***

living accommodation. Mobile Home shall have the same meaning as “Manufactured Home.”

7. 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~~ ***Dwelling Unit, each Non-Residential enterprise, and each Dedicated Irrigation Meter*** ~~commercial enterprise, or industrial enterprise~~ shall be deemed a separate and distinct User.

Section Four: Amendment to Rule 20-B, Permits to Connect to or Modify a Connection to a Water Distribution System

- A. Rule 20-B and Rule 20-B-1 shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

Before any Person connects to or modifies a ~~water-use~~ Connection to a Water Distribution System regulated by the District ~~or to any Mobile Water Distribution System regulated by the District or to any Mobile Water Distribution System~~, such Person shall obtain a written permit from the District ~~or the District’s delegated agent~~, as described in District Rules 21, 23 and 24. The addition of any Connection and/or modification of an existing water Connection to any Water Distribution System ~~permitted and~~ regulated by the District shall require a Water Permit.

~~The following actions require a~~ ***A Water Permit is required before taking the following actions:***

1. Any ***installation of or*** change in use, size, ***or*** location, ~~or relocation~~ of a Connection or Water Measuring Device which may allow an Intensification of Use or increased water consumption.

- B. Rule 20-B-9 shall be added to Rule 20 as shown below, with added language shown in ***bold italic*** typeface.

9. ***Manufactured Homes shall be subject to all Water Permit requirements.***

Section Five: Amendments to Rule 21 – Applications

Rule 21-B-1 shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

1. ***The authorized official of the applicable Jurisdiction shall sign a Water Release Form pertaining to the Site on which the water use shall occur.*** ~~A Water Release Form pertaining to the Site on which the water use shall occur shall be signed by the authorized official of the applicable Jurisdiction.~~ When the completed Project has fewer fixture units than the number permitted (Residential Water Permits), or has a smaller Water Use Capacity than permitted (Non-Residential Water Permits), the Applicant shall not be required to secure the signature of the authorized official of the applicable Jurisdiction on the Water Release Form. It shall be the responsibility of the Jurisdiction to complete ~~any applicable Environmental Review~~ ***all discretionary approvals*** on a Project prior to authorizing a Water Permit release via the Water Release Form.

Section Six: Amendments to Rule 22 – Action on Application for Permit to Create/Establish or Amend a Water Distribution System, or Request a Confirmation of Exemption

Rule 22-A-4 shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

Protocol for Level 1 Permit (Non-MPWRS)

The General Manager shall review the application package in the form and manner prescribed in Rules 21 and 22. If the application is determined to be complete, and all criteria specified in Rule 22-A-2 and the Implementation Guidelines are met, the General Manager shall issue a Level 1 Permit that specifies terms and conditions that are consistent with Rule 22. The Level 1 Permit does not set System Limits. However, a mandatory condition of approval shall state, “There shall be no permanent ~~intertie~~ ***Intertie*** to any other water system that is required to reduce water use,” ~~and~~ ***There shall be no new Intertie*** ~~intertie~~ to the ***Main*** California American Water ~~Systems~~ ***system*** that relies on Cal-Am water rights, including ***for*** a temporary emergency ***use***, until there is full compliance with SWRCB Order WR 95-10 (as amended), compliance with the Seaside Groundwater Basin Adjudication Final Decision of 2006 (as amended), and water is available in the respective Jurisdiction’s Allocation for release to the Parcel(s).” ~~District action is discretionary, and the application is subject to~~ ***California Environmental Quality Act (CEQA) review unless the Project qualifies for a CEQA categorical exemption (CEQA Guidelines Article 19).*** ***Unless the proposed Project qualifies for a CEQA categorical exemption, Level 1 Permits are a discretionary action subject to requirements of the Permit Streamlining Act.*** Notice of the staff action shall be provided to the public via the “Appealable Decisions” section of the District website. The staff determination may be appealed to the MPWMD Board pursuant to Rule 70, “Appeals.”

Section Seven: Amendments to Rule 23 – Action on Application for a Water Permit to Connect to or Modify a Connection to an Existing Water Distribution System

1. Rule 23-A-1-i-(4) shall be amended as shown below, with added language shown in ***bold italic*** typeface.

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

- a. A Site's owner shall have Water Meters installed for each sub-metered User by the Water Distribution System Operator within ninety (90) days of the conclusion of a Connection moratorium. ***It is recommended that the sub-meter(s) be located in or near the future meter box to facilitate this requirement.*** Once Water Meters maintained by the Water Distribution System Operator have been installed, the deed restriction shall be removed;
2. All Rule 23-B-2-c shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.
 - 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, 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.

Section Eight: Amendment to Rule 23.8 –D.B.O. Development No. 30 Water Entitlement

Rule 23.8-A-2 shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

2. Benefited Properties of the D.B.O. Development No. 30 Water Entitlement shall mean all properties ***in the California-American Water Company Water Distribution System that are located over, and supplied from, the Seaside Groundwater Basin*** ~~that are supplied with water from the Seaside Groundwater Basin and that are located within the California-American Water Company Water Distribution System.~~

Section Nine: Amendments to Rule 24-A – Residential Calculation of Water Use Capacity

1. Rule 24-A-3-k (Second Bathroom Addition) shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

- k. ***All Water Permits issued pursuant to this Rule shall include a Notice and Deed Restriction titled “Provide Public Access to Water Use Data” pursuant to Rule 23. In addition, permits utilizing the second Bathroom protocol shall authorize access to water records for the sixty (60) months prior to the date the Water Permit is issued. There shall be no additional charge for this deed restriction.*** ~~As a condition to the issuance of any Permit pursuant to this rule, each property owner shall authorize the District to access and use water records related to the past, present and future use of water on the Site for a period of sixty (60) months prior to and following the date the Permit is issued.~~

2. Rule 24-A-5 shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface. Existing language is contradictory to Regulation XIV, Rule 142.1, Water Efficient Landscape Requirements.

5. Exterior Residential Water Demand Calculations

- a. ~~Sites not required to prepare a Landscape plan by either the Jurisdiction or the District. For all new Connections on Sites not required to prepare a Landscape plan by either the Jurisdiction or the District, the Exterior Water Demand Calculation shall be 50 percent of the interior fixture unit value.~~
 - ab. ***Exterior water demand shall be calculated according to Rule 142.1. Sites required to prepare a Landscape plan by either the Jurisdiction or the***

~~District. For all new Connections on Sites required to prepare a Landscaping plan by either the Jurisdiction or the District, the Exterior Water Demand Calculation shall be the Estimated Total Water Use plus 0.01 Acre-Foot. Any modification to the Landscaping that results in an Intensification of Use shall require a *new* Water Permit.~~

~~e. Sites with Jurisdiction Landscaping Restrictions. For all new Connections on Sites where native Landscaping is a requirement of and enforced by the Jurisdiction, the Exterior Water Demand Calculation shall be the Estimated Total Water Use plus 0.01 Acre-Foot. Any modification to the Landscaping that results in an Intensification of Use shall require a Water Permit. The native Landscaping requirement shall be 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 any change of Landscaping may constitute an Intensification of Use which may result in collection of additional Capacity Fees and debits to a Jurisdiction's Allocation or Water Entitlement.~~

~~bd.~~ Sites utilizing rainwater storage as a component in an Irrigation System. 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 ~~L~~andscaping plan shall be reduced by the available Rainwater Harvesting Capacity. Any modification to the ~~L~~andscaping that results in an Intensification of Use shall require a Water Permit. An additional 0.01 Acre-Foot of water from the Water Distribution System shall be added for outdoor water uses other than irrigation.

Sites utilizing rainwater storage as a component in an Irrigation System shall have ~~L~~andscape 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.

Section Ten: Amendments to Rule 24-B – Non-Residential Calculation of Water Use Capacity

1. Rule 24-B shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

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 entire square-footage shall be applied to the factor for construction of a new building.
 - (2) Tenant Improvements: When the Non-Residential Water Use Factor is based on a square-footage for a Tenant Improvement, the usable square-footage shall be applied to the factor.
- 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 ~~h~~~~motel~~~~with a~~ restaurant would be subject to both the ~~h~~~~motel~~ use by unit and the restaurant use by seat calculation. ~~Similarly, a gas station with a retail facility would be subject to both the gas station use by pump and the retail use by square-footage.~~ Where a proposed use ~~may~~ ***can*** be designated as

placed in more than one **group** category, the category **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** category, the higher intensity use category **factor** shall be ~~used~~*chosen*.

- c. ~~For New Construction on Vacant Lots, the General Manager shall add the quantity of water determined to be the exterior water demand based on the ETWU to the total Estimated Annual Water Use Capacity determined in 24-B-2.~~
- cd. 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.
- de. 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.***
- 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.

- (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. Projects at Public School District Sites 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.***
~~Exterior Non-Residential Water Demand Calculations For all new Connections on Non-Residential and Mixed Use Sites, the Exterior Water Demand Calculation shall be the Estimated Total Water Use.~~

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 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.

Section Eleven: Amendments to Rule 25 – Cancellation, Expiration, Suspension, Abandonment and Revocation of Water Permits

Rule 25 shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

Rule 25 – Cancellation, Expiration, Suspension, Abandonment and Revocation of Water Permits

- A. ~~All *Water Distribution System* Permits issued pursuant to these regulations~~ ***that*** are not completed shall expire two (2) years after the date of issuance or upon expiration of the building permit ***associated with the Water Distribution System application. The Board may authorize longer expiration dates when approving the Water Distribution System, and the General Manager may approve an extension for good cause.***
- B. ***Water Permits for the use of fire hydrants for construction or other activities shall expire after sixty (60) days. Two ministerial extensions of 60 days each shall be allowed.***
- C. ***Water Permits that are not completed shall expire two (2) years after the date of issuance or upon expiration of the building permit.*** ~~Persons possessing a current and valid Water Release Form whose Water Permit has expired or has been canceled may re-apply for a new Water Permit.~~ A new Water Release Form will be required for all requests for renewal of a Water Permit. The District shall not reissue a Water Permit for any Site on which a violation of District ***Rules*** has not been corrected and verified.
- BD.*** The General Manager may Suspend processing a ~~Water Permit~~ ***permit*** application ***or Suspend a permit issued pursuant to these Rules and Regulations*** whenever the General Manager finds any of the following:

1. That any requirement or condition of the ~~Water Permit~~ ***permit*** is not being met.
2. That the property owner or permit Applicant has violated any provision of these Rules and Regulations.
3. That the property owner or permit Applicant has misrepresented intentionally or negligently any material fact in the ~~Water Permit~~ ***permit*** application or in any supporting documents.

~~EE.~~ The District Board may Revoke any ~~Water Permit~~ ***permit*** issued pursuant to these Rules and Regulations whenever it finds any of the following:

1. That any requirement or condition of the ~~Water Permit~~ ***permit*** is not being met.
2. That the property owner or permit Applicant has violated any provision of these Rules and Regulations.
3. That the property owner or permit Applicant has misrepresented intentionally or negligently any material fact in the ~~Water Permit~~ ***permit*** application or in any supporting documents.

~~DF.~~ Adjustment of Allocation or Water Entitlement for Expired, Suspended, Canceled, Abandoned or Revoked Permits

1. Any permitted water Capacity which is not used because of an abandoned, expired, Revoked, Suspended, or canceled Permit shall be returned to the applicable Allocation or Water Entitlement.
2. Any current Water Use Credit shall revert to the originating Site and shall remain available for use pursuant to Rule 25.5.

~~EG.~~ Refunds shall be issued according to Rule 24-F, Capacity Fee Refunds.

2. Rule 24-B, Table 2, Non-Residential Water Use Factors shall be amended as shown on the following page, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

--- INSERT TABLE 2 HERE ON SEPARATE PAGE ---

Section Twelve: Amendments to Rule 25.5 – Water Use Credits and On Site Water Credits

Rule 25.5 shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

1. The title of Rule 25.5 shall be changed to “Water Use Credits and Water Credits”. Ordinance No. 177 (9/18/2017) deleted the definition of “On-Site”.
2. Rule 25.5-C shall be simplified as follows:

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***. ~~sixty (60) months from the date the Permanent Abandonment of Capacity occurred. After the 60th month, the General Manager shall allow renewal of this Water Use Credit only upon verification that some or all water savings represented by that credit are current (i.e. no Water Permit or other use or transfer of the Water Use Credit has occurred). If all savings are not current, a pro-rata reduction shall occur. A single renewal period of 60 months shall be allowed; thereafter~~ ***Subsequently***, any remaining unused Water Use Credit shall expire.

Section Thirteen: Amendments to Rule 33 – Jurisdictional and Reserve Water Allocations

Rule 33-B shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

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.

Section Fourteen: Amendment to Rule 141 – Water Conservation Rebates

Rule 141-C-2 shall be amended as shown below, with added language shown in ***bold italic*** typeface, and

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.

Section Fifteen: Amendment to Rule 142 – Water Efficiency Standards

Rule 142-A shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

A. Water Efficiency Standards.

1. ***All Sites supplied with water from a Water Distribution System regulated by the District shall comply with these standards.***
12. All New Construction of New Structures shall install and maintain plumbing fixtures and conservation standards as set forth in this Rule.
23. No plumbing fixture shall be replaced with fixtures which allow greater water use.
34. 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.***

Section Sixteen: Amendment to Rule 161 – General Provisions of the 2016 Water Conservation and Rationing Plan

Rule 161- shall be amended as shown below, with added language shown in ***bold italic*** typeface.

- L. ***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.

Section Seventeen: Amendment to Rule 180 – Disclosure of Agents

Rule 180 shall be amended as shown below, with added language shown in ***bold italic*** typeface, and deleted language shown in ~~strikeout~~ typeface.

RULE 180 - DISCLOSURE OF AGENTS

- A. Any Person who ***has a quasi-judicial decision pending with the Board of Directors*** ~~applies to the Water Management District for a permit that requires Board approval~~ shall provide the District with the names and addresses of all Persons who will be communicating with the District Directors on the Applicant's behalf or on behalf of the Applicant's business partners. That disclosure shall be provided to the District prior to any such communication. Failure to comply with this disclosure requirement shall subject the application to immediate denial of the permit.
- B. An Applicant whose permit is denied due to his or her failure to comply with paragraph A of this Rule may not apply to the Water Management District for approval of an identical or similar request for a period of twenty four (24) months from the date of the permit denial.

Section Eighteen: Publication and Application

The provisions of this ordinance shall cause the republication and amendment of the permanent Rules and Regulations of the Monterey Peninsula Water Management District.

Section Nineteen: Effective Date and Sunset

This ordinance shall take effect at 12:01 a.m. on the 30th day after it has been enacted on second reading.

This Ordinance shall not have a sunset date.

Section Twenty: Severability

If any subdivision, paragraph, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's

express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion by Director _____, and second by Director _____, the foregoing ordinance is adopted upon this _____ day of _____, 2019, by the following vote:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of an ordinance duly adopted on the _____ day of _____, 2019.

Witness my hand and seal of the Board of Directors this _____ day of _____ 2019.

David J. Stoldt, Secretary to the Board

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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
Beauty Shop/Dog Grooming	0.0567 AF/Station
Child/Dependent Adult Day Care	0.0072 AF/Person
Dry Cleaner w/on-Site laundry	0.0002 AF/SF
Dormitory ³	0.040 AF/Room 0.02 AF/Bed
Laundromat	0.2 AF/Machine
Motel/Hotel/Bed & Breakfast	0.1 AF/Room
w/Large Bathtub (Add to room factor)	0.03 AF/Tub
w/Each additional Showerhead beyond one (Add to room factor)	0.02 AF/Showerhead
Nail 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	0.1 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	0.0008 AF/Storage Unit
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 reduced water Capacity from the types of uses listed in Groups I-V and have received a Water Use Credit for modifications (Rule 25.5-F-4-d) *or permanent installation of known and 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. Water is also used by industries producing chemical products and food products. Industrial uses also include certain hospital uses. Water Use Capacity shall be determined following review of the project's construction and business plans and estimated water use and may be considered for 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.

- ¹ ABC Licensed Premises Diagram area shall be used for calculation of *outdoor* 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”.

ITEM: ACTION ITEM**23. RECEIVE AND CONFIRM WATER SUPPLY FORECAST FOR PERIOD OF MAY 1, 2019 THROUGH SEPTEMBER 30, 2020; ADOPT RESOLUTION 2019-04 TO AMEND RATIONING TABLE (XV-4)****Meeting Date:** May 20, 2019 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** Jonathan Lear **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Regulation X of the Monterey Peninsula Water Management District (District) Rules and Regulations requires that a water supply summary forecast report be compiled annually to analyze the status of water supply and demand within the District. This report quantifies rainfall, runoff, and storage conditions within the District as of May 1, 2019, and forecasts the amount of water that will be available for use during the upcoming water year.

Physical Water Availability: As of May 1, 2019, usable water storage within the Monterey Peninsula Water Resource System (MPWRS) totaled **31,980** acre-feet (AF) or 85% of maximum storage capacity. A map of the MPWRS is included as **Exhibit 23-A**. A breakdown of total storage by reservoir and aquifer is shown in **Exhibit 23-B**. As shown, usable reservoir storage totals 1,670 AF and usable aquifer storage totals 30,310 AF. Note that the storage summary does not include usable storage in the Northern Inland and Laguna Seca Subareas of the Seaside Groundwater Basin. In addition, a summary of other water-supply related conditions within the MPWRS – rainfall and runoff recorded at San Clemente Dam and California American Water (Cal-Am) monthly diversions from the Carmel River and Seaside Groundwater Basins relative to limits set by the State Water Resources Control Board (SWRCB) and Court -- are shown in **Exhibit 23-C and 23-D**.

The amount of carryover storage that is needed to meet the projected water needs within the District for the remainder of Water Year (WY) 2019 and all of WY 2020 is shown in **Exhibit 23-E**. These projections include the water needs of both Cal-Am customers and non Cal-Am water users within the District who rely on water from the MPWRS. As shown, the projected water demand for the remainder of WY 2019 is 4,452 AF. Similarly, the projected demand for WY 2020 is 10,130 AF. These projections are based on the maximum annual production amount for the Cal-Am main system from the Carmel River Basin directed by the SWRCB in Order WR 2016-0016 (8,310 AF in WY 2019 and WY 2020), the maximum annual production amount for Cal-Am from the Seaside Groundwater Basin specified by the Court as a result of the Seaside Basin adjudication (1,820 AF in WY 2018 and 2019), and the maximum production amount for non Cal-Am users in the MPWRS specified in the District's Water Allocation Program (3,046 AF).

As shown in **Exhibit 23-E**, the total amount of water needed on May 1 to meet the projected water demand for the remainder of WY 2019 and all of WY 2020 is **19,657 AF**. Given the current usable storage estimate of **31,980 AF**, there is sufficient stored water in the MPWRS to meet the projected water needs for the remainder of WY 2019 and begin WY 2020 with a full year's supply in reserve. This is consistent with the District drought protection goal approved by the Board in August 1993.

It should also be noted that this approach is conservative in that it is based entirely on storage and does not include any allowance for surface and subsurface inflows that are expected to occur. Therefore, based on the physical availability of water, no mandatory water demand reductions, i.e., rationing actions, are required at this time. It should be noted, however, that this analysis does not incorporate environmental considerations such as effects on riparian and aquatic resources or regulatory restrictions.

Note that all water users within the District are presently under Stage 1 Water Conservation which prohibits water waste and all non-essential uses of water.

Community Water Demand: For WY 2019, as of May 1, 2019, Cal-Am had produced 5,595 AF of water from its sources in the MPWRS. This amount of production is 261 AF under the year-to-date at month-end production target that had been set for Cal-Am based on SWRCB Order WR 2016-0016 and the Seaside Groundwater Basin adjudication decision.

RECOMMENDATION: The Board should receive the water supply forecast for the May 1, 2019 through September 30, 2020 period and adopt Resolution 2019-04 to amend Rationing Table (XV-4).

IMPACTS ON STAFF/RESOURCES: District staff currently tracks and reports on water production and water supply conditions on a monthly basis; no additional impacts are anticipated related to this item.

EXHIBITS

23-A Map of the Monterey Peninsula Water Resources System (MPWRS)

23-B Water Storage Conditions, MPWRS

23-C MPWMD Water Supply Status -- May 1, 2019

23-D California American Water Production vs. CDO and Adjudication to Date: Water Year 2017

23-E Derivation of Water Rationing Triggers for the MPWRS for the Remainder of 2019 Water Year and all of 2020 Water Year

23-F Draft Resolution 2019-04

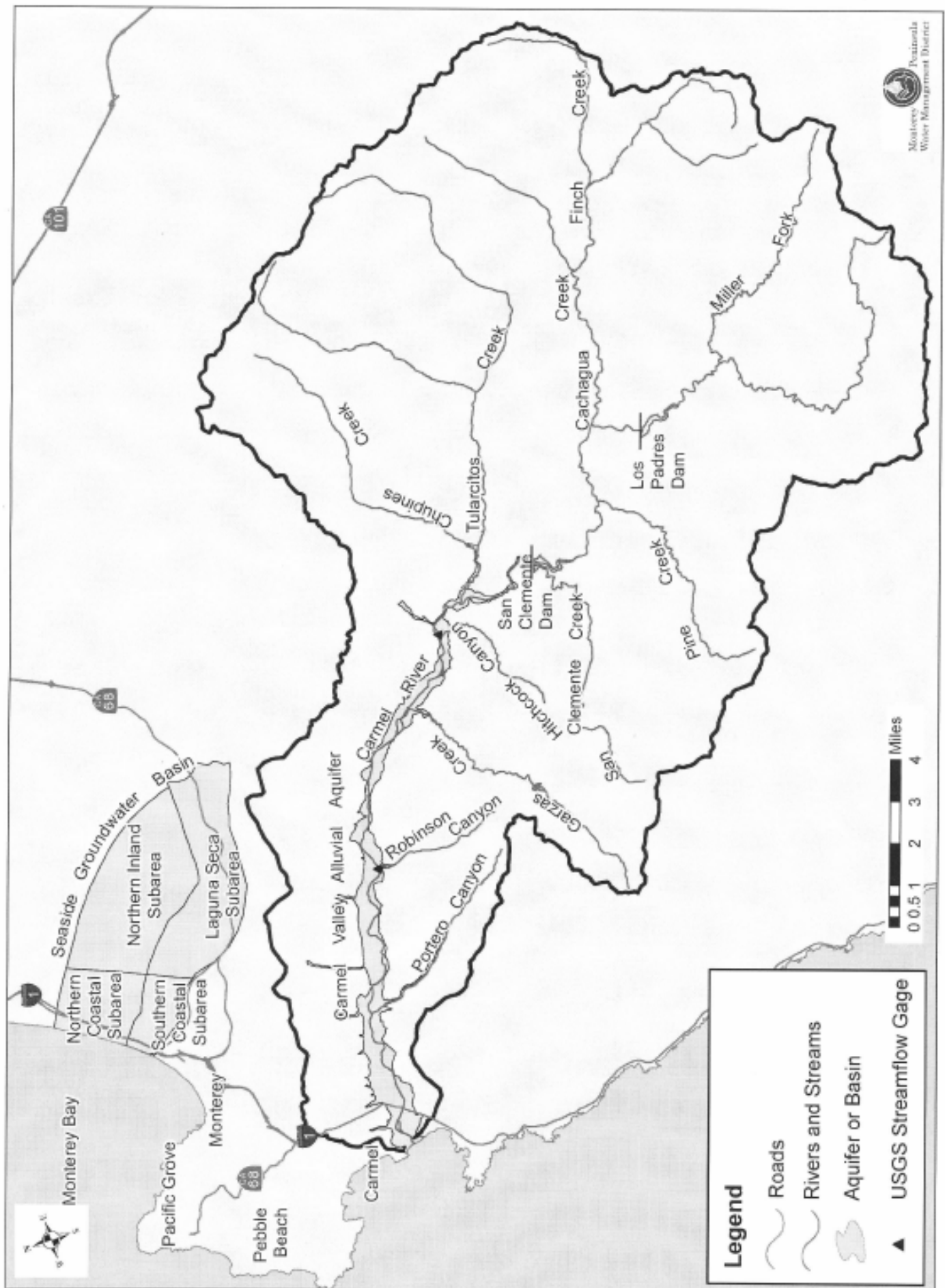


EXHIBIT 23-B

**WATER STORAGE CONDITIONS
MONTEREY PENINSULA WATER RESOURCE SYSTEM
MAY 1, 2019**

STORAGE FACILITY	MAXIMUM STORAGE CAPACITY (AF)	CURRENT STORAGE (AF)	PERCENT OF MAXIMUM CAPACITY (%)
<u>RESERVOIR</u>			
LOS PADRES	1,670	1,670	100%
<u>AQUIFERS</u>			
UPPER CARMEL VALLEY	6,530	6,470	99%
LOWER CARMEL VALLEY	21,930	21,080	96%
SEASIDE COASTAL	<u>7,510</u>	<u>2,760</u>	37%
TOTAL SYSTEM	37,640	31,980	85%

Notes:

1. Storage estimates refer to usable storage or water that can be diverted or pumped.
2. "AF" refers to acre-feet. One acre-foot equals 325,851 gallons.

EXHIBIT 23-C

**Monterey Peninsula Water Management District
Water Supply Status
May 1, 2019**

Factor	Oct to Apr 2019	Average To Date	Percent of Average	Oct to Apr 2018
Rainfall (Inches)	28.92	20.54	141%	13.42
Runoff (Acre-Feet)	134,060	61,222	219%	27,939
Storage ⁵ (Acre-Feet)	31,980	31,950	100%	30,770

Notes:

1. Rainfall and runoff estimates are based on measurements at San Clemente Dam. Annual rainfall and runoff at Sleepy Hollow Weir average 21.1 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 1922-2018 and 1902-2018 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 1989-2018 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 37,639 acre-feet.

Production vs. CDO and Adjudication to Date: WY 2019

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights			
	Carmel River Basin ^{2, 6}	Seaside Groundwater Basin		MPWRS Total		ASR Recovery	Table 13 ⁷	Sand City ³	Water Projects and Rights Total
		Coastal	Laguna Seca						
Target	4,756	1,100	0	1,100		0	211	175	386
Actual ⁴	4,117	1,343	135	1,478		0	371	73	443
Difference	639	-243	-135	-378		0	-160	102	-57
WY 2018 Actual	3,802	1,715	161	1,876		0	153	92	244

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

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

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

4. To date, 1231 AF and 371 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 2019

(All values in Acre-Feet)

	Carmel River Basin	Seaside Basin	ASR Recovery	Table 13	Sand City	Mal Paso	Total
Oct-18	491	369	0	0	16	8	884
Nov-18	456	304	0	0	21	8	790
Dec-18	468	180	0	0	11	8	667
Jan-19	395	161	0	81	19	8	664
Feb-19	363	147	0	91	7	8	616
Mar-19	411	161	0	101	0	8	682
Apr-19	505	156	0	98	0	7	765
May-19							
Jun-19							
Jul-19							
Aug-19							
Sep-19							
Total	3,090	1,478	0	371	73	57	5,068
WY 2018	3,119	1,876	0	153	92	35	5,273

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

2. Numbers are provisional and are subject to correction.

Rationing Trigger: WY 2019

12 Month Moving Average ¹	9,762	10,130	Rule 160 Production Limit
--------------------------------------	-------	--------	---------------------------

1. Average includes production from Carmel River, Seaside Basin, Sand City Desal, and ASR recovery produced for Customer Service.

Table XV–4
Physical Storage Target
for the Monterey Peninsula Water Resource System
for the May-September 2019 and all WY 2020

PRODUCER	MAY-SEPTEMBER DEMAND	CARRYOVER STORAGE NEEDS FOR NEXT YEAR DEMAND	TOTAL STORAGE REQUIRED ON MAY 1
California American Water (Cal-Am)	4,535	10,130	14,665
Non Cal-Am	1,946	3,046	4,992
Total	6,398	13,176	19,657
			TOTAL STORAGE AVAILABLE ON MAY 1
			31,980 ⁵

Notes:

1. The May-September period refers to the remainder of the current water year.
2. 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 the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The value in **bold type** represents the storage trigger that would be used for the system in Water Year 2019. The value is based on the production limits for California American Water (Cal-Am) from Carmel River sources (8,310 acre-feet in WY 2019 and WY 2020) set by State Water Resources Control Board Order WR 2016-0016, the production limit for Cal-Am from the Seaside Groundwater Basin (2,251 acre-feet in WY 2019 and 1,820 AF in WY 2020) set by the Court in its March 27, 2006 adjudication decision, 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).
4. The rationing trigger is based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.
5. May 1, 2019 System Storage = 31,980 AF (27,550 AF Carmel Valley Alluvial Aquifer; 2,760 AF Seaside Groundwater Basin; 1,670 AF Los Padres Reservoir); this is 100% of average and 85% of system capacity (37,640 AF).

EXHIBIT 23-F

**RESOLUTION NO. 2019-04
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
MODIFYING RULE 160 – RATIONING TABLE FOR REMAINDER WATER YEAR
2019 AND ALL OF WATER YEAR 2020**

WHEREAS, the Monterey Peninsula Water Management District (District) has developed a set of rules to facilitate compliance by California American Water systems with the regulatory and legal water production limits set by the State Water Resources Control Board and the Seaside Basin Adjudication as administered by the Seaside Groundwater Basin Watermaster;

WHEREAS, District Rule 160 specifies the regulatory water production targets that are used to trigger higher stages of water conservation to ensure compliance with these legal and regulatory water production limits;

WHEREAS, these limits are subject to change by action of the State Water Resources Control Board and Seaside Groundwater Basin Watermaster;

WHEREAS, the State Water Resources Control Board adopted Order WR 2016-0016, which requires California American Water to divert no more than 8,310 acre-feet in Water Year 2019, and no more than 8,310 acre-feet in Water Year 2020;

WHEREAS, the Monterey County Superior Court adopted an Amended Decision in the Seaside Groundwater Basin Adjudication on February 9, 2007 (*California American Water v. City of Seaside, et al.*, Case No. M66343), which requires California American Water to divert no more than 1,820 acre-feet from the Coastal Subareas of the Seaside Groundwater Basin in Water Year 2019, and no more than 1,820 acre-feet from the Coastal Subareas of the Seaside Groundwater Basin in Water Year 2020; and

WHEREAS, Regulation X of the Monterey Peninsula Water Management District (District) Rules and Regulations requires that a water supply summary forecast report be compiled annually to analyze the status of water supply and demand within the District.

NOW THEREFORE, BE IT RESOLVED:

1. Specifically, District staff shall add Table XV-4 (**Attachment 1**) to District Rule 160.

On motion of Director _____, and second by Director _____, the foregoing resolution is duly adopted this 21th day of May 2018, by the following votes:

AYES:

NAYES:

ABSENT:

I, David J. Stoldt, Secretary of the Board of Directors of the MPWMD, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted on the 15th day of May 2017.

Witness my hand and seal of the Board of Directors, this _____ day of May, 2018.

David J. Stoldt, Secretary to the Board

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Table XV-4
Physical Storage Target
for the Monterey Peninsula Water Resource System
for the May-September 2019 and all WY 2020

PRODUCER	MAY-SEPTEMBER DEMAND	CARRYOVER STORAGE NEEDS FOR NEXT YEAR DEMAND	TOTAL STORAGE REQUIRED ON MAY 1
California American Water (Cal-Am)	4,535	10,130	14,665
Non Cal-Am	1,946	3,046	4,992
Total	6,398	13,176	19,657
			TOTAL STORAGE AVAILABLE ON MAY 1
			31,980 ⁵

Notes:

1. The May-September period refers to the remainder of the current water year.
2. 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 the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The value in **bold type** represents the storage trigger that would be used for the system in Water Year 2019. The value is based on the production limits for California American Water (Cal-Am) from Carmel River sources (8,310 acre-feet in WY 2019 and WY 2020) set by State Water Resources Control Board Order WR 2016-0016, the production limit for Cal-Am from the Seaside Groundwater Basin (2,251 acre-feet in WY 2019 and 1,820 AF in WY 2020) set by the Court in its March 27, 2006 adjudication decision, 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).
4. The rationing trigger is based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.
5. May 1, 2019 System Storage = 31,980 AF (28,780 AF Carmel Valley Alluvial Aquifer; 1,530 AF Seaside Groundwater Basin; 1,670 AF Los Padres Reservoir); this is 100% of average and 85% of system capacity (37,640 AF).

ITEM: DISCUSSION ITEM**24. REVIEW PROPOSED FISCAL YEAR 2019-2020 MPWMD BUDGET AND RESOLUTION 2019-06**

Meeting Date:	May 20, 2019	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
Prepared By:	Suresh Prasad	Cost Estimate:	N/A

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

SUMMARY: The proposed budget for Fiscal Year (FY) 2019-2020 is attached as **Exhibit 24-B**. While preparing the proposed budget, District staff was mindful of the continued economic conditions as well as the current status of the District's three main funding sources (User Fee Revenue, Property Tax Revenue, and Water Supply Charge). This budget assumes continuation of the adopted annual Water Supply Charge and the User Fee revenue from ratepayers of California American Water in FY 2019-2020. This budget also takes into account District's existing Rabobank ASR loan debt obligation. Proposed expenditures and revenues each total \$17,778,850, which is slightly more for expenditures and revenues from the amount budgeted in FY 2018-2019. A more detailed justification of the proposed budget is provided in the transmittal letter which is part of the budget document. This proposed budget does include the use of reserves to balance the proposed budget. The FY 2019-2020 Budget also assumes payment of \$230,000 towards debt service (interest and principal) for the Rabobank ASR Loan. The budget document has been presented in same format as in prior years.

RECOMMENDATION: Staff recommends that the Board discuss the proposed FY 2019-2020 budget and give general direction to staff to prepare the final budget document for adoption at the June 17th Board Meeting. No formal action is required at this meeting.

BACKGROUND: After compilation of the original requests from all Divisions, a detailed review and several adjustments by Division Managers and the General Manager, culminated this budget with proposed expenditures and revenues for FY 2019-2020 totaling \$17,778,850, of which \$1,646,000 or 9% includes reimbursement funds from grants, California American Water and other agencies.

In the past, District budgets had been balanced by use of previously accumulated reserves. At the District's strategic planning session on September 29, 2004, staff recommended that a balanced budget be prepared for FY 2005-2006 using a combination of revenue and expenditure adjustments to eliminate the use of reserve funds. At the January 19, 2005 budget workshop, the Board adopted an eight-part strategy for balancing the FY 2005-2006 Budget. In being mindful of the 2005 Board adopted strategy, every effort was made to balance this proposed budget without the use of reserves. This proposed FY 2019-2020 Budget was balanced with the use of reserves to maintain all of District's programs and services. This budget assumes the continued collection of the annual

Water Supply Charge and the User Fee revenues from ratepayers of the California American Water.

EXHIBITS

24-A Draft Resolution No. 2019-06

24-B Draft Fiscal Year 2019-2020 Proposed Budget

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EXHIBIT 24-A

RESOLUTION NO. 2019-06

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
ADOPTING THE BUDGET FOR FISCAL YEAR 2019-2020**

WHEREAS, the General Manager has proposed a budget for Fiscal Year 2019-2020, a copy of which is on file at the District's office.

WHEREAS, the Board of Directors has examined, and deliberated on, the budget during meetings held on May 20, 2019 and June 17, 2019.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Monterey Peninsula as follows:

1. That the said budget as approved at the June 17, 2019 Board of Directors Meeting is hereby approved and adopted as the budget for the Monterey Peninsula Water Management District for Fiscal Year 2019-2020.
2. That the General Manager may delegate the authority to implement this resolution to the Administrative Services Manager/Chief Financial Officer.
3. That the General Manager is authorized and directed to transfer funds from one activity to another within a given fund, and from one Division to another Division, as such times are appropriate, in accordance with generally-accepted accounting principles and consistent with the objectives outlined in the approved budget.
4. That any contract for professional services, or other expenditures for procuring equipment, supplies or services, included in the budget that exceeds \$15,000 shall be executed by the General Manager only upon approval by the Board of Directors at a meeting of the Board of Directors.

On a motion by Director _____ and seconded by Director _____ the foregoing resolution is duly adopted this 17th day of June 2019 by the following votes:

Ayes:

Nays:

Absent:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 17th day of June 2019.

Witness my hand and seal of the Board of Directors this 17th day of June 2019.

David J. Stoldt
Secretary to the Board



Fiscal Year 2019-2020 Budget

May 20, 2019



2019-2020 BUDGET

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RESOLUTION NO. 2019-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT ADOPTING THE BUDGET FOR FISCAL YEAR 2019-2020

WHEREAS, the General Manager has proposed a budget for Fiscal Year 2019-2020, a copy of which is on file at the District's office.

WHEREAS, the Board of Directors has examined, and deliberated on, the budget during meetings held on May 20, 2019 and June 17, 2019.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Monterey Peninsula as follows:

1. That the said budget as approved at the June 17, 2019 Board of Directors Meeting is hereby approved and adopted as the budget for the Monterey Peninsula Water Management District for Fiscal Year 2019-2020.
2. That the General Manager may delegate the authority to implement this resolution to the Administrative Services Manager/Chief Financial Officer.
3. That the General Manager is authorized and directed to transfer funds from one activity to another within a given fund, and from one Division to another Division, as such times are appropriate, in accordance with generally-accepted accounting principles and consistent with the objectives outlined in the approved budget.
4. That any contract for professional services, or other expenditures for procuring equipment, supplies or services, included in the budget that exceeds \$15,000 shall be executed by the General Manager only upon approval by the Board of Directors at a meeting of the Board of Directors.

On a motion by Director _____ and seconded by Director _____ the foregoing resolution is duly adopted this 17th day of June 2019 by the following votes:

Ayes:

Nays:

Absent:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 17th day of June 2019.

Witness my hand and seal of the Board of Directors this 17th day of June 2019.

David J. Stoldt
Secretary to the Board



June 17, 2019

Chairperson Evans and Board Members
 Monterey Peninsula Water Management District
 5 Harris Court, Building G
 Monterey, California 93940

Dear Chairperson Evans and Board Members:

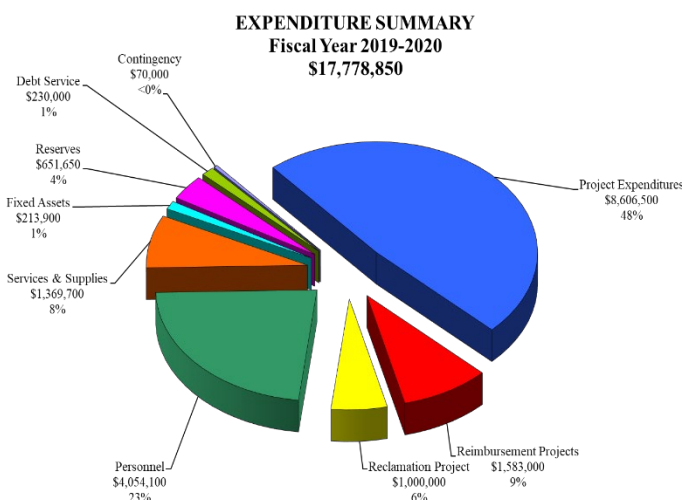
Budget Overview

This letter transmits the recommended budget for Fiscal Year (FY) 2019-2020. While preparing the budget, District staff was mindful of the continuing uncertain economic conditions as well as the current status of the District's existing funding sources, including the user fee revenue. In preparing this year's budget, staff adhered to the strategy to adopt balanced budgets as directed by the Board of Directors in 2005. The FY 2019-2020 Budget does include use of reserves in order to maintain District programs and services, and it does assume continued collection of the previously adopted Water Supply Charge. This budget also includes continued collection of the User Fee revenue from ratepayers of California American Water.

After compilation of the original requests from all Divisions, a detailed review, and several adjustments by Division Managers and the General Manager, culminated this budget with proposed expenditures and revenues for FY 2019-2020 totaling \$17,778,850, of which \$1,646,000 or 9% includes reimbursement funds from grants, California American Water ratepayers and other agencies.

Expenditures

As shown in the graph on the right and in the expenditures portion of the FY 2019-2020 Budget, the budgeted expenditures of \$17,778,850 slightly less from the amount budgeted in FY 2018-2019. The project expenditures portion of the budget includes \$7,177,800 towards water supply projects Aquifer Storage Recovery 1 & 2, Pure Water Monterey (Groundwater Replenishment Project), Local Water Projects, and other Water Supply Projects), \$1,047,700 towards mitigation projects, \$338,000 towards non-reimbursable conservation & rebate



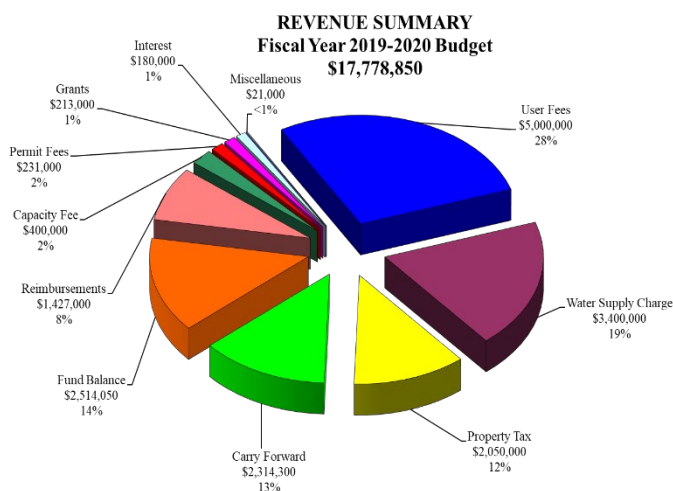
program activities, and \$1,626,000 towards reimbursement project costs. The reimbursable project expenditure budget includes funds for the operation of ASR 1 & 2, Los Padres Dam Alternative Study, Sleepy Hollow Intake construction, grant funded projects, and conservation rebate program costs. The budget was prepared with the assumption that Cal-Am would continue to reimburse the District for the operation of ASR 1 & 2.

Other large project expenditures include \$133,500 for riparian and erosion control activities, \$859,200 for the operation of the Sleepy Hollow fish rearing facility and related fish rescue activities, \$119,300 for lagoon and hydrologic monitoring, \$338,000 for conservation related activities, and \$700,000 for water conservation rebates. The rebate amount is reimbursable by Cal-Am ratepayers. The expenditure budget also includes \$275,000 for design, permitting, construction and operation of a new fish counting weir for fisheries program.

The budget for legal expenses is \$400,000 which is maintained at the same level from last fiscal year. The budget also assumes payment of \$230,000 for debt service (interest and principal) towards the Rabobank ASR loan. The budget also includes \$213,900 for fixed assets purchases. The FY 2019-2020 Budget also includes a Capital Improvement Project Forecast as requested by the Board of Directors in 2005.

Revenues

The FY 2019-2020 revenue budget totals \$17,778,850 which is slightly less from the amount budgeted in FY 2018-2019. This budget assumes collection of the previously adopted Water Supply Charge for FY 2019-2020. This budget also includes continued collection of the User Fee revenue in the amount of \$5,000,000 from ratepayers of California American Water. This User Fee revenue projection is based on an estimated collection of revenues by California American Water. Property tax revenues are projected to be \$2,050,000 which is slightly higher than the amount budgeted in FY 2018-2019 as property values have been increasing over the last few years. Capacity Fees are estimated to be \$400,000, permit revenues are budgeted at \$231,000 are both projected at the same level as prior fiscal year. Projected revenues also include reimbursements of \$484,700 from Cal-Am for ASR 1 and ASR 2 operational costs, \$700,000 from Cal-Am ratepayers for rebates, \$35,000 for services provided to the Seaside Basin Watermaster, and \$213,000 in grant funds for projects as detailed in the expenditure section of the budget.



Reserves

The following table summarizes the ending balances in the reserve accounts. There are changes to reserve balances as a result of the proposed budget:

Reserve Description	Projected Balance 06/30/19	FY 2019-2020 Change	Projected Balance 06/30/20
Insurance/Litigation Reserve	\$250,000	\$0	\$250,000
Flood/Drought Reserve	328,944	0	328,944
Capital Equipment Reserve	532,000	21,000	511,000
Debt Reserve Fund	221,656	0	221,656
Pension Reserve Fund	100,000	100,000	200,000
OPEB Reserve Fund	100,000	100,000	200,000
General Operating Reserve	16,855,765	(4,426,200)	12,429,565
Totals	\$18,388,365	(\$4,205,200)	\$14,183,165

As the above table indicates the total reserve is expected to have a balance of approximately \$14,183,165, or 88% of the operating budget. The reserve change column has carry-over in the amount of \$2,314,300 and \$2,111,900 use in reserves for the current fiscal year. The current year also includes \$200,000 set aside for pension/other post-employment benefit reserve accounts. The carry-over is money that was not spent in prior fiscal year for projects and so the projects are rolled forward to the current fiscal year.

Summary

The 2019-2020 Budget was prepared using the strategies adopted in 2005 by the Board of Directors to adopt balanced budgets on an annual basis. The FY 2019-2020 Budget does include use of reserves to balance the budget. This budget assumes continued collection of the District's three main sources of revenues (Water Supply Charge, User Fee, and Property Tax), which will allow the District to maintain its service levels currently provided by the District, and sustain its ability to achieve the objectives in the District's Strategic Plan, including Mission and Vision Statements. The District Management Team would like to thank the Board of Director's and other District employees for their contributions and participation in the development of the FY 2019-2020 Budget. They have made contribution to the development of the budget under difficult circumstances and we acknowledge their efforts. As always, this challenging process has produced an excellent document worthy of recognition.

Respectfully submitted:

David J. Stoldt
General Manager

Suresh Prasad
Administrative Services Manager/
Chief Financial Officer



MISSION STATEMENT

The mission of the Monterey Peninsula Water Management District is to promote or provide for long-term sustainable water supply, and to manage and protect water resources for the benefit of the community and the environment.

VISION STATEMENT

The MPWMD:

- 1) will strive to ensure a public role in development, ownership, and oversight of water supply solutions in collaboration with private or other public entities, resulting in sustainable, legal, affordable, and environmentally responsible water supply, consistent with adopted general plans;*
- 2) shall carry out its leadership role in water resource management in a fiscally responsible and professional manner.*

EXPENDITURE SUMMARY
Fiscal Year 2019-2020
\$17,778,850

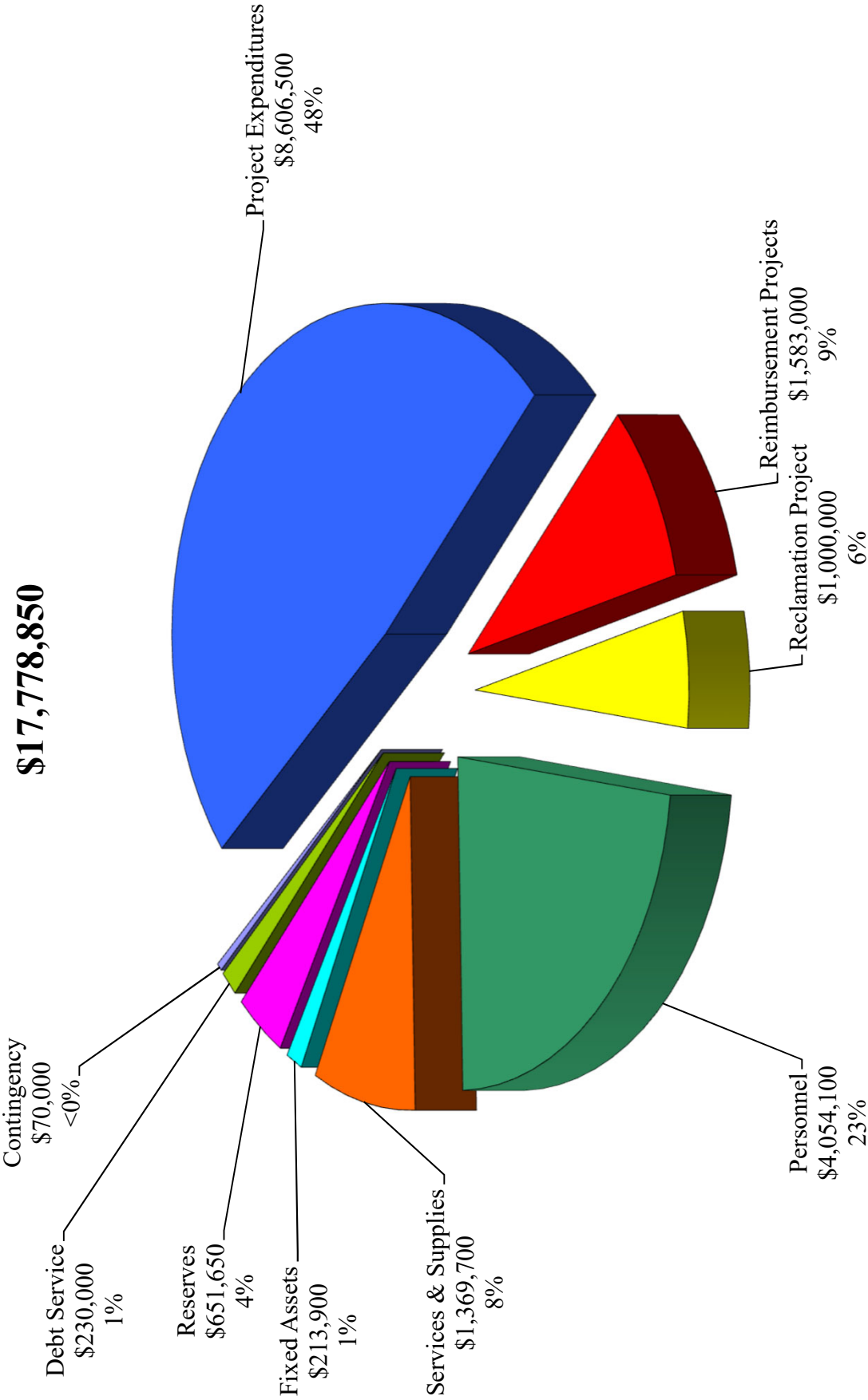


EXHIBIT 24-B

**Monterey Peninsula Water Management District
Expenditures Comparison by Year
Fiscal Year 2019-2020 Budget**

	FY 2017-2018 Revised	FY 2018-2019 Revised	FY 2019-2020 Proposed	Change From Previous Year	Percentage Change
<u>PERSONNEL</u>					
Salaries	\$2,502,000	\$2,668,600	\$2,754,600	\$86,000	3.22%
Retirement	449,500	528,900	593,500	64,600	12.21%
Unemployment Compensation	3,000	3,000	3,000	0	0.00%
Auto Allowance	6,000	6,000	6,000	0	0.00%
Deferred Compensation	8,400	9,100	9,400	300	3.30%
Temporary Personnel	53,000	73,000	55,100	(17,900)	-24.52%
Workers Comp. Ins.	50,900	55,800	71,300	15,500	27.78%
Employee Insurance	437,300	448,400	479,100	30,700	6.85%
Medicare & FICA Taxes	44,100	44,600	49,100	4,500	10.09%
Personnel Recruitment	2,000	3,000	3,000	0	0.00%
Other Benefits	0	1,500	1,500	0	0.00%
Staff Development	43,400	34,600	28,500	(6,100)	-17.63%
Subtotal	\$3,599,600	\$3,876,500	\$4,054,100	\$177,600	4.58%
<u>SERVICES & SUPPLIES</u>					
Board Member Comp	\$45,400	\$34,000	\$33,900	(\$100)	-0.29%
Board Expenses	8,000	5,000	5,100	100	2.00%
Rent	23,200	23,200	23,200	-	0.00%
Utilities	38,800	33,000	33,200	200	0.61%
Telephone	45,600	55,600	50,700	(4,900)	-8.81%
Facility Maintenance	42,800	41,200	41,200	-	0.00%
Bank Charges	4,000	4,000	3,900	(100)	-2.50%
Office Supplies	20,600	17,000	17,400	400	2.35%
Courier Expense	8,100	8,000	6,100	(1,900)	-23.75%
Postage & Shipping	6,400	6,700	6,800	100	1.49%
Equipment Lease	14,000	14,000	13,900	(100)	-0.71%
Equip. Repairs & Maintenance	7,500	7,000	7,000	-	0.00%
Printing/Duplicating/Binding	9,400	500	500	-	0.00%
IT Supplies/Services	100,000	130,000	150,000	20,000	15.38%
Operating Supplies	19,200	19,100	16,900	(2,200)	-11.52%
Legal Services	400,000	400,000	400,000	-	0.00%
Professional Fees	351,500	358,000	360,600	2,600	0.73%
Transportation	26,600	34,000	35,000	1,000	2.94%
Travel	34,600	26,600	31,100	4,500	16.92%
Meeting Expenses	6,900	6,700	6,100	(600)	-8.96%
Insurance	45,000	52,000	65,100	13,100	25.19%
Legal Notices	3,700	3,100	3,100	-	0.00%
Membership Dues	34,600	35,700	33,400	(2,300)	-6.44%
Public Outreach	5,700	2,500	2,500	-	0.00%
Assessors Administration Fee	20,000	20,000	20,000	-	0.00%
Miscellaneous	3,000	3,000	3,000	-	0.00%
Subtotal	\$1,324,600	\$1,339,900	\$1,369,700	\$29,800	2.22%
FIXED ASSETS	893,500	574,500	213,900	(\$360,600)	-62.77%
<u>PROJECT EXPENDITURES</u>					
Water Supply	2,050,500	2,882,500	7,177,800	4,295,300	149.01%
Mitigation	715,400	1,523,600	1,090,700	(432,900)	-28.41%
Conservation	751,300	550,500	338,000	(212,500)	-38.60%
Reimbursement Projects	2,180,400	3,628,500	1,583,000	(2,045,500)	-56.37%
DEBT SERVICE	230,000	230,000	230,000	0	0.00%
FLOOD/DROUGHT RESERVE	0	0	0	0	0.00%
CAPITAL EQUIP. RESERVE	188,000	200,000	49,500	(150,500)	-75.25%
GENERAL FUND BALANCE	5,032,500	1,562,000	402,150	(1,159,850)	-74.25%
PENSION RESERVE	0	100,000	100,000	0	0.00%
OPEB RESERVE	0	100,000	100,000	0	0.00%
RECLAMATION PROJECT	0	0	1,000,000	1,000,000	100.00%
ELECTION EXPENSE	7,000	160,000	0	(160,000)	-100.00%
CONTINGENCY	75,000	75,000	70,000	(5,000)	-6.67%
EXPENDITURE TOTAL	\$17,047,800	\$16,803,000	\$17,778,850	\$975,850	5.81%

EXHIBIT 24-B

**Monterey Peninsula Water Management District
Expenditures by Operating Fund
Fiscal Year 2019-2020 Budget**

	<u>Mitigation</u>	<u>Water Supply</u>	<u>Conservation</u>	<u>Total</u>
<u>PERSONNEL</u>				
Salaries	\$1,067,100	\$997,300	\$690,200	\$2,754,600
Retirement	229,200	225,000	139,300	593,500
Unemployment Compensation	1,200	1,000	800	3,000
Auto Allowance	900	3,600	1,500	6,000
Deferred Compensation	1,400	5,600	2,400	9,400
Temporary Personnel	22,600	18,200	14,300	55,100
Workers Comp. Ins.	40,700	26,800	3,800	71,300
Employee Insurance	196,600	154,500	128,000	479,100
Medicare & FICA Taxes	19,500	18,600	11,000	49,100
Personnel Recruitment	1,200	1,000	800	3,000
Other Benefits	600	500	400	1,500
Staff Development	9,100	8,300	11,100	28,500
Subtotal	\$1,590,100	\$1,460,400	\$1,003,600	\$4,054,100
<u>SERVICES & SUPPLIES</u>				
Board Member Comp	13,900	11,200	8,800	33,900
Board Expenses	2,100	1,700	1,300	5,100
Rent	10,700	9,900	2,600	23,200
Utilities	13,700	11,200	8,300	33,200
Telephone	20,600	17,300	12,800	50,700
Facility Maintenance	17,000	13,800	10,400	41,200
Bank Charges	1,600	1,300	1,000	3,900
Office Supplies	7,000	5,800	4,600	17,400
Courier Expense	2,500	2,000	1,600	6,100
Postage & Shipping	2,800	2,300	1,700	6,800
Equipment Lease	5,700	4,600	3,600	13,900
Equip. Repairs & Maintenance	2,900	2,300	1,800	7,000
Printing/Duplicating/Binding	200	200	100	500
IT Supplies/Services	61,500	49,500	39,000	150,000
Operating Supplies	2,200	2,100	12,600	16,900
Legal Services	120,000	220,000	60,000	400,000
Professional Fees	147,900	119,100	93,600	360,600
Transportation	15,700	15,500	3,800	35,000
Travel	9,400	8,000	13,700	31,100
Meeting Expenses	2,500	2,100	1,500	6,100
Insurance	26,700	21,500	16,900	65,100
Legal Notices	1,300	1,200	600	3,100
Membership Dues	11,700	9,400	12,300	33,400
Public Outreach	1,000	800	700	2,500
Assessors Administration Fee	5,800	8,500	5,700	20,000
Miscellaneous	1,200	1,000	800	3,000
Subtotal	\$507,600	\$542,300	\$319,800	\$1,369,700
FIXED ASSETS	101,400	61,600	50,900	213,900
PROJECT EXPENDITURES				0
Water Supply	160,000	6,905,800	112,000	7,177,800
Mitigation	1,035,350	55,350	0	1,090,700
Conservation	0	0	338,000	338,000
Reimbursement Projects	321,300	555,700	706,000	1,583,000
DEBT SERVICE	0	230,000	0	230,000
CAPITAL EQUIP. RESERVE	29,000	11,100	9,400	49,500
GENERAL FUND BALANCE	360,050	0	42,100	402,150
PENSION RESERVE	41,000	33,000	26,000	100,000
OPEB RESERVE	41,000	33,000	26,000	100,000
RECLAMATION PROJECT	0	1,000,000	0	1,000,000
ELECTION EXPENSE	0	0	0	0
CONTINGENCY	28,700	23,100	18,200	70,000
EXPENDITURE TOTAL	\$4,215,500	\$10,911,350	\$2,652,000	\$17,778,850

**Monterey Peninsula Water Management District
Labor Allocation by Operating Funds
Fiscal Year 2019-2020**

	<u>Mitigation</u>	<u>Water Supply</u>	<u>Conservation</u>	<u>Total</u>
<u>General Manager's Office</u>				
General Manager	15%	60%	25%	100%
Executive Assistant	25%	50%	25%	100%
<u>Administrative Services</u>				
ASD Mgr/CFO	33%	34%	33%	100%
Accountant	33%	34%	33%	100%
Contract Administrator	33%	34%	33%	100%
Human Resources Analyst	33%	34%	33%	100%
Office Services Supervisor	33%	34%	33%	100%
Accounting/Office Speaciliat	33%	34%	33%	100%
Information Technology Manager	33%	34%	33%	100%
GIS Specialist	33%	34%	33%	100%
<u>Water Resources</u>				
Water Reources Manager	10%	90%	0%	100%
Distict Engineer - Contract	50%	50%	0%	100%
Water Resources Engineer	25%	75%	0%	100%
Water Resources Engineer	25%	75%	0%	100%
Hydrography Prog Coordinator	90%	10%	0%	100%
Associate Hydrologist	8%	92%	0%	100%
Hydrology Technician	50%	50%	0%	100%
<u>Water Demand</u>				
Water Demand Manager	0%	20%	80%	100%
Conservation Analyst	0%	75%	25%	100%
Conservation Analyst	0%	25%	75%	100%
Conservation Rep I	0%	0%	100%	100%
Conservation Rep II	0%	0%	100%	100%
Conservation Technician	0%	0%	100%	100%
<u>Environmental Resources</u>				
Environmental Resources Manager	80%	20%	0%	100%
Senior Fisheries Biologist	95%	5%	0%	100%
Associate Fisheries Biologist	100%	0%	0%	100%
Associate Fisheries Biologist	100%	0%	0%	100%
Asst. Fisheries Biologist	100%	0%	0%	100%
River Maintenance Specialist	90%	10%	0%	100%
Environmental Programs Specialist	100%	0%	0%	100%
Average Percentage	41%	33%	26%	100%

EXHIBIT 24-B

**Monterey Peninsula Water Management District
Expenditures by Division
Fiscal Year 2019-2020 Budget**

	General Manager's Office	Administrative Services	Water Resources	Water Demand	Environmental Resources	Total
<u>PERSONNEL</u>						
Salaries	\$311,600	\$540,300	\$712,100	\$561,400	\$629,200	\$2,754,600
Retirement	92,700	117,300	125,900	115,000	142,600	593,500
Unemployment Compensation	0	3,000	0	0	0	3,000
Auto Allowance	6,000	0	0	0	0	6,000
Deferred Compensation	9,400	0	0	0	0	9,400
Temporary Personnel	0	55,100	0	0	0	55,100
Workers' Comp.	1,800	3,000	33,800	3,000	29,700	71,300
Employee Insurance	30,800	166,500	89,500	88,800	103,500	479,100
Medicare & FICA Taxes	4,600	10,700	14,800	8,200	10,800	49,100
Personnel Recruitment	0	3,000	0	0	0	3,000
Other Benefits	0	1,500	0	0	0	1,500
Staff Development	5,100	5,500	4,800	8,300	4,800	28,500
Subtotal	\$462,000	\$905,900	\$980,900	\$784,700	\$920,600	\$4,054,100
<u>SERVICES & SUPPLIES</u>						
Board Member Comp	\$0	\$33,900	\$0	\$0	\$0	33,900
Board Expenses	5,100	0	0	0	0	5,100
Rent	0	10,000	6,600	0	6,600	23,200
Utilities	0	32,000	600	0	600	33,200
Telephone	1,500	40,000	2,600	2,000	4,600	50,700
Facility Maintenance	0	40,000	600	0	600	41,200
Bank Charges	0	3,900	0	0	0	3,900
Office Supplies	800	15,100	400	500	600	17,400
Courier Expense	0	6,100	0	0	0	6,100
Postage & Shipping	300	6,100	400	0	0	6,800
Equipment Lease	0	13,900	0	0	0	13,900
Equip. Repairs & Maintenance	0	7,000	0	0	0	7,000
Printing/Duplicating/Binding	500	0	0	0	0	500
IT Supplies/Services	0	150,000	0	0	0	150,000
Operating Supplies	500	2,000	400	12,000	2,000	16,900
Legal Services	0	400,000	0	0	0	400,000
Professional Fees	185,100	175,100	0	0	400	360,600
Transportation	0	3,000	17,000	3,000	12,000	35,000
Travel	12,000	6,100	2,000	9,000	2,000	31,100
Meeting Expenses	2,000	3,900	0	0	200	6,100
Insurance	0	65,100	0	0	0	65,100
Legal Notices	500	2,000	600	0	0	3,100
Membership Dues	27,000	1,000	0	5,000	400	33,400
Public Outreach	2,500	0	0	0	0	2,500
Assessors Administration Fee	0	20,000	0	0	0	20,000
Miscellaneous	500	2,500	0	0	0	3,000
Subtotal	\$238,300	\$1,038,700	\$31,200	\$31,500	\$30,000	\$1,369,700
FIXED ASSETS	0	186,400	0	2,500	25,000	213,900
<u>PROJECT EXPENDITURES</u>						
Water Supply	1,650,000	0	5,180,300	0	347,500	7,177,800
Mitigation	0	0	288,300	0	802,400	1,090,700
Conservation	0	0	0	338,000	0	338,000
Reimbursement Projects	0	0	740,700	706,000	136,300	1,583,000
DEBT SERVICE	0	230,000	0	0	0	230,000
CAPITAL EQUIPMENT RES.	0	49,500	0	0	0	49,500
GENERAL FUND BALANCE	0	402,150	0	0	0	402,150
PENSION RESERVE	0	100,000	0	0	0	100,000
OPEB RESERVE	0	100,000	0	0	0	100,000
RECLAMATION PROJECT	0	1,000,000	0	0	0	1,000,000
ELECTION EXPENSE	0	0	0	0	0	0
CONTINGENCY	0	70,000	0	0	0	70,000
Expenditure Total	\$2,350,300	\$4,082,650	\$7,221,400	\$1,862,700	\$2,261,800	\$17,778,850

**Monterey Peninsula Water Management District
Project Expenditures
Fiscal Year 2019-2020 Budget**

Objective	Timeline	Total	Account	Division	Reimbursable	Source
AUGMENT WATER SUPPLY						
Operations Modeling						
1-1-2 Los Padres Dam Long Term Plan						
A. Fish Passage	Ongoing	32,500	35-03-786015	ERD		
B. Alternatives Analysis and Sediment Management	June	200,000	35-03-786015	ERD		
C. Reservoir Alternatives Simulation (CRBHM)	June	90,000	35-03-786015	ERD		
1-1-3 PWM/MPWSP Operations Model (CRBHM & SGBM)	June	50,000	35-03-786038	WRD		
Water Supply Projects						
1-2-1 Water Project 1 (Aquifer Storage Recovery 1)						
A. Santa Margarita Site						
1. Site work						
a. FORA / regulatory agency compliance	Ongoing	88,000	35-04-786004	WRD		
b. Site expansion engineering	Ongoing	320,000	35-04-786004	WRD		
c. Site expansion construction - (phase 2)	Spring/Summer	2,450,000	35-04-786004	WRD		
d. Land easement	Fall/Winter	100,000	35-04-786004	WRD		
2. Operations and Maintenance						
a. Operations support	Ongoing	110,000	35-04-786005	WRD	110,000	CAW
b. Water quality lab analysis	Ongoing	50,000	35-04-786005	WRD	50,000	CAW
c. Electrical power	Ongoing	150,000	35-04-786005	WRD	150,000	CAW
d. Supplemental Sampling and Analysis Plan (SSAP)	Ongoing	120,000	35-04-786005	WRD	120,000	CAW
e. Security and Monitoring	Ongoing	17,000	35-04-786005	WRD	17,000	CAW
B. Water Project 2 (Aquifer Storage Recover 2)						
1. Operations & Maintenance						
a. Operations support	Ongoing	10,000	35-04-786005	WRD	10,000	CAW
b. Water quality lab analysis	Ongoing	18,800	35-04-786005	WRD	18,800	CAW
c. Facility building maintenance	Ongoing	1,200	35-04-786005	WRD	1,200	CAW
d. Contingency (15%)	Ongoing	7700	35-04-786005	WRD	7,700	CAW
1-4-1 Water Rights Permits Fees	Ongoing	6,000	35-03-781200	WRD		
1-5-1 Ground Water Replenishment Project (PWM)	Ongoing	800,000	35-03-786010	GMO		
A. Geochemical Mixing Study	Ongoing	55,000	35-03-786010	WRD	18,000	Cal-Am/M1W
B. Update Seaside Basin Model	Ongoing	55,000	35-03-786010	WRD	18,000	Watermaster/M1W
C. Operating Reserve (1,000 ac ft)	One-time	2,000,000	35-03-786010	WRD		
1-7-1 A. Permit 20808B Alternatives Analysis	Ongoing	35,000	35-04-786016	WRD		
1-8-1 A. Other Water Supply Projects - IFIM feasibility studies	Ongoing	25,000	35-03-786019	ERD		
B. Monterey Pipeline MMRP Compliance	Ongoing	7,300	35-03-786025	WRD		
1-9-1 Cal-Am Desal Project	Ongoing	250,000	35-01-786025	GMO		
1-10-1 Local Water Projects	Ongoing	200,000	35-03-786033	GMO		
1-12-1 Carmel River Basin Study (Bureau of Reclamation)	Ongoing	50,000	35-03-786022	WRD		
1-14-1 Monterey Water System Acquisition Feasibility Study	Ongoing	400,000	35-01-786062	GMO		
AUGMENT WATER SUPPLY TOTAL		7,698,500			520,700	

**Monterey Peninsula Water Management District
Project Expenditures
Fiscal Year 2019-2020 Budget**

Objective	Timeline	Total	Account	Division	Reimbursable	Source
PROTECT ENVIRONMENTAL QUALITY						
Riparian Mitigations						
2-1-1 Irrigation Program						
A. Operate and maintain 4 well systems	Ongoing	10,000	24-03-785011	ERD		
B. Operate and maintain District project systems	Ongoing	15,000	24-03-785012	ERD		
2-1-2 Riparian Corridor Management						
A. Maintain and diversify plantings at District projects						
1. Seed collection and propagation	Ongoing	5,000	24-03-787030	ERD		
B. Riparian corridor maintenance (projects/equipment)	Ongoing	3,000	24-03-787080	ERD		
2-1-3 Riparian Monitoring Program						
A. Vegetation and soil moisture monitoring	Ongoing	500	24-03-787021	ERD		
2-1-4 Address Vegetation Hazards and Remove Trash	Ongoing	20,000	24-03-787040	ERD		
2-1-5 Carmel River Annual Aerial Photography	Ongoing	25,000	24-03-787022	ERD		
Erosion Protection						
2-2-1 Repair Bank Damage at District Restoration Projects						
A. Work at lower San Carlos restoration project	June	30,000	24-03-789541	WRD		
2-2-2 Carmel Riverbed Topographic Data	Ongoing	25,000	24-03-787023	WRD		
Aquatic Resources Fisheries						
2-3-1 Sleepy Hollow Facility Operations						
A. General operations and maintenance	Ongoing	42,000	24-04-785813	ERD		
B. Power	Ongoing	32,000	24-04-785816	ERD		
C. Road maintenance	June	6,000	24-04-785813	ERD		
D. Replacement of standby generator fuel	Ongoing	900	24-04-785813	ERD		
E. Generator maintenance service	Spring	6,500	24-04-785813	ERD		
F. Facility upgrade (construction)	2019	270,000	24-04-785812	ERD	70,000	Coastal Conservancy
G. ESA Section 10 SHSRF Evaluations	Ongoing	50,000	24-04-785811	ERD		
H. Intake/cold well repair & maintenance	Ongoing	5,000	24-04-785813	ERD		
I. Water Resources Assistant for Weekend Shift	Jun.-Jan.	6,200	24-04-785814	ERD		
J. WRA's & FA's NMFS Fall Juvenile SH Population Surveys (CDO)	Ongoing	26,900	24-04-785814	ERD	26,900	NOAA/NMFS
K. FBA's & WRA's NMFS Winter/Spring LPD Studies (CDO mandat	Ongoing	28,600	24-04-785814	ERD	28,600	NOAA/NMFS
L. Supplies/Expenses NMFS Winter/Spring LPD Studies (CDO mand	Ongoing	8,800	24-04-785814	ERD	8,800	NOAA/NMFS
2-3-2 Conduct Juvenile Rescues						
A. Miscellaneous fish rescue supplies	Ongoing	10,500	24-04-785822	ERD		
B. Water Resources Assistant	Ongoing	11,900	24-04-785814	ERD		
C. Seasonal Fish Rescue Workers	Ongoing	17,800	24-04-785814	ERD		
D. Recalibrate backpack electro-fisher	Ongoing	900	24-04-785822	ERD		
E. Waders	Ongoing	2,200	24-04-785822	ERD		
F. On-call weekend fish rescue crew leader	Ongoing	7,700	24-04-785814	ERD		
2-3-3 Rescue & Transport Smolts						
A. Smolt rescue supplies	Feb-May	2,000	24-04-785833	ERD		
B. Water Resources Assistant	March-May	9,600	24-04-785814	ERD		
C. Seasonal Fish Rescue Worker	March-May	9,600	24-04-785814	ERD		
2-3-4 Monitoring of Adult Steelhead Counts						
A. Resistance Board Weir Construction (Permitting)	Winter 2018	3,000	24-04-785851	ERD		
B. Resistance Board Weir Construction/Training/Installation	Winter 2018	125,000	24-04-785851	ERD		
C. Water Resources Assistants - Weekend Weir Operations	Dec.-May	8,500	24-04-785814	ERD		
D. Fishereis Aides - 7-day Weir Operations	Dec.-May	28,100	24-04-785814	ERD		
E. Wier Surveillance Camera	2020	13,500	24-04-785851	ERD		
2-3-5 Adult & kelt rescue and transport	Ongoing	1,000	24-04-785840	ERD		
2-3-6 Contracted Aquatic Invertebrate Identification & Retraining	Oct.	18,000	24-04-785860	ERD		
2-3-7 Carmel River & Lagoon Water Quality Monitoring Samples	Ongoing	5,000	24-04-785870	ERD		
Water Resources Assistant	Ongoing	0	24-04-785814	ERD		
2-3-8 CDO/Cal-Am Spawning Gravel Replenishment						
A. Planning & Permitting	Ongoing	2,000	24-04-785852	ERD	45,000	Cal-Am
2-3-9 Ford Removal @ Hastings Reservation	2020	100,000	24-04-785870	ERD		

**Monterey Peninsula Water Management District
Project Expenditures
Fiscal Year 2019-2020 Budget**

Objective	Timeline	Total	Account	Division	Reimbursable	Source
Lagoon Mitigation Activities						
2-4-1 Monitoring						
A. Bi-annual inter-agency cooperative Steelhead survey	June/Dec	1,000	24-04-785871	ERD		
B. YSI Automatic Vertical Water Quality Profiler	Ongoing	0	24-04-782203	ERD		
Hydrologic						
2-5-1 Carmel Valley						
A. Monitor Carmel River near Carmel (USGS)	Ongoing	17,000	35-04-785600	WRD		
B. Water quality chemical analyses	Ongoing	1,800	35-04-781510	WRD		
C. Fractured rock well monitoring	Ongoing	4,000	35-04-785507	WRD		
2-5-2 Seaside Basin Watermaster						
A. MMP implementation (non-labor portion, + \$35k for labor)	Ongoing	35,000	35-04-786003	WRD	35,000	Seaside Watermaster
B. MPWMD monitor well maintenance (pumps)	Ongoing	1,000	35-04-786003	WRD		
C. Replace QED pump	Ongoing	3,100	35-04-786003	WRD		
D. ROE renewal for Ft Ord Dunes State Park access	Ongoing	500	35-04-786003	WRD		
2-5-3 District Wide						
A. Stream flow monitoring program						
1. Miscellaneous equipment	Ongoing	10,000	xx-04-785603	WRD		
2. Data line rental - 7 sites	Ongoing	3,000	xx-04-785603	WRD		
3. Hydstra Time Series Software Annual Support	Ongoing	2,500	xx-04-785603	WRD		
4. Hydstra consulting - report customization/website	Summer-Fall	6,000	xx-04-785603	WRD		
5. Purchase cellular modems	Summer-Fall	5,000	xx-04-785603	WRD		
6. Upgrade MPWMD Gaging Stations						
A. Upgrade MPWMD Gaging Station	Summer-Fall	10,000	xx-04-785623	WRD		
B. Other Hydrologic Monitoring						
1. Monitor well conversions	Ongoing	2,000	xx-04-785502	WRD		
2. Annual Well Reporting	Ongoing	2,600	xx-04-781602	WRD		
3. Misc. equipment (2 well probes)	Ongoing	1,600	xx-04-781602	WRD		
4. Replacement rain/temp stations (incl site fencing)	Ongoing	1,000	xx-04-781602	WRD		
5. Replacement XD's and rugged cables	Ongoing	5,200	xx-04-781602	WRD		
6. Analysis Software (AQ/QA Rockworks)	Ongoing	2,000	xx-04-785502	WRD		
7. Replacement water quality probe	Ongoing	5,000	xx-04-785502	WRD		
Integrated Regional Water Management						
2-6-1 Integrated Regional Water Management						
A. Prop 1 coordination	Ongoing	150,000	24-03-785505	WRD		
B. DAC needs assessment	Ongoing	43,000	24-03-785521	WRD	43,000	DWR
C. Grant administration	Ongoing	100,000	24-03-785521	WRD	100,000	DWR
Water Distribution System Permitting						
2-8-1 Permit Processing Assistance	Ongoing	15,000	24-03-785503	WDD	15,000	Applicant
2-8-2 Hydrogeologic Impact Review	Ongoing	5,000	24-03-785503	WDD	5,000	Applicant
2-8-3 County Fees - CEQA Posting and Recording	Ongoing	6,000	24-03-785503	WDD	6,000	Applicant
2-8-4 WDS Permit Package Review (MPWMD Counsel)	Ongoing	16,000	24-03-785503	WDD	16,000	Applicant
PROTECT ENVIRONMENTAL QUALITY TOTAL		1,447,000			399,300	

**Monterey Peninsula Water Management District
Project Expenditures
Fiscal Year 2019-2020 Budget**

Objective	Timeline	Total	Account	Division	Reimbursable	Source
WATER DEMAND						
Demand Management						
4-1-1 Rule Implementation/Enforcement						
A. Deed Restriction recording	Ongoing	15,000	26-05-781900	WDD	6,000	Applicant
B. CEQA Compliance	Fall	7,500	26-05-780100	WDD		
Water Conservation						
4-2-1 Conservation Outreach						
A. Outreach and communication	Ongoing	40,000	26-05-781140	WDD		
B. CII Outreach	Ongoing	0	26-05-781130	WDD		
C. PRV Outreach	Ongoing	500	26-05-781140	WDD		
D. Sponsorship/Support Community Events	Ongoing	7,500	26-05-781140	WDD		
E. Brochures	Ongoing	2,500	26-05-781140	WDD		
4-2-2 Conservation Programs (non-reimbursable)						
A. Best management practices	Ongoing	7,500	26-05-781155	WDD		
B. Advertising/Webvertising	Ongoing	5,000	26-05-781115	WDD		
C. Conservation Website Maintenance	Ongoing	1,000	26-05-781160	WDD		
D. Conservation devices - nonreimbursable	Ongoing	50,000	26-05-781187	WDD		
E. Conservation & efficiency workshops/training	Ongoing	15,000	26-05-781182	WDD		
F. Graywater/Rainwater Demo Project	Ongoing	75,000	26-05-781185	WDD		
G. School Water Education	Ongoing	500	26-05-781178	WDD		
H. School Retrofits	Ongoing	0	26-05-781184	WDD		
I. CIMIS Stations	Ongoing	1,500	26-05-781111	WDD		
J. GardenSoft Water Wise Gardening	Ongoing	10,000	26-05-781186	WDD		
L. Pressure Reducing Valve Program	Ongoing	15,000	26-05-781190	WDD		
M. Linen/Towel Program	Ongoing	25,000	26-05-781180	WDD		
N. Conservation printed material	Ongoing	5,000	26-05-781188	WDD		
O. Rain Barrel Giveaway Program	Ongoing	5,000	26-05-781177	WDD		
4-2-3 Rebate Program						
A. CAW	Ongoing	700,000	26-05-781412	WDD	700,000	CAW
B. Seaside Municipal	Ongoing	0	26-05-781499	WDD		
C. Non-CAW (MPWMD funded)	Ongoing	25,000	26-05-781499	WDD		
D. DAC Direct Install Grant	Ongoing	0	26-05-781490	WDD		
E. DAC Turf Replacement	Ongoing	30,000	26-05-781490	WDD		
F. Rebate & Other Forms	Ongoing	500	26-05-781400	WDD		
WATER DEMAND TOTAL		1,044,000			706,000	
PROJECT EXPENDITURES TOTAL		10,189,500			1,626,000	

EXHIBIT 24-B

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**Monterey Peninsula Water Management District
Large Projects and Capital Improvement Plan
Fiscal Year 2019-2020 Budget**

<u>Division</u>	<u>Project Description</u>	<u>FY 2019-2020</u>	<u>FY 2020-2021</u>	<u>FY 2021-2022</u>	<u>Funding Source</u>
Funded From District Revenues					
GMO	Pure Water Monterey	\$800,000	\$700,000	\$700,000	District Revenues
GMO	GWR Operating Reserve Fund	2,000,000	1,500,000	0	District Revenues
GMO	GWR Drought Reserve Fund	0	1,000,000	1,000,000	District Revenues
WRD	Phase 1 Aquifer Storage & Recovery	2,958,000	200,000	0	District Revenues
WRD	ASR Expansion	0	50,000	50,000	District Revenues
WRD	Geochemical Mixing Study	55,000	0	0	District Revenues
WRD	Update Seaside Basin Model	55,000	0	0	District Revenues
GMO	Cal-Am Desal Project - Public Financing	250,000	200,000	0	District Revenues
GMO	Local Water Projects	200,000	100,000	100,000	District Revenues
WRD	Operations Modeling - IFIM/CRBHM	30,000	75,000	25,000	District Revenues
WRD	Carmel & Salinas Rivers Basin Study	50,000	95,000	0	District Revenues
WRD	Los Padres Dam Long Term Plan	232,500	200,000	100,000	District Revenues
WRD	PWM/MPWSP Operations Model	50,000	0	0	District Revenues
WRD	Water Rights/Permit 20808B Alternatives	6,000	250,000	0	District Revenues
ERD	Sleepy Hollow Facility Raw Water Intake Retrofit	200,000	0	0	District Revenues
GMO	Monterey Water System Acquisition Feasibility Study	400,000	0	0	District Revenues
All	Capital Asset Purchases	213,900	100,000	100,000	District Revenues
GMO	Water Allocation Process	0	900,000	400,000	District Revenues
	SUBTOTAL	\$7,500,400	\$5,370,000	\$2,475,000	
Reimbursed from Grants or Reimbursements					
WRD	Phase 1 & 2 Aquifer Storage & Recovery	484,700	450,000	450,000	CAW
WRD	Sleepy Hollow Facility Raw Water Intake Retrofit	70,000		0	SCC Grant
	SUBTOTAL	\$554,700	\$450,000	\$450,000	
	TOTAL CIP	\$8,055,100	\$5,820,000	\$2,925,000	

**Monterey Peninsula Water Management District
Capital Asset Purchases
Fiscal Year 2019-2020 Budget**

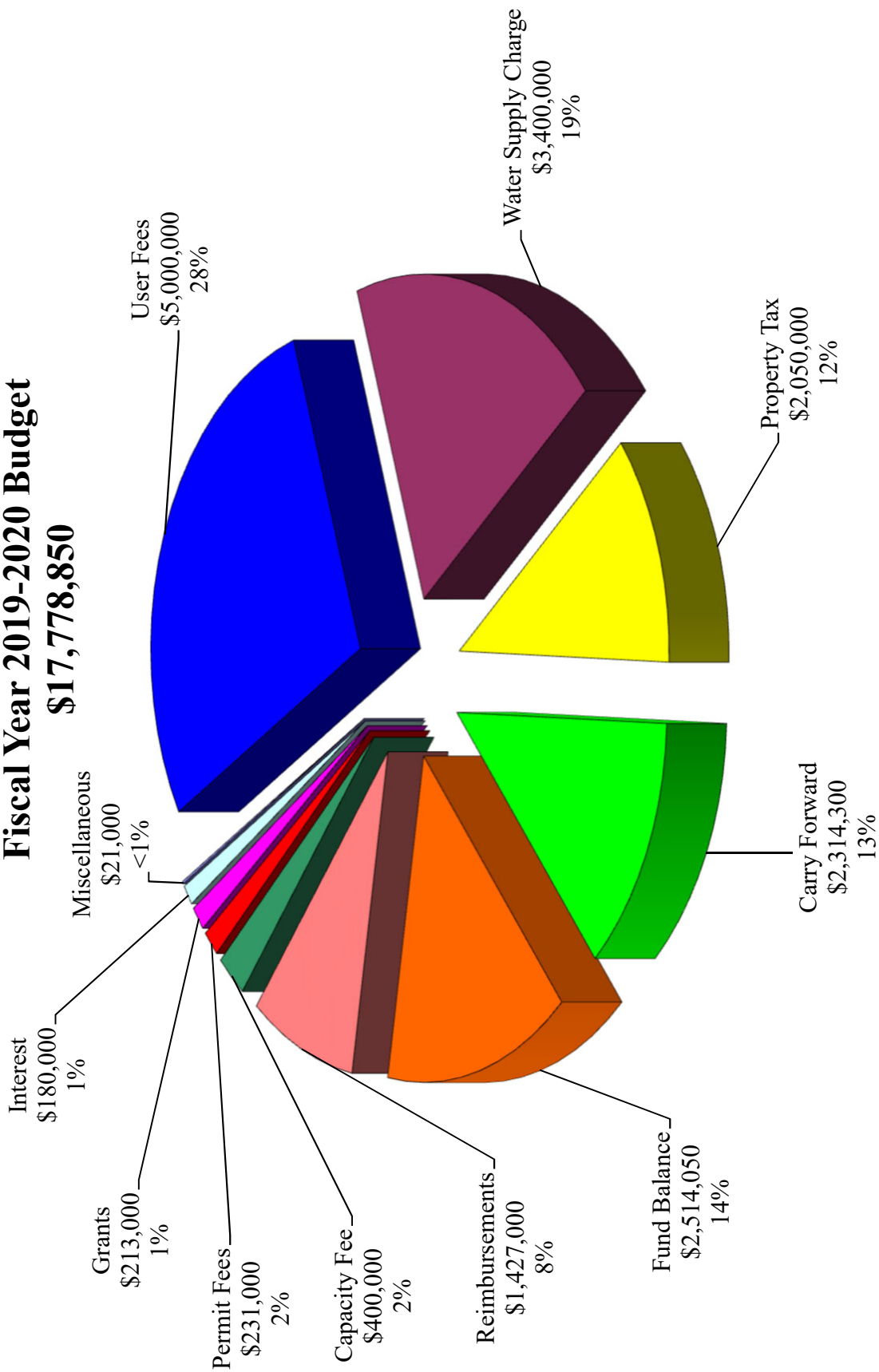
	<u>Division</u>	<u>Cost</u>	<u>Account Number</u>
<u>Capital Assets</u>			
Unit #10 Replacement Vehicle (Pool)	ASD	40,000	99-02-914000
Replacement Laptops Staff Use (Surface)	ASD	3,900	99-02-916000
AV-System Conference Room	ASD	49,000	99-02-916000
Server Refresh	ASD	14,200	99-02-916000
Workstation Refresh	ASD	7,300	99-02-916000
GIS Workstation Refresh	ASD	2,000	99-02-916000
Admin Building Backup Generator	ASD	70,000	99-02-918000
Large/Wide Monitors (4)	WDD	2,500	26-05-916000
Ford F150 4x4 Truck (Weir Program)	ERD	25,000	24-04-914000
 Total Capital Assets		<hr/> \$213,900	

EXHIBIT 24-B

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
CAPITAL ASSET REPLACEMENT/REPAIR SCHEDULE
FISCAL YEAR 2019-2020 BUDGET**

<u>Item</u>	<u>Asset Cost</u>	<u>Replacement Cost</u>	<u>Asset In Service (Year)</u>	<u>Replace In Fiscal Year</u>	<u>Years to Purchase</u>	<u>Prior Years Accrual</u>	<u>Balance Left to Accrue</u>	<u>Accrual This Fiscal Year</u>	<u>Remarks</u>
Board Room A/V Equipment	\$50,000	\$50,000		2019-2020	0	\$0	\$50,000	\$0	A/V Equipment
1/2 Ton Pickup	\$25,000	\$25,000		2019-2020	0	\$0	\$25,000	\$0	Fishries Division (WEIR Pr
1/2 Ton Pickup	\$30,000	\$30,000		2019-2020	0	\$25,200	\$4,800	\$3,300	Unit 10, '95 F150
Information System	\$120,000	\$120,000	2006-2008	2020-2021	1	\$40,700	\$79,300	\$0	In Service 06/08
1 Ton Pickup	\$50,000	\$50,000		2020-2021	1	\$44,100	\$5,900	\$2,000	Unit 3, '97 3500 D 4x4
Harris Court A/C Unit #2	\$15,000	\$15,000	2000-2001	2020-2021	1	\$12,700	\$2,300	\$800	Air Conditioner
1/2 Ton Pickup	\$30,000	\$30,000		2020-2021	1	\$25,200	\$4,800	\$1,600	Unit 1, '03 Ram 1500
3/4 Ton Pickup	\$35,000	\$35,000		2020-2021	1	\$29,500	\$5,500	\$1,900	Unit 9, '03 Ram 2500
3/4 Ton Pickup	\$40,000	\$40,000		2020-2021	1	\$33,600	\$6,400	\$2,200	Unit 8, '05 F250 D
Orthoimagery	\$66,000	\$66,000		2020-2021	1	\$33,000	\$33,000	\$0	Updated 10/08
1 Ton Pickup	\$50,000	\$50,000		2020-2021	1	\$39,500	\$10,500	\$3,600	Unit 11, '03 Ram D 3500
Ford Escape	\$25,000	\$25,000		2020-2021	1	\$19,700	\$5,300	\$1,800	Unit 14, '09 Ford Escape
Chipper	\$25,000	\$25,000		2020-2021	1	\$19,700	\$5,300	\$1,800	Chipper (P&E Dept)
Harris Court A/C Unit #3	\$15,000	\$15,000	2000-2001	2020-2021	1	\$11,800	\$3,200	\$1,100	Air Conditioner
Multifunction Plotter/Scanner	\$25,000	\$25,000		2021-2022	2	\$16,000	\$9,000	\$2,000	Replace 2 separate units
1/2 Ton Pickup	\$30,000	\$30,000		2021-2022	2	\$20,900	\$9,100	\$2,100	Unit 7, '14 F150 4x4
Honda Insight	\$25,000	\$25,000		2021-2022	2	\$14,700	\$10,300	\$2,300	Unit 5, '10 Honda Insight H
1/2 Ton Pickup	\$34,500	\$34,500		2021-2022	2	\$20,400	\$14,100	\$3,200	Unit 4, '99 F150 4x4
Harris Court A/C Unit #4	\$15,000	\$15,000	2000-2001	2021-2022	2	\$8,800	\$6,200	\$1,400	Air Conditioner
1 Ton Pickup (Dump/Auto-Crane)	\$66,000	\$66,000	2015-2016	2022-2023	3	\$29,000	\$37,000	\$6,300	Unit 6, '96 F350 D 4x4
Harris Court A/C Unit #5	\$15,000	\$15,000	2000-2001	2022-2023	3	\$7,000	\$8,000	\$1,400	Air Conditioner
Chevy Bolt EV	\$40,000	\$40,000	2016-2017	2023-2024	5	\$13,500	\$26,500	\$3,000	Unit 17-01, 2017 Chevy Bo
Chevy Bolt EV	\$40,000	\$40,000	2016-2017	2023-2024	5	\$13,500	\$26,500	\$3,000	Unit 17-02, 2017 Chevy Bo
Telephone System	\$15,000	\$15,000	2018-2019	2023-2024	5	\$0	\$15,000	\$2,500	Avaya Phone System
Harris Court A/C Unit #1	\$15,000	\$15,000	2015-2016	2027-2028	9	\$3,600	\$11,400	\$800	Air Conditioner
1/2 Ton Pickup (4 Door 4X4)	\$31,000	\$31,000	2017-2018	2028-2029	10	\$8,800	\$22,200	\$1,400	Unit 18-01 Pool Vehicle
Server Room Air Conditioner	\$10,000	\$10,000	2018-2019	2028-2029	10	\$0	\$10,000	\$0	Air Conditioner
Totals	\$937,500	\$937,500				\$490,900	\$446,600	\$49,500	

REVENUE SUMMARY
Fiscal Year 2019-2020 Budget
\$17,778,850



**Monterey Peninsula Water Management District
Revenues Comparison by Year
Fiscal Year 2019-2020 Budget**

	FY 2017-2018 <u>Revised</u>	FY 2018-2019 <u>Revised</u>	FY 2019-2020 <u>Proposed</u>	Change From <u>Previous Year</u>	Percentage <u>Change</u>
Property Taxes	\$1,750,000	\$1,950,000	\$2,050,000	\$100,000	5.13%
Permit Fees - WDD	175,000	175,000	175,000	0	0.00%
Permit Fees - WDS	56,000	56,000	56,000	0	0.00%
Capacity Fee	300,000	450,000	400,000	-50,000	-11.11%
User Fees	4,095,000	4,500,000	5,000,000	500,000	11.11%
Water Supply Charge	3,400,000	3,400,000	3,400,000	0	0.00%
Mitigation Revenue	0	0	0	0	0.00%
Interest	30,000	180,000	180,000	0	0.00%
Other	20,000	15,000	15,000	0	0.00%
Subtotal District Revenues	9,826,000	10,726,000	11,276,000	550,000	5.13%
Reimbursements - CAW	\$1,635,900	\$1,506,600	\$1,229,700	-\$276,900	-18.38%
Reimbursements - PWM Project	\$4,112,500	\$0	0	\$0	0.00%
Reimbursements - Watermaster	74,600	54,600	35,000	-19,600	-35.90%
Reimbursements - Reclamation	20,000	20,000	20,000	0	0.00%
Reimbursements - Other	29,300	168,700	126,300	-42,400	-25.13%
Reimbursements - Recording Fees	29,600	20,000	6,000	-14,000	-70.00%
Reimbursements - Legal Fees	16,000	16,000	16,000	0	0.00%
Grants	450,000	2,147,600	213,000	-1,934,600	-90.08%
Subtotal Reimbursements	6,367,900	3,933,500	1,646,000	-2,287,500	-58.15%
Carry Forward From Prior Year	853,900	2,143,500	2,314,300	170,800	7.97%
From Capital Equip. Reserve	0	0	28,500	28,500	100.00%
From Fund Balance	0	0	2,514,050	2,514,050	100.00%
Other Financing Sources:					
Transfers In	1,750,000	1,800,000	250,000	-1,550,000	-86.11%
Transfers Out	-1,750,000	-1,800,000	-250,000	1,550,000	-86.11%
Revenue Totals	\$17,047,800	\$16,803,000	\$17,778,850	\$975,850	5.81%

**Monterey Peninsula Water Management District
Revenues by Operating Fund
Fiscal Year 2019-2020 Budget**

	<u>Mitigation</u>	<u>Water Supply</u>	<u>Conservation</u>	<u>Total</u>
Property Taxes	\$0	\$2,050,000	\$0	\$2,050,000
Permit Fees - WDD	0	0	175,000	175,000
Permit Fees - PED	56,000	0	0	56,000
Capacity Fee	0	400,000	0	400,000
User Fees	3,080,000	720,000	1,200,000	5,000,000
Water Supply Charge	0	3,400,000	0	3,400,000
Mitigation Revenue	0	0	0	0
Interest	50,000	90,000	40,000	180,000
Other	5,000	5,000	5,000	15,000
Subtotal District Revenues	3,191,000	6,665,000	1,420,000	11,276,000
Reimbursements - CAW	\$45,000	\$484,700	\$700,000	\$1,229,700
Reimbursements - PWM Project	0	0	0	0
Reimbursements - Watermaster	0	35,000	0	35,000
Reimbursements - Reclamation	0	20,000	0	20,000
Reimbursements - Other	90,300	36,000	0	126,300
Reimbursements - Recording Fees	0	0	6,000	6,000
Reimbursements - Legal Fees	0	0	16,000	16,000
Grants	213,000	0	0	213,000
Subtotal Reimbursements	348,300	575,700	722,000	1,646,000
Carry Forward From Prior Year	664,800	1,397,500	252,000	2,314,300
From Capital Equip. Reserve	11,400	9,100	8,000	28,500
From Fund Balance	0	2,514,050	0	2,514,050
Other Financing Sources:				
Transfers In	0	0	250,000	250,000
Transfers Out	0	-250,000	0	-250,000
Revenue Totals	\$4,215,500	\$10,911,350	\$2,652,000	\$17,778,850

**Monterey Peninsula Water Management District
Reimbursable Amounts & Grants
Fiscal Year 2019-2020 Budget**

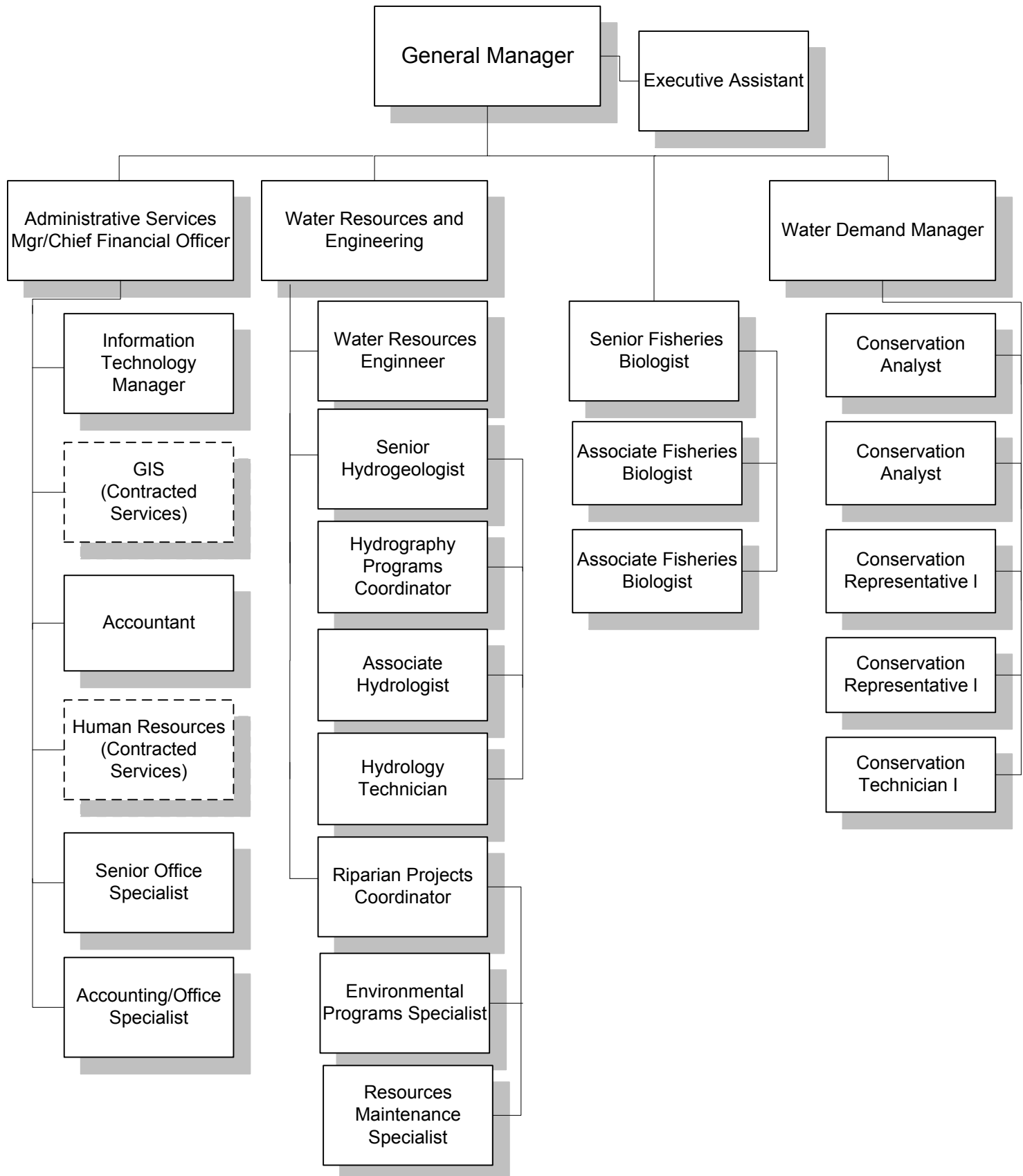
<u>Reimbursement Source</u>	<u>Amount</u>
CAW - ASR 1 Operation	447,000
CAW - ASR 2 Operation	37,700
CAW - Conservation Rebates	700,000
CAW - Gravel Replenishment	45,000
Watermaster	35,000
Reclamation Project (labor & legal)	20,000
Grants - Sleepy Hollow Intake Upgrade (Coastal Conservancy)	70,000
Grants - DAC Needs Assesment (Prop 1 Funds)	43,000
Grants - Grant Administration	100,000
Direct Bill - Deed Restriction	6,000
Direct Bill - Legal Reimbursement	16,000
CAW/M1W Reimbursements	36,000
Direct Bill - WDS Permitting, Hydrogeologic Analysis, etc.	26,000
NOAA/NMFS	64,300
Total Reimbursements	<u>\$1,646,000</u>

Monterey Peninsula Water Management District
Analysis of Reserves
Fiscal Year 2019-2020 Budget

<u>Estimated Reserves as of 06/30/2019</u>	<u>Mitigation Fund</u>	<u>Water Supply Fund</u>	<u>Conservation Fund</u>	<u>Totals</u>
Prepaid Expenses	\$0	\$0	\$0	\$0
Litigation/Insurance Reserve	66,740	171,354	11,906	250,000
Capital Equipment Reserve	370,001	61,666	100,333	532,000
Flood/Drought Reserve	328,944	0	0	328,944
Debt Reserve	0	221,656	0	221,656
Pension Reserve	40,000	32,000	28,000	100,000
OPEB Reserve	40,000	32,000	28,000	100,000
General Operating Reserve	3,277,853	9,813,299	3,593,813	16,684,965
Reserve Balance as of 06/30/2019	\$4,123,538	\$10,331,975	\$3,762,052	\$18,217,565
 <u>Litigation/Insurance Reserve Analysis</u>				
06/30/2019 Balance (above)	\$66,740	\$171,354	\$11,906	\$250,000
Fiscal Year 2019-2020 Budgeted	0	0	0	0
06/30/2020 Budgeted Balance	\$66,740	\$171,354	\$11,906	\$250,000
 <u>Capital Equipment Reserve Analysis</u>				
06/30/2019 Balance (above)	\$370,001	\$61,666	\$100,333	\$532,000
Fiscal Year 2019-2020 Budgeted	29,000	11,100	9,400	49,500
Fiscal Year 2019-2020 Use	(11,400)	(9,100)	(8,000)	(28,500)
06/30/2020 Budgeted Balance	\$387,601	\$63,666	\$101,733	\$553,000
 <u>Flood/Drought Reserve Analysis</u>				
06/30/2019 Balance (above)	\$328,944	\$0	\$0	\$328,944
Fiscal Year 2019-2020 Budgeted	0	0	0	0
06/30/2020 Budgeted Balance	\$328,944	\$0	\$0	\$328,944
 <u>Debt Reserve Analysis</u>				
06/30/2019 Balance (above)	\$0	\$221,656	\$0	\$221,656
Fiscal Year 2019-2020 Budgeted	0	0	0	0
06/30/2020 Budgeted Balance	\$0	\$221,656	\$0	\$221,656
 <u>Pension Reserve Analysis</u>				
06/30/2019 Balance (above)	\$40,000	\$32,000	\$28,000	\$100,000
Fiscal Year 2019-2020 Budgeted	41,000	33,000	26,000	100,000
06/30/2020 Budgeted Balance	\$81,000	\$65,000	\$54,000	\$200,000
 <u>OPEB Reserve Analysis</u>				
06/30/2019 Balance (above)	\$40,000	\$32,000	\$28,000	\$100,000
Fiscal Year 2019-2020 Budgeted	41,000	33,000	26,000	100,000
06/30/2020 Budgeted Balance	\$81,000	\$65,000	\$54,000	\$200,000
 <u>General Operating Reserve Analysis</u>				
06/30/2019 Balance (above)	\$3,277,853	\$9,813,299	\$3,593,813	\$16,684,965
Fiscal Year 2019-2020 Carry-Over	(285,000)	(1,562,800)	(295,700)	(2,143,500)
Fiscal Year 2019-2020 Budgeted	360,050	(2,514,050)	42,100	(2,111,900)
06/30/2020 Budgeted Balance	\$3,352,903	\$5,736,449	\$3,340,213	\$12,429,565
Budgeted Reserves as of 06/30/2019	\$4,298,188	\$6,323,125	\$3,561,852	\$14,183,165

Monterey Peninsula Water Management District

ORGANIZATION CHART



Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2019-2020 Budget

General Manager's Office

The General Manager's Office activities include strategic planning, oversight of divisional activities and execution, public outreach, coordination and oversight of budget and financial activities, management of the District's legal strategies, support for the Board of Directors and Committees. Priorities for the past and next fiscal year include development of a secure and reliable revenue stream and implementation of permanent water supply resources.

The services provided include general management of District activities on a day-to-day basis, strategic planning, program and activity evaluation, staff meetings and evaluations, meeting with jurisdictions and interest groups, regular interaction and direction with financial personnel, regular interaction and review of performance of District legal team, coordination of Board schedule and activities, preparation of Board packages and minutes.

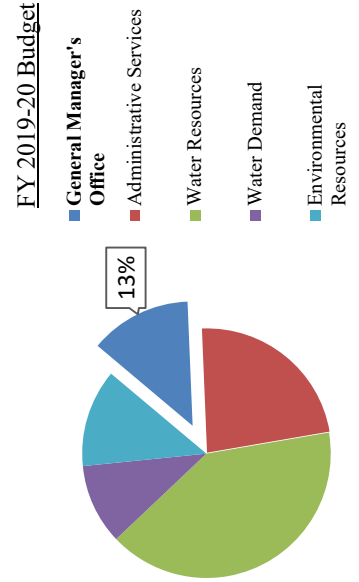
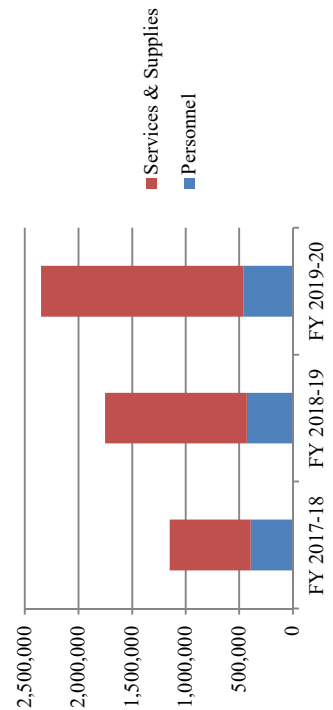
Classification	FY 2017-18 Revised	FY 2018-19 Revised	FY 2019-20 Proposed	FY 2019-20 Change
General Manager	1	1	1	0
Executive Assistant	1	1	1	0
Community Relations Liaison	0	0	0	0
TOTAL POSITIONS	2	2	2	0
TOTAL DISTRICT-WIDE POSITIONS	28	27	28	1

Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2019-2020 Budget

EXHIBIT 24-B

General Manager's Office

	FY 2017-18 Revised	FY 2018-19 Revised	FY 2019-20 Proposed	FY 2019-20 Change
Personnel				
Salaries	\$282,200	\$303,800	\$311,600	\$7,800
Retirement	58,000	71,500	92,700	21,200
Unemployment Compensation	0	0	0	-
Auto Allowance	6,000	6,000	6,000	-
Deferred Compensation	8,400	9,100	9,400	300
Temporary Personnel	0	0	0	-
Workers' Comp.	1,300	1,500	1,800	300
Employee Insurance	29,400	29,200	30,800	1,600
Medicare & FICA Taxes	4,200	4,400	4,600	200
Personnel Recruitment	0	0	0	-
Pre-Employment Physicals				
Staff Development	4,900	4,900	5,100	200
Sub-total Personnel Costs	394,400	430,400	462,000	31,600
Services & Supplies				
Services & Supplies	240,500	236,800	238,300	1,500
Fixed Assets	-	-	-	-
Project Expenditures	515,000	1,085,000	1,650,000	565,000
Debt Service	-	-	-	-
Election Expense	-	-	-	-
Contingency	-	-	-	-
Sub-total	755,500	1,321,800	1,888,300	566,500
TOTAL EXPENDITURES	1,149,900	1,752,200	2,350,300	629,700



Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2019-2020 Budget

Administrative Services

The Administrative Services Department activities include revenue and debt management, procurement, payroll, safety, risk management, human resources, records management, rules and regulations updates and distribution, building services and repairs, administrative support for the Board of Directors, administrative work in support of District-wide program and activities, and information technology services.

The services provided include cash and investment management, day-to-day accounting operations for the District and Pebble Beach Reclamation Project, internal and external financial reporting, grant administration, debt administration, overseeing District's financial obligations, management of assets, payroll administration, acquisition and payment of all goods and services, financial aspect of risk management, administering safety training programs, accident investigation, recruitment, selection, development and maintenance of personnel policies and procedures, employee development/training, employee recognition, legal issues and labor relations activities, and fulfilling public records requests. Additional services provided are the administration of benefit programs, overseeing workers compensation and ensuring compliance with DMV requirements. This department also maintains the District wide records management program, the repair & maintenance and improvements of the District's information and communication technology systems.

EXHIBIT 24-B

Classification	FY 2017-18 Revised	FY 2018-19 Revised	FY 2019-20 Proposed	FY 2019-20 Change
Administrative Services Manager/CFO	1	1	1	0
Information Technology Manager	1	1	1	0
GIS Specialist (Contracted)	0.5	0.5	0.5	0
Accountant	1	1	1	0
Human Resources Analyst (Contracted)	0.5	0.5	0.5	0
Senior Office Specialist	1	1	1	0
Contract Administrator	0	0	1	1
Accounting/Office Specialist	1	1	1	0
TOTAL POSITIONS	6	6	7	1
TOTAL DISTRICT-WIDE POSITIONS	28	27	28	1

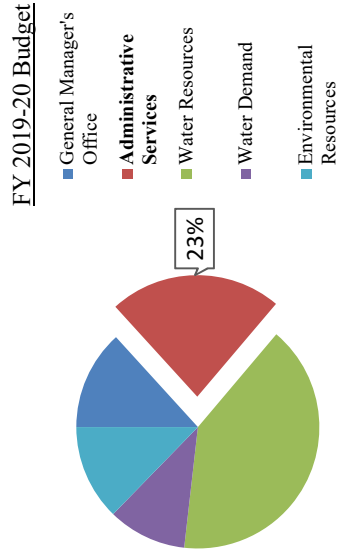
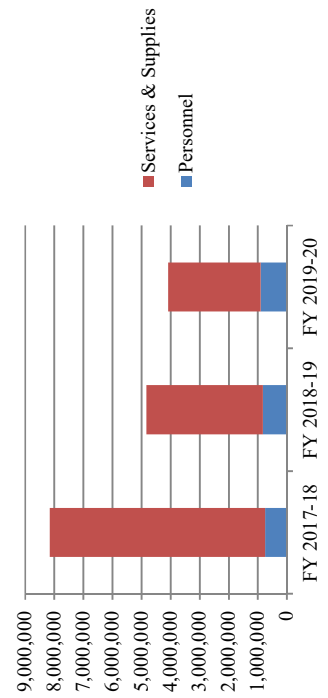
Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2019-2020 Budget

EXHIBIT 24-B

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Administrative Services

	FY 2017-18 Revised	FY 2018-19 Revised	FY 2019-20 Proposed	FY 2019-20 Change
Personnel				
Salaries	\$477,900	\$479,800	\$540,300	\$60,500
Retirement	78,800	92,200	117,300	25,100
Unemployment Compensation	3,000	3,000	3,000	-
Auto Allowance	0	0	0	-
Deferred Compensation	0	0	0	-
Temporary Personnel	8,000	73,000	55,100	(17,900)
Workers' Comp.	2,000	2,100	3,000	900
Employee Insurance	152,800	152,500	166,500	14,000
Medicare & FICA Taxes	10,600	10,100	10,700	600
Other Benefits	0	1,500	1,500	-
Personnel Recruitment	2,000	3,000	3,000	-
Pre-Employment Physicals	0	0	0	-
Staff Development	13,500	10,000	5,500	(4,500)
Sub-total Personnel Costs	748,600	827,200	905,900	78,700
Services & Supplies				
Services & Supplies	982,500	1,011,000	1,038,700	27,700
Fixed Assets	893,500	569,500	186,400	(383,100)
Project Expenditures	-	-	1,000,000	1,000,000
Debt Service	230,000	230,000	230,000	-
Election Expense	7,000	160,000	-	(160,000)
Reserves	5,220,500	1,962,000	651,650	(1,310,350)
Contingency	75,000	75,000	70,000	(5,000)
Sub-total	7,408,500	4,007,500	3,176,750	(830,750)
TOTAL EXPENDITURES	8,157,100	4,834,700	4,082,650	(673,350)



Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2019-2020 Budget

EXHIBIT 24-B

Water Resources

The Planning and Engineering Division activities include review and investigation of proposed water supply projects, evaluation of proposed Carmel River water rights decisions, preservation of existing District water rights, coordination of Water Distribution System permits, implementation of portions of the Carmel River Mitigation Program, and coordination of water resource management throughout the District.

Water Supply – Analysis of impacts and benefits of proposed water supply projects; review and completion of environmental compliance documents under the California Environmental Quality Act and National Environmental Policy Act; completion of Engineer's Reports;

Water Rights – Coordinate District review of proposed Carmel River water rights issued by the State Water Resources Control Board; track and preserve existing District water rights; prepare applications for changes to District water rights;

Water Distribution System (WDS) permits – Review and process applications for WDS permits; make determinations of level of review; coordinate staff, consultant, and District Counsel work on WDS permits; prepare findings; issue WDS permits;

Hydrologic Monitoring Program - Conduct: (a) precipitation monitoring, (b) streamflow monitoring, (c) reservoir and groundwater storage monitoring, (d) surface water and groundwater production monitoring, (e) surface water and groundwater quality monitoring, and (f) Carmel River lagoon water level, quality, bathymetric and habitat

Integrated Regional Water Management (IRWM) – facilitate the development and implementation of a comprehensive IRWM Plan for the Monterey Peninsula region, including projects involving Carmel River resources, groundwater, recycled water, desalination, stormwater, flood control, ecosystem restoration, water conservation, and public recreation; conduct stakeholder outreach; prepare grant applications for specific projects; administer grant funds on behalf of the District and local area project proponents.

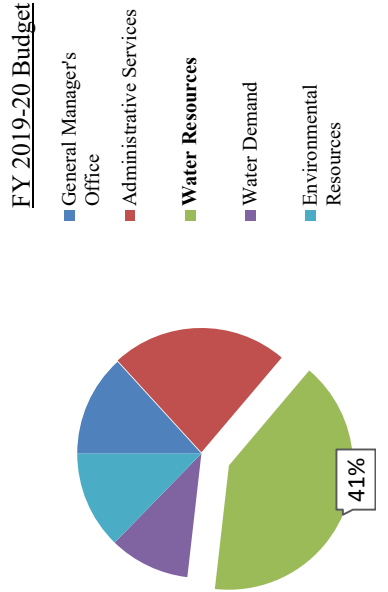
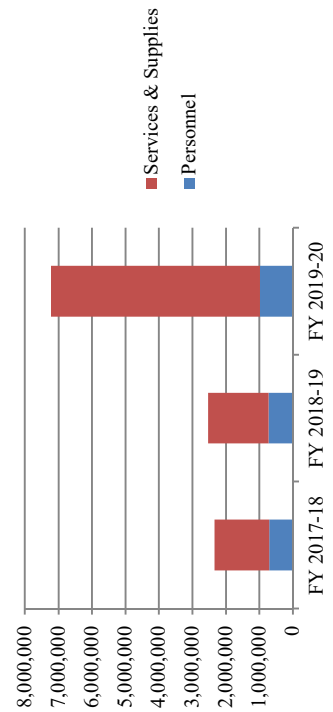
	FY 2017-18	FY 2018-19	FY 2019-20	FY 2019-20
	Revised	Revised	Revised	Change
Classification				
Planning & Engineering Manager	1	1	0	-1
Water Resources Manager	0	0	1	1
Project Manager	0	0	0	0
Hydrography Programs Coordinator	0	0	1	1
Associate Hydrogeologist	0	0	1	1
Hydrology Technician	0	0	1	1
Riparian Projects Coordinator	1	1	0	-1
Water Resources Engineer	1	1	1	0
Water Resources Engineer	0	0	1	1
Environmental Program Specialist	1	1	0	-1
River Maintenance Specialist	1	1	0	-1
Field Biology Assistant (limited term)	0.5	0.5	0.5	0
TOTAL POSITIONS	5.5	5.5	6.5	1
TOTAL DISTRICT-WIDE POSITIONS	28	27	28	1

Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2019-2020 Budget

EXHIBIT 24-B

Water Resources

	FY 2017-18 Revised	FY 2018-19 Revised	FY 2019-20 Proposed	FY 2019-20 Change
Personnel				
Salaries	\$508,500	\$530,100	\$712,100	\$182,000
Retirement	89,500	94,600	125,900	31,300
Unemployment Compensation	0	0	0	-
Auto Allowance	0	0	0	-
Deferred Compensation	0	0	0	-
Temporary Personnel	0	0	0	-
Workers' Comp.	19,300	20,100	33,800	13,700
Employee Insurance	71,300	70,500	89,500	19,000
Medicare & FICA Taxes	8,700	8,700	14,800	6,100
Personnel Recruitment	0	0	0	-
Pre-Employment Physicals				
Staff Development	8,600	4,400	4,800	400
Sub-total Personnel Costs	705,900	728,400	980,900	252,500
Services & Supplies				
Services & Supplies	22,600	22,400	31,200	8,800
Fixed Assets				
Project Expenditures	-	-	-	-
Debt Service	1,609,200	1,783,000	6,209,300	4,426,300
Election Expense				
Contingency				
Sub-total	1,631,800	1,805,400	6,240,500	4,435,100
TOTAL EXPENDITURES	2,337,700	2,533,800	7,221,400	4,940,100



Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2019-2020 Budget

Water Demand

The Water Demand Division provides information and programs to achieve efficient water use and maximize available supplies. This is achieved through community education and outreach, development of incentives and training programs, and by implementing and enforcing permitting and conservation regulations, thereby reducing the community's need for potable water. The Water Demand Division strives to provide responsive and accurate customer service that exceeds the expectations of the people we serve.

Services include customer service related to permit review and processing, conservation program administration and reporting, site visits and inspections, water waste and rationing enforcement, rebate program administration, and data management and data systems design related to demand management. Other services include project and program coordination and training with eight local cities and county, local water purveyors, local and statewide agencies, builders, contractors, architects, Realtors and others. The Water Demand Division also reviews projects for environmental compliance related to water supply, collaborates with jurisdictions with develop and track efficiency standards and conditions for development projects, assists with ratemaking and proposes policies and programs to encourage and promote indoor and outdoor water efficiency, conservation, reuse, alternative water sources, and non-residential best management practices.

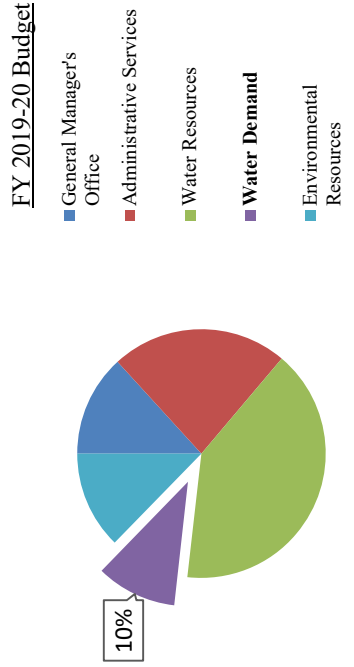
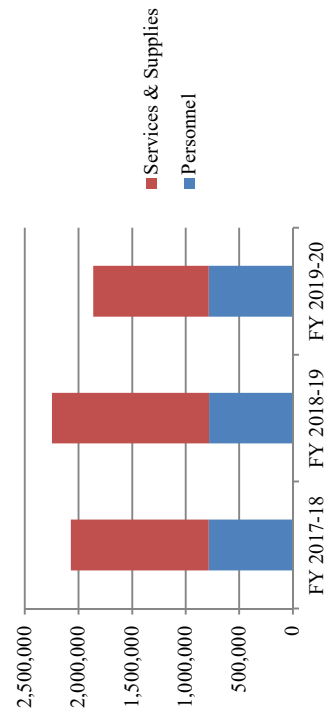
Classification	FY 2017-18 Revised	FY 2018-19 Revised	FY 2019-20 Proposed	FY 2019-20 Change
Water Demand Manager	1	1	1	0
Conservation Analyst	2	2	2	0
Conservation Representative II	0	0	0	0
Conservation Representative I	2	2	2	0
Conservation Technician II	1	1	1	0
Data Entry (temporary)	1	0	0	0
TOTAL POSITIONS	7	6	6	0
TOTAL DISTRICT-WIDE POSITIONS	28	27	28	1

Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2019-2020 Budget

EXHIBIT 24-B

Water Demand

	FY 2017-18 Revised	FY 2018-19 Revised	FY 2019-20 Proposed	FY 2019-20 Change
Personnel				
Salaries	\$543,300	\$568,300	\$561,400	(\$6,900)
Retirement	90,500	107,200	115,000	7,800
Unemployment Compensation	0	0	0	-
Auto Allowance	0	0	0	-
Deferred Compensation	0	0	0	-
Temporary Personnel	45,000	0	0	-
Workers' Comp.	2,300	2,400	3,000	600
Employee Insurance	84,800	83,900	88,800	4,900
Medicare & FICA Taxes	7,900	8,300	8,200	(100)
Personnel Recruitment	0	0	0	-
Pre-Employment Physicals			0	-
Staff Development	11,400	10,500	8,300	(2,200)
Sub-total Personnel Costs	785,200	780,600	784,700	4,100
Services & Supplies				
Services & Supplies	47,600	39,100	31,500	(7,600)
Fixed Assets	0	5,000	2,500	(2,500)
Project Expenditures	1,240,900	1,423,100	1,044,000	(379,100)
Debt Service	0	0	0	-
Election Expense	0	0	0	-
Contingency	0	0	0	-
Sub-total	1,288,500	1,467,200	1,078,000	(389,200)
TOTAL EXPENDITURES	2,073,700	2,247,800	1,862,700	(381,000)



Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2019-2020 Budget

Environmental Resources

The Water Resources Division (WRD) is comprised of two staff functional units, the Hydrologic unit and the Fisheries unit. Program responsibilities and services provided include surface and groundwater data collection and reporting programs, fishery protection activities in the Carmel River basin, quarterly water supply strategies and budgets for Cal-Am's main and satellite water distribution systems, and the annual Carmel River Memorandum of Agreement among Cal-Am, CDFG and the District that governs reservoir releases to the lower Carmel River during the low-flow season. WRD staff coordinates closely with the Planning & Engineering and Water Demand Divisions on certain activities to more efficiently share internal staff resources and expertise.

Fisheries Resource Program - Rescue stranded steelhead from the Carmel River; rear rescued fish at the Sleepy Hollow Rearing Facility (SHSRF); rescue downstream migrant smolts in spring and transport them to a holding facility or the ocean; prevent stranding of early fall and winter migrant juvenile steelhead; rescue steelhead kelts and transport them to a holding facility or the ocean; support future interagency captive brood-stock program for landlocked steelhead during successive years of drought; prepare designs, retain contractors and manage construction contracts for SHSRF projects.

Carmel River Mitigation Program - Conduct Carmel River restoration projects, including problem assessment, design, bid preparation, permit acquisition, construction management, and project monitoring; install, operate, and maintain high-volume irrigation systems along 15 miles of the lower Carmel River; monitor and assess streamside conditions; provide technical assistance to river front property owners; determine erosion potential; enforce District rules for the Carmel River; assist the Water Resources Division with steelhead rescues and Sleepy Hollow Steelhead Rearing Facility operations; provide technical analysis and advice to agencies responsible for Carmel River lagoon management;

Water Resources Management - Prepare quarterly water supply strategy budgets; participate in annual Carmel River Low Flow Memorandum of Agreement process; conduct monitoring and management functions as part of Seaside Basin Watermaster Monitoring & Management Plan; provide technical assistance and expert testimony on Cal-Am rate cases before the CPUC; prepare annual Mitigation Program reports.

Water Use and Permitting - Collect, analyze and report data from approximately 1,000 wells and other sources for annual District-wide water production summary; coordinate with Planning & Engineering and Water Demand Divisions on Water Distribution System permitting.

Classification	FY 2017-18	FY 2018-19	FY 2019-20	FY 2019-20
	Revised	Revised	Proposed	Change
Environmental Resources Manager	0	0	1	1
Senior Hydrogeologist	1	1	0	-1
Hydrography Programs Coordinator	1	1	0	-1
Associate Hydrogeologist	1	1	0	-1
Hydrology Technician	1	1	0	-1
Environmental Programs Specialist	0	0	1	1
Resources Maintenance Specialist	0	0	1	1
Senior Fisheries Biologist	1	1	1	0
Associate Fisheries Biologist	1	1	1	0
Associate Fisheries Biologist	1	1	1	0
Water Resources Assistant (limited term)	0.5	0.5	0.5	0
TOTAL POSITIONS	7.5	7.5	6.5	-1
TOTAL DISTRICT-WIDE POSITIONS	28	27	28	1

Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2019-2020 Budget

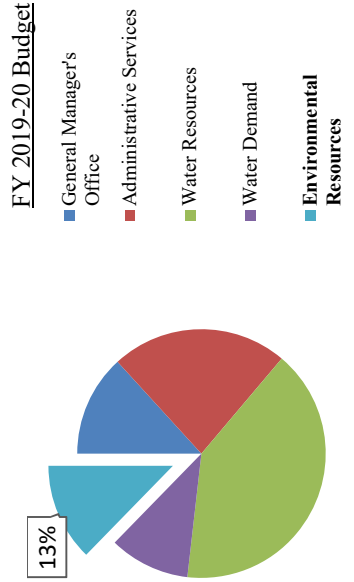
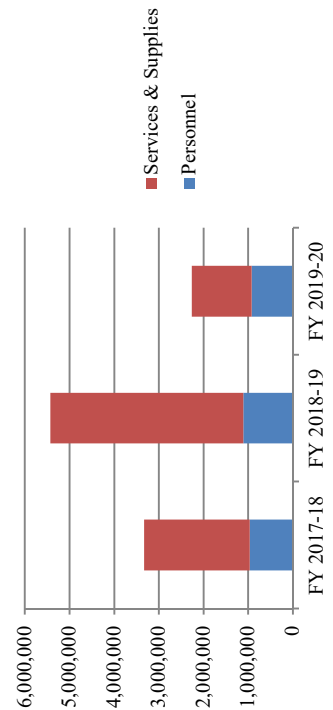
EXHIBIT 24-B

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Environmental Resources

	FY 2017-18 Revised	FY 2018-19 Revised	FY 2019-20 Proposed	FY 2019-20 Change
Personnel				
Salaries	\$690,100	\$786,600	\$629,200	(\$157,400)
Retirement	132,700	163,400	142,600	(20,800)
Unemployment Compensation	0	0	0	-
Auto Allowance	0	0	0	-
Deferred Compensation	0	0	0	-
Temporary Personnel	0	0	0	-
Workers' Comp.	26,000	29,700	29,700	-
Employee Insurance	99,000	112,300	103,500	(8,800)
Medicare & FICA Taxes	12,700	13,100	10,800	(2,300)
Personnel Recruitment	0	0	0	-
Pre-Employment Physicals	0	0	0	-
Staff Development	5,000	4,800	4,800	-
Sub-total Personnel Costs	965,500	1,109,900	920,600	(189,300)
Services & Supplies				
Services & Supplies	31,400	30,600	30,000	(600)
Fixed Assets	0	0	25,000	25,000
Project Expenditures	2,332,500	4,294,000	1,286,200	(3,007,800)
Debt Service	0	0	0	-
Election Expense	0	0	0	-
Contingency	0	0	0	-
Sub-total	2,363,900	4,324,600	1,341,200	(2,983,400)
TOTAL EXPENDITURES	3,329,400	5,434,500	2,261,800	(3,362,000)





BUDGET PROCESS CALENDAR

FISCAL YEAR 2019-2020

<i>2019 Target Dates</i>	<i>Action</i>	<i>Responsibility</i>
April 24	Budget Memorandum and Forms Distributed	Administrative Services
May 3	Budget Request Forms Due to ASD	Division Managers
May ??	Budget Review Session	Team Management
May ??	Budget Review Session – Follow Up	Team Management
May 13	Draft Budget Distributed	Administrative Services
May 20	Proposed Budget Presented to Board	Board of Directors
June 17	Board Adopts Budget Board Sets Appropriation Limit	Board of Directors

Glossary

Article XIII (B):

Article XIII (B) is a section of the California State Constitution relating to the amount of a public entities tax revenues that may be expended in a given fiscal year. In the instance of the MPWMD, the article limits the amount of property tax revenue that may be spent in a fiscal year. It is calculated based upon the prior year's limit multiplied by a factor representing annual growth in population and consumer prices. The latter is furnished by the State Treasurer's Office. The calculation, required since the passage of Proposition 13 in 1978, is contained in each District budget and is identified as "Property Tax Appropriation."

Budget Assumptions:

The budget assumptions are generally accepted statements, which if untrue, would materially alter the financial planning and budget of the agency.

Capital Assets:

Capital assets are equipment and components that have a useful life greater than one year and with an initial, individual cost of more than \$1,000 for equipment and \$5,000 for facilities and improvements.

Contingency:

The contingency is a nominal amount budgeted for expenditure for unforeseen emergencies or special purposes requiring Board approval.

Designated Reserves:

Designated reserves are funds set aside by the Board for specific, restricted uses. Examples include capital equipment, litigation, flood/drought, and pre-paid expenses.

Expenditures:

Expenditures are associated with each operating fund, as well with each program category. Personnel costs, services and supplies, capital assets and project expenditures are the principal categories. A pie chart graphically shows percentages of expenditures by line item.

Fiscal Year:

The fiscal year is the twelve-month period beginning July 1 and ending June 30 of the following year. The District uses the fiscal year as the basis for reporting financial information a twelve-month accounting period.

General Operating Reserves:

General operating reserves are the balances in each operating fund of the District that remain after all budgeted expenses are paid. Normally, the general operating reserve balance is carried forward from one fiscal year to the next. The value is verified annually by the independent auditor and reported in the annual audit report.

Labor Allocation by Operating Funds:

The Labor Allocation by Operating Funds is a budget schedule that relates employee output to the three operating funds. It shows the output of each employee as a percentage of total time by

operating fund. This percentage is used throughout the budget as the basis of allocating general and administrative (overhead) costs to the operating funds.

Labor Allocation by Program Category:

The Labor Allocation by Program Category is a budget schedule that relates employee output to the budgeted program categories. It shows the output of each employee as a percentage of total time by program category. This percentage is used throughout the budget as the basis of allocating general and administrative (overhead) costs to the program categories.

Mitigation Revenue:

This is the revenue derived from the Agreement for Carmel River Mitigation Program between California American Water and Monterey Peninsula Water Management District.

Program Categories:

Program Categories are major service programs that have been identified. All expenditures, including labor costs, are allocated to each program category in order to identify what each program actually costs.

Project Expenditures:

The Summary of Project Expenditures is a listing of costs for the coming year that are projected as a result of specific projects and programs carried-out by the staff, consultants and contractors. Project expenditures do not include staff compensation for regular employees.

Reimbursement Revenues:

Reimbursement revenues are received from various sources and allocated to offset expenditures related to the revenue source. These reimbursements received by the District are for projects carried-out by the District. Some of these reimbursements include grants, Cal-Am Water Conservation & Rebate Program funds, ASR operations reimbursement, direct-billed reimbursements, etc. All of the reimbursement revenues collected within the fiscal year is related to the expenses in the same fiscal year.

Revenues:

Revenues are derived from various sources and allocated to each operating fund. Property taxes, permits fees, water connection charges, water supply charge, mitigation program revenue, user fees, interest on investments, reimbursements to the District for projects carried-out by the District and grants are the principal revenue sources. Revenues may include a portion of the prior-year fund balance used to offset expenditures. A pie chart graphically shows percentages of revenues according to source.

User Fees:

The User Fee is a percentage of Cal-Am ratepayers water bill that is collected and remitted by Cal-Am monthly. The proceeds of the User Fee have been used to support the District's environmental mitigation, conservation and rationing, water supply, and any other purposes.

Water Supply Charge:

The Water Supply Charge is a rate or charge that funds costs related to the provision of water. This annual charge raised by the District, 100% of which will support District water supply activities, including capital acquisition and operational costs for Aquifer Storage and Recovery, Groundwater Replenishment, and related water supply purposes for the general benefit of the District as a whole.

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

Meeting Date: May 20, 2019 **Budgeted:** N/A

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

Prepared By: Suresh Prasad **Cost Estimate:** N/A

General Counsel Review: N/A

Committee Recommendation: The Administrative Committee reviewed this item on May 13, 2019.

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

SUMMARY: Attached for review is **Exhibit 25-A**, monthly status report on contracts over \$25,000 for the period March 2019. This status report is provided for information only, no action is required.

EXHIBIT

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

**Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period March 2019**

Contract	Description	Date Authorized	Contract Amount	Total		Current Period Spending	Total Expended To Date	Expected Completion	Current Period Activity	P.O. Number
				Expended To Date						
1	Pueblo Water Resources, Inc.	Design water treatment facilities ASR Santa Margarita	2/21/2019	\$ 261,445.00	\$ -		\$ -			PO01912
2	De Lay & Laredo	Rule 19.8 Investment Banking Services	1/21/2019	\$ 27,000.00	\$ -		\$ -	9/30/2019		PO01930
3	De Lay & Laredo	Rule 19.8 Investor Owned Utility Consultant	1/21/2019	\$ 88,462.00	\$ -		\$ -	9/30/2019		PO01929
4	De Lay & Laredo	Rule 19.8 Valuation & Cost of Service Consultant	1/21/2019	\$ 321,495.00	\$ -		\$ -	9/30/2019		PO01928
5	Eminent Domain Legal Services	Rule 19.8 Eminent Domain Legal Services	12/17/2018	\$ 100,000.00	\$ 16,050.00	\$ 4,462.20	\$ 20,512.20	9/30/2019	Current period legal services related to feasibility study	PO01920
6	McC Campbell Analytical, Inc.	ASR Water Quality	11/19/2018	\$ 40,000.00	\$ 5,284.50		\$ 5,284.50	6/30/2019		PO01806
7	Whitson Engineers	Carmel River Thawleg Survey	9/19/2018	\$ 52,727.43	\$ 49,715.00		\$ 49,715.00			PO01076
8	Monterey Peninsula Engineering	ASR Backflush Basin Expansion	9/17/2018	\$ 420,512.00	\$ 309,286.75	\$ 109,440.00	\$ 418,726.75		Current period billing for ASR backflush expansion	PO01779
9	Pueblo Water Resources, Inc.	ASR Backflush Basin Expansion, CM services	7/16/2018	\$ 96,034.00	\$ 49,618.07	\$ 8,804.35	\$ 58,422.42		Current period billing for ASR backflush expansion construction management	PO01778
10	Mercer-Fraser Company	Sleepy Hollow Intake upgrade project	7/16/2018	\$ 1,802,835.00	\$ 968,183.92	\$ 197,857.33	\$ 1,166,041.25		Current period billing for SH Intake project construction	PO01726
11	MBAS	ASR Water Quality	7/16/2018	\$ 60,000.00	\$ 16,183.75	\$ 1,200.00	\$ 17,383.75	6/30/2019	On-going water quality sample testing for ASR	PO01716
12	Fort Ord Reuse Authority	ASR Backflush basin expansion project UXO support	7/16/2018	\$ 55,215.00	\$ 3,870.11		\$ 3,870.11			PO01686
13	Colantuono, Highsmith, & Whatley, PC	Legal Services for MCWD vs PUC Matter for FY 2018-2019	7/1/2018	\$ 50,000.00	\$ 29,468.83	\$ 8,068.00	\$ 37,536.83	6/30/2019	Current period legal services for MCWD vs PUC matter	PO01874
14	The Maynard Group	Network cable installation for phone service	6/18/2018	\$ 25,109.64	\$ -		\$ -	6/30/2019		PO01868
15	Zone24x7	Water Demand Database administration & maintenance services	6/18/2018	\$ 30,000.00	\$ 10,088.00	\$ 10,088.00	\$ 20,176.00	6/30/2019	Current period retainer	PO01727
16	Lynx Technologies, Inc	Geographic Information Systems contractual services	6/18/2018	\$ 35,000.00	\$ 15,225.00	\$ 1,275.00	\$ 16,500.00	6/30/2019	Current period GIS services	PO01703
17	Regional Government Services	Human Resources contractual services	6/18/2018	\$ 70,000.00	\$ 26,689.70	\$ 3,894.10	\$ 30,583.80	6/30/2019	Current period hr services	PO01702
18	TBC Communications & Media	Marketing services retainer	6/18/2018	\$ 42,000.00	\$ 29,535.99	\$ 7,000.00	\$ 36,535.99	6/30/2019	Current period retainer	PO01669
19	Monterey County Elections Department	Election services (3 directors & Measure J/Rule 19.8)	6/18/2018	\$ 221,003.63			\$ -	4/30/2019		PO01648
20	The Ferguson Group LLC	Federal lobbyist services agreement	6/18/2018	\$ 99,500.00	\$ 72,251.21	\$ 8,093.58	\$ 80,344.79	6/30/2019	Current period retainer	PO01647
21	John Arriaga	State lobbyist services agreement	6/18/2018	\$ 35,000.00	\$ 20,000.00	\$ 2,500.00	\$ 22,500.00	6/30/2019	Current period retainer	PO01646
22	CSC	Annual e-recording of deed restrictions.	6/18/2018	\$ 50,000.00	\$ 28,195.00	\$ 2,000.00	\$ 30,195.00	6/30/2019	e-recording fee for the period	PO01540
23	Ecology Action of Santa Cruz	IRWM HEART Grant	4/16/2018	\$ 152,600.00	\$ 53,852.29	\$ 16,222.54	\$ 70,074.83		Current period billing for HEART grant program expenses	PO01824
24	Rural Community Assistance Corporation	IRWM DAC Needs Assessment	4/16/2018	\$ 100,000.00	\$ 819.96		\$ 819.96			PO01777
25	Denise Duffy & Assoc. Inc.	Consultant services - spawning gravel	4/16/2018	\$ 40,000.00	\$ 34,095.58	\$ 4,169.00	\$ 38,264.58		Current period billing for spawning gravel project	PO01728
26	Big Sur Land Trust	Update of the IRWMP Plan	4/16/2018	\$ 34,000.00	\$ 12,305.67		\$ 12,305.67			PO01620

**Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period March 2019**

Contract	Description	Date Authorized	Contract Amount	Total		Current Period Spending	Total Expended To Date	Expected Completion	Current Period Activity	P.O. Number
				Expended To Date						
27	Pueblo Water Resources, Inc.	ASR operations support	1/24/2018	\$ 70,000.00	\$ 45,151.03		\$ 45,151.03			PO01645
28	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	\$ 68,679.00	\$ 8,500.00	\$ 2,800.00	\$ 11,300.00		Current period fee for Geochemical modeling study for the Seaside	PO01628
29	Normandeau Associates, Inc.	Assistance with IFIM Study	11/13/2017	\$ 35,000.00	\$ 21,840.00	\$ 1,202.50	\$ 23,042.50		Current period fee for the IFIM study	PO01509
30	Accela Inc.	Acquisition of Water Demand Database System	11/13/2017	\$ 676,377.00	\$ 576,078.23		\$ 576,078.23	6/30/2019		PO01471
31	AM Conservation Group, Inc.	Purchase Conservation Equipment	10/16/2017	\$ 60,000.00	\$ 47,685.55	\$ 12,088.18	\$ 59,773.73		Purchase of conservation devices	PO01437
32	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	\$ 94,437.70	\$ 21,553.20	\$ 1,000.00	\$ 22,553.20		Current period fee for SSAP water quality study	PO01510
33	Hayashi & Wayland Accountancy Corp.	Auditing services - 3 year contract	6/19/2017	\$ 63,000.00	\$ 58,000.00	\$ 5,000.00	\$ 63,000.00	3/31/2019	Current period accounting services fee for work performed to close year	PO01800
34	Balance Hydrologics, Inc	Design Work for San Carlos Restoration Project	6/19/2017	\$ 51,360.00	\$ 50,894.32		\$ 50,894.32			PO01321
35	AECOM Technical Services, Inc.	Los Padres Dam Alternatives Study	1/25/2017	\$ 700,700.00	\$ 489,916.50		\$ 489,916.50			PO01268
36	Denise Duffy & Assoc. Inc.	MMRP Services for Monterey Pipeline	1/25/2017	\$ 80,000.00	\$ 72,703.06		\$ 72,703.06			PO01202
37	Pueblo Water Resources, Inc.	Engineering Services Support - Contract #12-0045	7/18/2016	\$ 300,729.00	\$ 227,355.02		\$ 227,355.02			PO01099
38	Pueblo Water Resources, Inc.	Operations Services Support (Reimbursable) Amd #11	7/18/2016	\$ 182,361.74	\$ 166,005.67		\$ 166,005.67			PO01098
39	Goodin, MacBride, Squeri, Day, Lamprey	User Fee PUC Proceedings Legal Fee	7/1/2016	\$ 50,000.00	\$ 33,411.85		\$ 33,411.85	6/30/2019		PO01100
40	HDR Engineering, Inc.	Los Padres Dam Fish Passage Study	4/18/2016	\$ 310,000.00	\$ 282,032.00		\$ 282,032.00			PO01072
41	Brown and Caldwell	Contract - No. Mo. Cnty Drought Contingency Plan	6/15/2015	\$ 435,818.00	\$ 421,232.52	\$ 9,263.25	\$ 430,495.77		Current billing for North Mo. Co. Drought Contingency Plan	PO01020
42	Sidley Austin LLP	Cal-Am Desal Structuring & Financing Order	4/20/2015	\$ 460,000.00	\$ 152,896.87		\$ 152,896.87			PO00594
43	KBA Docusys - Lease Payments	Copier machine leasing - 60 months	6/30/2014	\$ 45,413.94	\$ 43,074.80	\$ 947.22	\$ 44,022.02	6/30/2019	Monthly rental billing for copier machines	PO00687
44	HydroPoint Data Systems, Inc.	Flow Meters and related for MPUSD	3/17/2014	\$ 77,000.00	\$ 30,760.19		\$ 30,760.19			PO00219
45	Charles N. Atkins	Professional Fees for Contribution of Public Funds - CAW Desal Project	2/12/2014	\$ 75,000.00	\$ 15,000.00		\$ 15,000.00			PO00170
46	WaterWise Consulting, Inc.	Landscape audits	1/29/2014	\$ 75,000.00	\$ 31,660.00		\$ 31,660.00			PO00256
47	Michael Hutnak	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 56,800.00	\$ 43,840.00		\$ 43,840.00			PO00123
48	Justin Huntington	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 59,480.00	\$ 53,918.98		\$ 53,918.98			PO00122

ITEM: INFORMATIONAL ITEMS/STAFF REPORTS**26. STATUS REPORT ON MEASURE J/RULE 19.8 SPENDING**

Meeting Date: May 20, 2019 **Budgeted:** N/A

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

Prepared By: Suresh Prasad **Cost Estimate:** N/A

General Counsel Review: N/A

Committee Recommendation: The Administrative Committee reviewed this item on May 20, 2019 and recommended approval.

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

SUMMARY: Attached for review is **Exhibit 26-A**, monthly status report on Measure J/Rule 19.8 spending for the period March 2019. This status report is provided for information only, no action is required.

EXHIBIT

26-A Status on Measure J/Rule 19.8 Spending

Monterey Peninsula Water Management District
Status on Measure J/Rule 19.8 Spending
For the Period March 2019

	Contract	Date Authorized	Contract 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	\$ 16,050.00	\$ 4,462.50	\$ 20,512.50	\$ 79,487.50	PA00002-01
2	Investment Banking Services	2/21/2019	\$ 30,000.00	\$ -		\$ -	\$ 30,000.00	PA00002-02
3	Valuation & Cost of Service Study Consulta	2/21/2019	\$ 355,000.00	\$ -	\$ -	\$ -	\$ 355,000.00	PA00002-03
4	Investor Owned Utility Consultant	2/21/2019	\$ 100,000.00	\$ -		\$ -	\$ 100,000.00	PA00002-04
5	District Legal Counsel		\$ 30,000.00	\$ 5,708.50	\$ 4,241.11	\$ 9,949.61	\$ 20,050.39	PA00002-05
6	Contingency/Miscellaneous		\$ 35,000.00	\$ 82.50	\$ 3,914.50	\$ 3,997.00	\$ 31,003.00	PA00002-10
	Total		\$ 650,000.00	\$ 21,841.00	\$ 12,618.11	\$ 34,459.11	\$ 615,540.89	

ITEM: INFORMATIONAL ITEMS/STAFF REPORTS**27. COMMITTEE REPORTS**

Meeting Date: May 20, 2019 **Budgeted:** N/A

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

Prepared By: Arlene Tavani **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.

Attached for your review as **Exhibits 27-A through 27-D** are final minutes of the committee meetings listed below.

EXHIBIT

- 27-A** March 11, 2019 Administrative Committee Minutes
- 27-B** November 6, 2018 Water Demand Committee Minutes
- 27-C** September 18, 2018 Water Demand Committee Minutes
- 27-D** July 18, 2018 Monterey Peninsula Water Supply Project Governance Committee Minutes



EXHIBIT 27-A

FINAL MINUTES Monterey Peninsula Water Management District Administrative Committee March 11, 2019

Call to Order

The meeting was called to order at 4:00 PM in the District Conference Room.

Committee members present: George Riley – Chair
Molly Evans
Gary Hoffmann

Staff present: David J. Stoldt, General Manager
Suresh Prasad, Administrative Services Manager/Chief Financial Officer
Larry Hampson, Water Resources & Engineering Manager/District Engineer
Sara Reyes, Sr. Office Specialist

Oral Communications

None

Items on Board Agenda for March 18, 2019

1. **Consider Adoption of Minutes of February 11, 2019 Committee Meeting**
On a motion by Evans and second by Riley, the minutes of the February 11, 2019 meeting were approved on a vote of 3 – 0 by Evans, Riley and Hoffmann.
2. **Consider Entering into a Technical Assistance Agreement with U.S. Geological Survey for Modeling Water Supply Scenarios in the Carmel River**
On a motion by Evans and second by Riley, the committee recommended the Board authorize the General Manager to enter into an agreement for services with the U.S. Geological Survey for a not-to-exceed amount of \$75,000. The motion was approved on a vote of 3 – 0 by Evans, Riley and Hoffmann.
3. **Consider Adoption of Treasurer's Report for December 2018**
On a motion by Evans and second by Riley, the committee recommended the Board adopt the December 2018 Treasurer's Report and financial statements, and ratification of the disbursements made during the month. The motion was approved on a vote of 3 – 0 by Evans, Riley and Hoffmann.
4. **Receive and File Second Quarter Financial Activity Report for Fiscal Year 2018-2019**
On a motion by Hoffmann and second by Evans, the committee recommended the Board receive and file the Second Quarter Financial Activity Report for Fiscal Year 2018-2019. The motion was approved on a vote of 3 – 0 by Hoffmann, Evans and Riley.
5. **Consider Approval of Second Quarter Fiscal Year 2018-2019 Investment Report**
On a motion by Evans and second by Hoffmann, the committee recommended the Board approve the

second quarter fiscal year 2018-2019 Investment Report. The motion was approved on a vote of 3 – 0 by Evans, Hoffmann and Riley.

6. Consider Adoption of Treasurer’s Report for January 2019

On a motion by Hoffmann and second by Evans, the committee recommended the Board adopt the January 2019 Treasurer’s Report and financial statements, and ratification of the disbursements made during the month. The motion was approved on a vote of 3 – 0 by Hoffmann, Evans and Riley.

7. Review Second Quarter Legal Services Activity Report for Fiscal Year 2018-2019

This was presented as an informational item. No action was taken by the committee.

8. Review Draft March 18, 2019 Board Meeting Agenda

The committee reviewed the draft agenda and made no changes.

Adjournment

The meeting was adjourned at 6:06 PM.

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EXHIBIT 27-B

FINAL MINUTES Water Demand Committee of the Monterey Peninsula Water Management District *November 6, 2018*

Call to Order

The meeting was called to order at 3:35 pm in the MPWMD conference room.

Committee members present:

Andy Clarke, Chair
Jeanne Byrne
Molly Evans

Committee members absent:

None

Staff members present:

David Stoldt, General Manager
Stephanie Locke, Water Demand Division Manager
Stephanie Kister Campbell, Conservation Analyst
Gabriela Ayala, Conservation Analyst
Arlene Tavani, Executive Assistant

District Council present:

No

Comments from the Public:

No comments.

Action Items

1. **Provide Direction to Staff on Development of Ordinance No. 180 to Address Shortcomings and Clarifications Needed in the Rules and Regulations**
Stephanie Locke reviewed the discussion points listed in Exhibit 1-A of the staff note. The committee commented as follows on the Water Permits section. Policy Question (PQ) 1: a separate water meter for landscaping should not be required. PQ 2: for condominiums that are served by a master meter, submeters could be installed. The association must maintain records of the water use and provide those records to the District upon request. PQ 3: a variance from the metering requirement should not be needed for affordable housing projects. No variance for market rate housing. PQ 4: submeters would be allowed on an entitlement that is subject to a moratorium, but when the water permit moratorium has ended they must be replaced with California-American (Cal-Am) meters. PQ 9: will not be included in the ordinance. Comments on the Water Credit section follow. PQ 1: agreed that removal of a high efficiency clothes washer (HECW) will not be documented as an abandonment of use until a deed restriction is recorded on the HECW. PQ 3: agreed that water credit for an outdoor clothes washer will be applied if it is the only clothes washer on the property. Comments on the Water

Conservation section follow. PQ 5: agreed that the rebate for high efficiency toilets should be deleted. PQ 7: agreed that new installation of dipper wells should be water efficient models. Staff will confirm that the Monterey County Health Department approves of water efficient models. PQ 10: staff will take no action at this time on banning the use of dual flush toilets.

Discussion Items

2. Discuss Definitions for Commercial Water Use Factors

Ms. Locke distributed two handouts titled Discussion Draft Table 2: Non-Residential Water Use Factors and Attachment 1 to MPWMD Resolution No. 2017-16. The committee reviewed Draft Table 2 and expressed agreement with the proposal. It was suggested that a Bar might be moved to a Group II use. In that case, further thought should be given to the concept that the square footage of a bar would be based on the ABC license diagram area.

Set Next Meeting Date: No future meeting date was scheduled.

Adjournment: The meeting was adjourned at 4:40 pm.

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EXHIBIT 27-C

FINAL MINUTES Water Demand Committee of the Monterey Peninsula Water Management District *September 18, 2018*

Call to Order

The meeting was called to order at 3:30 pm in the MPWMD conference room.

Committee members present:

Andy Clarke, Chair
Jeanne Byrne
Molly Evans

Committee members absent:

None

Staff members present:

David Stoldt, General Manager
Stephanie Locke, Water Demand Division Manager
Stephanie Kister Campbell, Conservation Analyst
Arlene Tavani, Executive Assistant

District Council present:

No

Comments from the Public:

No comments.

Action Items

1. **Consider Adoption of July 10, 2018 Committee Meeting Minutes**
On a motion by Director Byrne and second of Director Evans, minutes of the July 18, 2018 committee meeting were adopted unanimously on a vote of 3 – 0 by Byrne, Clarke and Evans.
2. **Consider Request for Phase Two Project Funding: Broadway Water Conservation Garden at Martin Luther King Jr. Elementary School, 1713 Broadway Ave., Seaside**
On a motion by Director Byrne and second of Director Evans, the committee recommended that the Board of Directors approve an expenditure of \$30,000 to fund Phase Two of the project. The motion was approved on a unanimous vote of 3 – 0 by Byrne, Evans and Clarke.
3. **Consider Lawn Removal Rebate Request from Monterey Peninsula Unified School District for the International School of Monterey**
Director Evans offered a motion that was seconded by Director Byrne, to approve the staff recommendation to postpone action on this request until it is known if

money will be available in the Rebate account to fund the project following completion of the HEART Project. The motion was approved on a unanimous vote of 3 – 0 by Evans, Byrne and Clarke.

Discussion Items

4. Discuss Potential Water Conservation Demonstration Projects at Rancho Cañada Park

Stephanie Kister Campbell summarized this issue and responded to questions. The committee expressed support for use of facilities at Palo Corona Regional Park for demonstration classes, and for the concept of a water conservation demonstration project at the facility. Staff will bring this item back to the committee with a more definitive plan for use of the site.

5. Discuss Rules and Regulations Clean Up Ordinance

No discussion. The item was deferred to a future meeting at the request of staff.

Set Next Meeting Date: No future meeting date was scheduled.

Adjournment: The meeting was adjourned at 4:20 pm.

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**GOVERNANCE COMMITTEE
FOR THE
MONTEREY PENINSULA WATER SUPPLY PROJECT**

317

California American Water • Monterey County Board of Supervisors
Monterey Peninsula Regional Water Authority • Monterey Peninsula Water Management District

EXHIBIT 27-D

**FINAL MINUTES
Regular Meeting
Governance Committee
for the
Monterey Peninsula Water Supply Project
July 18, 2018**

- Call to Order:** The meeting was called to order at 2:00 pm in the conference room of the Monterey Peninsula Water Management District offices.
- Members Present:** Bill Kampe, Chair, representative for Monterey Peninsula Regional Water Authority
Mary Adams, representative for Monterey County Board of Supervisors
Rich Svindland, representative for California-American Water (non-voting member)
- Members Absent:** Jeanne Byrne, representative for Monterey Peninsula Water Management District
- Pledge of Allegiance:** The assembly recited the Pledge of Allegiance.
- Public Comments:** **Michael Warburton**, representing the Public Trust Alliance, stated that the problem with obtaining a secure water supply and protecting the public trust assets of the Carmel River are that there are many divisions within Monterey County and working with State agencies. There are better ways of moving ahead collaboratively than by moving ahead by litigation. He stated that California American Water has an obligation to make a reasonable case and that has not been done.

Action Items

- 1. Approve Committee Meeting Minutes of January 17, 2018**
On a motion Adams and second of Kampe, the minutes were approved on vote of 2 – 0 by Adams and Kampe. Byrne was absent. No comments were directed to the committee during the public comment period on this item.
- 2. California American Water Notification #13 – Provide any Recommendations on Qualifications and Selection Criteria for the Following Draft Requests for Proposals**
 - A Fitch Park Aquifer Storage and Recovery Wells 5 and 6 Construction Contract
 - B Fitch Park Aquifer Storage and Recovery Wells 5 and 6 Above Ground Facilities Design-Build Contract

Chris Cook, Assistant Engineering Manager for California American Water (Cal-Am) presented a summary which is on file at the MPWMD office and can be reviewed on the Governance Committee website. In response to questions from the committee members he stated the following. For this project the diverse spend goal is 30%. Cal-Am's contracts specify a diverse spend goal for the contractor. Cal-Am then works with contractors to track diverse spend compliance and reports the results annually to the California Public Utilities Commission (CPUC).

Mr. Cook noted that in the future, Cal-Am will submit to the committee for review RFPs for construction of the Castroville pipeline and slant wells civil and electrical work. Mr. Svindland noted that the satellite system interconnect pipelines listed in the PowerPoint presentation will not come before the Governance Committee as the CPUC approved those costs in a previous rate case filing. Those pipelines would be constructed after the desalination project is online.

In response to a question from the committee, Mr. Svindland stated that if construction of the desalination project was delayed by litigation, Cal-Am would make a decision about whether or not to move ahead on construction of wells 5 and 6. If desal water was not available for injection, the wells would be useful for extraction.

Public Comment – **(a) Michael Warburton**, Public Trust Alliance, recommended that the committee should not be moving ahead as if the desalination plant was a certainty because it could be a distraction to efficiently moving ahead with near term water supply needs. **(b) Jim Cullem**, Executive Director Monterey Peninsula Regional Water Authority, asked how Cal-Am will deal with the possibility of increased tariffs on construction materials. *Mr. Cook responded that Cal-Am works with the contractor to track cost increases, and there is also the possibility of cost decreases in other areas. If the cost of materials does drop below what was assumed based on the indices used, Cal-Am can negotiate with the contractor to obtain a credit.*

Adams made a recommendation that Cal-Am move forward on the Requests for Proposals as presented. The motion was seconded by Kampe and approved on a vote of 2 – 0 by Adams and Kampe.

Discussion Items

3. **Status Report by California-American Water as to Monterey Peninsula Water Supply Project and Monterey Pipeline/Pump Station Project**

No action was taken on this item. A summary of Chris Cook's presentation is on file at the MPWMD office and can be viewed on the Governance Committee website.

Public Comment – **(a) Michael Warburton** stated that the Governance Committee is optimistic to assume that permits for the desalination project will be obtained in 2019. He asked for a status report from Cal-Am, the County of Monterey and cities involved in the project, as to where they are in the permitting process. He concluded that there is a tremendous opportunity for problem solving, if a commitment is made for collaboration, rather than litigation. He asked if the Governance Committee supports moving ahead with litigation. *Chair Kampe responded that many agencies were reviewing that question, but it was beyond the scope of this committee's authority.* **(b) Tom Rowley**, Monterey Peninsula Taxpayers Association, suggested that if the option is available to the committee, it should formally request a waiver of the fees that will be

charged by the Monterey Bay National Marine Sanctuary to discharge brine into the bay. **(c) Jim Cullem** asked for an update on negotiations for joint use of the Marina Coast Water District pipeline. He asked if a parallel pipeline will need to be constructed. *Mr. Cook responded that Cal-Am has submitted applications to the City of Marina for a local coastal development permit and it is under review. The coastal development permit to the California Coastal Commission is under development. Cal-Am has submitted letters to the Federal government stating that the discharge fees are inappropriate, but there has been no final resolution on the issue. Cal-Am has been meeting with Marina Coast Water District to resolve the pipeline issue.*

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

Kampe listed the items that were suggested for future discussion: permits and how they might affect the project; how fees proposed for brine discharge would affect operations costs; possibility of dual pipelines; and would the Governance committee charge be affected should the nature of the MPWSP change.

Public Comment - **(a) George Riley** asked what the committee's role would be if the desalination project was litigated. He also asked if the aquifer storage and recovery component of the Monterey Peninsula Water Supply Project would continue even if the desalination project schedule was affected due to litigation. *Mr. Svindland stated that the CPUC criteria is that if an asset is constructed, is it used and useful. The proposed ASR wells 5 and 6 are associated with the desalination project. If without desalination, those wells would facilitate water extraction, then Cal-Am would move forward on development of those wells before the desalination project has been fully permitted.* **(b) Tom Rowley** requested that the committee regularly review the status of desalination project costs. **(c) David Stoldt**, General Manager, Monterey Peninsula Water Management District, stated that a settlement agreement finalized in July 2013 established the Governance Committee. The agreement that established the parameters of the committee was adopted in November 2013. The committee was established to provide a method for the public to review and comment on initial bid packages, change orders and project cost. **(d) Michael Warburton** requested that the topic of changing circumstances be brought forward for discussion. He noted that he had made the request repeatedly over the past four years. *Chair Kampe asked Mr. Warburton to send him an email explaining how the request pertained to the Governance committee's charge, and then he would determine if the item should be brought forward for discussion.*

Adjournment: The meeting was adjourned at approximately 3:10 pm.


Arlene M. Tavani,
Clerk to the MPWSP Governance Committee

ITEM: INFORMATIONAL ITEM/STAFF REPORTS**28. MONTHLY ALLOCATION REPORT**

Meeting Date: May 20, 2019 **Budgeted:** N/A

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

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

General Counsel Review: N/A

Committee Recommendation: N/A

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

SUMMARY: As of April 30, 2019, a total of **20.796** acre-feet (**6.1%**) of the Paralta Well Allocation remained available for use by the Jurisdictions. Pre-Paralta water in the amount of **35.923** acre-feet is available to the Jurisdictions, and **28.907** acre-feet is available as public water credits.

Exhibit 28-A shows the amount of water allocated to each Jurisdiction from the Paralta Well Allocation, the quantities permitted in April 2019 (“changes”), and the quantities remaining. The Paralta Allocation had no debits in April 2019.

Exhibit 28-A also shows additional water available to each of the Jurisdictions and the information regarding the Community Hospital of the Monterey Peninsula (Holman Highway Facility). Additional water from expired or canceled permits that were issued before January 1991 are shown under “PRE-Paralta.” Water credits used from a Jurisdiction’s “public credit” account are also listed. Transfers of Non-Residential Water Use Credits into a Jurisdiction’s Allocation are included as “public credits.” **Exhibit 28-B** shows water available to Pebble Beach Company and Del Monte Forest Benefited Properties, including Macomber Estates, Griffin Trust. Another table in this exhibit shows the status of Sand City Water Entitlement and the Malpaso Water Entitlement.

BACKGROUND: The District’s Water Allocation Program, associated resource system supply limits, and Jurisdictional Allocations have been modified by a number of key ordinances. These key ordinances are listed in **Exhibit 28-C**.

EXHIBITS

28-A Monthly Allocation Report

28-B Monthly Entitlement Report

28-C District’s Water Allocation Program Ordinances

EXHIBIT 28-A
MONTHLY ALLOCATION REPORT
Reported in Acre-Feet
For the month of April 2019

Jurisdiction	Paralta Allocation*	Changes	Remaining	PRE-Paralta Credits	Changes	Remaining	Public Credits	Changes	Remaining	Total Available
Airport District	8.100	0.000	5.197	0.000	0.000	0.000	0.000	0.000	0.000	5.197
Carmel-by-the-Sea	19.410	0.000	1.398	1.081	0.000	1.081	0.910	0.000	0.182	2.661
Del Rey Oaks	8.100	0.000	0.000	0.440	0.000	0.000	0.000	0.000	0.000	0.000
Monterey	76.320	0.000	0.235	50.659	0.000	0.030	38.121	0.000	2.300	2.565
Monterey County	87.710	0.000	10.717	13.080	0.000	0.352	7.827	0.000	1.775	12.844
Pacific Grove	25.770	0.000	0.000	1.410	0.000	0.022	15.874	0.000	0.133	0.155
Sand City	51.860	0.000	0.000	0.838	0.000	0.000	24.717	0.000	23.373	23.373
Seaside	65.450	0.000	3.249	34.438	0.000	34.438	2.693	0.000	1.144	38.831
TOTALS	342.720	0.000	20.796	101.946	0.000	35.923	90.142	0.000	28.907	85.626

Allocation Holder	Water Available	Changes this Month	Total Demand from Water Permits Issued	Remaining Water Available
Quail Meadows	33.000	0.000	32.320	0.680
Water West	12.760	0.000	9.375	3.385

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

EXHIBIT 28-B
MONTHLY ALLOCATION REPORT
ENTITLEMENTS
Reported in Acre-Feet
For the month of April 2019

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. ¹	224.000	0.000	31.431	192.569
Del Monte Forest Benefited Properties ² (Pursuant to Ord No. 109)	141.000	0.010	54.304	86.696
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	0.010	100.564	279.436

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	5.053	200.947
Malpas Water Company	80.000	0.435	12.550	67.450
D.B.O. Development No. 30	13.950	0.000	1.112	12.838
City of Pacific Grove	66.000	0.000	0.000	66.000
Cypress Pacific	3.170	0.000	3.170	0.000

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

EXHIBIT 28-C

District's Water Allocation Program Ordinances

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ITEM: INFORMATIONAL ITEM/STAFF REPORTS**29. WATER CONSERVATION PROGRAM REPORT**

Meeting Date: May 20, 2019 **Budgeted:** N/A

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

Prepared By: Kyle Smith **Cost Estimate:** 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.

I. MANDATORY WATER CONSERVATION RETROFIT PROGRAM

District Regulation XIV requires the retrofit of water fixtures upon Change of Ownership or Use with High Efficiency Toilets (HET) (1.28 gallons-per-flush), 2.0 gallons-per-minute (gpm) Showerheads, 1.2 gpm Washbasin faucets, 1.8 gpm kitchen, utility and bar sink faucets, and Rain Sensors on all automatic Irrigation Systems. Property owners must certify the Site meets the District's water efficiency standards by submitting a Water Conservation Certification Form (WCC), and a Site inspection is often conducted to verify compliance.

A. Changes of Ownership

Information is obtained monthly from *Realquest.com* on properties transferring ownership within the District. The information compared against the properties that have submitted WCCs. Details on **197** property transfers that occurred between March 1, 2019 and April 30, 2019 were added to the database.

B. Certification

Due to Accela data base project district staff are unable to report on the number of WCCs received from March 1, 2019 to April 30, 2019. This will continue until the Accela develops a way to retrieve this data from the data base.

C. Verification

From March 1, 2019 to April 30, 2019, 110 properties were verified compliant with Rule 144 (Retrofit Upon Change of Ownership or Use). Of the **110** verifications, **39** properties verified compliance by submitting certification forms and/or receipts. District staff completed **87** Site inspections. Of the **87** properties inspected, **45 (52%)** passed inspection. **None** of the properties that passed inspection involved more than one visit to verify compliance with all water efficiency standards.

Savings Estimate

Water savings from HET retrofits triggered by Rule 144 verified from March 1, 2019 to April 30, 2019 are estimated at **0.880** Acre-Feet Annually (AFA). Water savings from retrofits that exceeded the requirement (i.e., HETs to Ultra High Efficiency Toilets) is estimated at **0.440** AFA (44 toilets). Year-to-date estimated savings from toilet retrofits is **2.910** AFA

D. CII Compliance with Water Efficiency Standards

Effective January 1, 2014, all Non-Residential properties were required to meet Rule 143, Water Efficiency Standards for Existing Non-Residential Uses. To verify compliance with these requirements, property owners and businesses are being sent notification of the requirements and a date that inspectors will be on Site to check the property. From March to April, District inspectors performed **60** inspections. Of the **60** inspections certified, **35** were in compliance. **Three** of the properties that passed inspection involved more than one visit to verify compliance with all water efficiency standards; the remainder complied without a reinspection.

MPWMD is forwarding its CII inspection findings to California American Water (Cal-Am) for their verification with the Rate Best Management Practices (Rate BMPs) that are used to determine the appropriate non-residential rate division. Compliance with MPWMD's Rule 143 achieves Rate BMPs for indoor water uses, however, properties with landscaping must also comply with Cal-Am's outdoor Rate BMPs to avoid Division 4 (Non-Rate BMP Compliant) rates. In addition to sharing information about indoor Rate BMP compliance, MPWMD notifies Cal-Am of properties with landscaping. Cal-Am then conducts an outdoor audit to verify compliance with the Rate BMPs. During March and April 2019, MPWMD referred **24** properties to Cal-Am for verification of outdoor Rate BMPs.

E. Water Waste Enforcement

In response to the State's drought emergency conservation regulation effective June 1, 2016, the District has increased its Water Waste enforcement. The District has a Water Waste Hotline 831-658-5653 or an online form to report Water Waster occurrences at www.mpwmd.net or www.montereywaterinfo.org. There was **one** Water Waste responses during the past month. There were **no** repeated incidents that resulted in a fine.

II. WATER DEMAND MANAGEMENT

A. Permit Processing

District Rule 23 requires a Water Permit application for all properties that propose to expand or modify water use on a Site, including New Construction and Remodels. District staff processed and issued **172** Water Permits in March and April 2019. **Fourteen** Water Permits were issued using Water Entitlements (Pebble Beach Company, Malpasos Water, etc.). No Water Permits involved a debit to a Public Water Credit Account.

All Water Permits have a disclaimer informing applicants of the Cease and Desist Order against California American Water and that MPWMD reports Water Permit details to California American Water. All Water Permit recipients with property supplied by a California American Water Distribution System will continue to be provided with the disclaimer.

District Rule 24-3-A allows the addition of a second bathroom in an existing Single-Family Dwelling on a Single-Family Residential Site. Of the **172** Water Permits issued from March 1, 2019 to April 30, 2019, **nine** were issued under this provision.

B. Permit Compliance: District staff completed **140** Water Permit final inspections during March and April 2019. **Six** of the final inspections failed due to unpermitted fixtures. Of

the **110** passing properties, **59** passed inspection on the first visit. In addition, **13** pre-inspections were conducted in response to Water Permit applications received by the District.

C. Deed Restrictions

District staff prepares deed restrictions that are recorded on the property title to provide notice of District Rules and Regulations, enforce Water Permit conditions, and provide notice of public access to water records. In April 2001, the District Board of Directors adopted a policy regarding the processing of deed restrictions. In the months of March and April, the District prepared **136** deed restrictions. Of the **172** Water Permits issued in March and April, **86 (50%)** required deed restrictions. District staff provided Notary services for **158** Water Permits with deed restrictions. Participation in the rebate program is detailed in the following chart. The table below indicates the program summary for Rebates for California American Water Company customers.

III. JOINT MPWMD/CAW REBATE PROGRAM

REBATE PROGRAM SUMMARY		April-2019					2019 YTD	1997 - Present
I.	<u>Application Summary</u>							
A.	Applications Received	86					394	26,600
B.	Applications Approved	71					249	20,694
C.	Single Family Applications	68					309	24,010
D.	Multi-Family Applications	3					69	1,420
E.	Non-Residential Applications	0					0	354
		Number of devices	Rebate Paid	Estimated AF	Gallons Saved	2019 YTD Quantity	2019 YTD Paid	2019 YTD Estimated AF
II.	<u>Type of Devices Rebated</u>							
A.	High Efficiency Toilet (HET)	0	0.00	0.000000	0	0	0.00	0.000000
B.	Ultra Low Flush to HET	20	1500.00	0.200000	65,170	342,155	8,550.00	1.140000
C.	Ultra HET	11	1375.00	0.011000	35,844	55,397	2125.00	0.071000
D.	Toilet Flapper	0	0.00	0.000000	0	0	6.99	0.000000
E.	High Efficiency Dishwasher	13	1625.00	0.039000	127,082	415,149	22750.00	0.451000
F.	High Efficiency Clothes Washer	28	15000.00	0.450800	146,894	698,793	77516.99	2.208920
G.	Instant-Access Hot Water System	2	400.00	0.000000	0	0	600.00	0.000000
H.	On Demand Systems	1	100.00	0.000000	0	0	200.00	0.000000
I.	Zero Use Urinals	0	0.00	0.000000	0	0	0.00	0.000000
J.	High Efficiency Urinals	0	0.00	0.000000	0	0	0.00	0.000000
K.	Pint Urinals	0	0.00	0.000000	0	0	0.00	0.000000
L.	Cisterns	1	137.50	0.000000	0	0	1362.50	0.000000
M.	Smart Controllers	4	400.00	0.000000	0	0	400.00	0.000000
N.	Rotating Sprinkler Nozzles	0	0.00	0.000000	0	0	0.00	0.000000
O.	Moisture Sensors	0	0.00	0.000000	0	0	0.00	0.000000
P.	Lawn Removal & Replacement	0	0.00	0.000000	0	0	2000.00	0.000000
Q.	Graywater	0	0.00	0.000000	0	0	0.00	0.000000
R.	Ice Machines	0	0.00	0.000000	0	0	0.00	0.000000
<u>Totals: Month; AF; Gallons; YTD</u>		80	20537.50	0.700800	374,989	1511494	115,511.48	3.870920
							2019 YTD	1997 - Present
							\$ 115,511.48	\$ 6,713,382.40
IV.	<u>Total Rebated: YTD; Program</u>							
V.	<u>Estimated Water Savings in Acre-Feet Annually*</u>						3.870920	284929.890000
*Retrofit savings are estimated at 0.041748 AF/HET;0.01 AF/UHET;0.01 AF/ULF to HET;0.003 AF/HE DW; 0.0161 AF/Residential HEW; 0.0082 AF/100 sf. of lawn removal								

ITEM: INFORMATIONAL ITEMS/STAFF REPORTS**30. CARMEL RIVER FISHERY REPORT FOR APRIL 2019****Meeting Date:** May 20, 2019 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** Beverly Chaney **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

AQUATIC HABITAT AND FLOW CONDITIONS: April saw a return to more normal rain and flow conditions. Upstream migration conditions for adult steelhead remained excellent, as did downstream migration and rearing conditions for smolts and juvenile steelhead throughout the watershed.

Mean daily streamflow at the Sleepy Hollow Weir ranged from 92 to 204 cfs (monthly mean 144 cfs) resulting in 8,550 acre-feet (AF) of runoff. Mean daily streamflow at the Highway 1 gage ranged from 105 to 251 cfs (monthly mean 166 cfs) resulting in 9,880 acre-feet (AF) of runoff.

There were 0.46 inches of rainfall in April as recorded at the San Clemente gauge. The rainfall total for WY 2019 (which started on October 1, 2018) is 28.92 inches, or 141% of the long-term year-to-date average of 20.54 inches.

LOS PADRES DAM ADULT COUNTS: Cal-Am maintains a fish ladder and trap at the Los Padres Dam site. All adult steelhead captured in the trap are trucked to the reservoir and released. Most fish are now being tagged by NMFS staff before being released into Los Padres Reservoir.

The first sea-run adult steelhead arrived at the trap on January 16, 2019 and as of April 30, 119 adults (37 males/82 females) have been captured and translocated above the dam. This is the fourth greatest number of returning adults to LPD since 2003 (and the highest since 2012) and more fish continue to reach the ladder in early May.

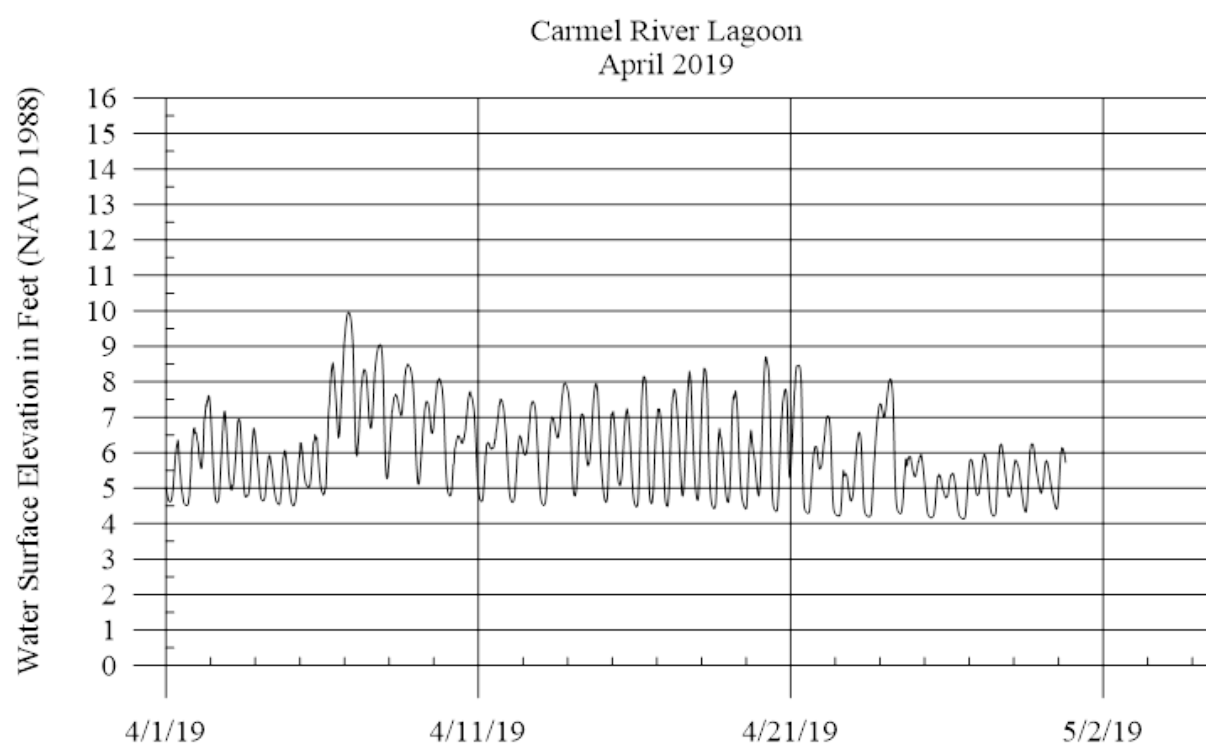
STEELHEAD REDD SURVEYS: Mainstem redd (nests) surveys were started in April. Results will be reported in the June fisheries staff report.

TRIBUTARIES FISH RESCUES: Staff began watching the lower tributaries for dry-back. Rescue operations will occur as needed in the coming months.

CARMEL RIVER LAGOON: The lagoon mouth opened for the season on January 6, 2019. In April the lagoon's water surface elevation (WSE) ranged from approximately 4.2 to 10.0 feet, due

primarily to changes in tidal and wave action (North American Vertical Datum of 1988; NAVD 88) (see graph below).

Water quality depth-profiles were conducted at five sites on April 25, 2019 while the lagoon mouth was open, the water surface elevation was ~4.5 feet, and river inflow was 128 cfs. Steelhead rearing and migration conditions were generally “good”. Throughout the lagoon, salinity was low down to 1 meter depth (<2 ppt), dissolved oxygen (DO) levels were variable at 5-9 mg/l, and water temperatures were on the rise, ranging from 59-66 degrees F. The “best” water quality conditions were found in the main body of the lagoon with the fresh river water running through it.



ITEM: INFORMATIONAL ITEMS/STAFF REPORTS**31. MONTHLY WATER SUPPLY AND CALIFORNIA AMERICAN WATER PRODUCTION REPORT****Meeting Date:** May 20, 2019 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** Jonathan Lear **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A

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

Exhibit 31-A shows the water supply status for the Monterey Peninsula Water Resources System (MPWRS) as of **May 1, 2019**. 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 31-A** is for Water Year (WY) 2019 and focuses on four factors: rainfall, runoff, and storage. The rainfall and Streamflow values are based on measurements in the upper Carmel River Basin at Sleepy Hollow Weir.

Water Supply Status: Rainfall through **April** 2018 totaled **0.46 inches** and brings the cumulative rainfall total for WY 2019 to **28.92 inches**, which is **141%** of the long-term average through **April**. Estimated unimpaired runoff during **April** totaled **8,482 acre-feet (AF)** and brings the cumulative runoff total for WY 2019 to **134,060 AF**, which is **219%** of the long-term average through **April**. Usable storage for the MRWPRS was **31,980 acre-feet**, which is **100%** of average through **April**, and equates to **85%** percent of system capacity

Production Compliance: Under State Water Resources Control Board (SWRCB) Cease and Desist Order No. 2016-0016 (CDO), California American Water (Cal-Am) is allowed to produce no more than 8,310 AF of water from the Carmel River in WY 2019. Through **April**, using the CDO accounting method, Cal-Am has produced **4,117 AF** from the Carmel River (including ASR capped at 600 AF, Table 13, and Mal Paso.) In addition, under the Seaside Basin Decision, Cal-Am is allowed to produce 1,820 AF of water from the Coastal Subareas and 0 AF from the Laguna Seca Subarea of the Seaside Basin in WY 2019. Through **April**, Cal-Am has produced **1,478 AF** from the Seaside Groundwater Basin. Through **April**, **1,231 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **0 AF** have been recovered for customer use, and **371 AF** have been diverted under Table 13 water rights. Cal-Am has produced **5,068 AF** for customer use from all sources through **April**. **Exhibit 31-C** shows production by source. Some of the values in this report may be revised in the future as Cal-Am finalizes their production values and monitoring data. The 12 month moving average of production for customer service is **9,762 AF**, which is below the rationing trigger of **10,130 AF** for WY 2019.

EXHIBITS**31-A** Water Supply Status: **May 1, 2019****31-B** Monthly Cal-Am Diversions from Carmel River and Seaside Groundwater Basins: WY 2019**31-C** Monthly Cal-Am production by source: WY 2019

EXHIBIT 31-A

**Monterey Peninsula Water Management District
Water Supply Status
May 1, 2019**

Factor	Oct to Apr 2019	Average To Date	Percent of Average	Oct to Apr 2018
Rainfall (Inches)	28.92	20.54	141%	13.42
Runoff (Acre-Feet)	134,060	61,222	219%	27,939
Storage ⁵ (Acre-Feet)	31,980	31,950	100%	30,770

Notes:

1. Rainfall and runoff estimates are based on measurements at San Clemente Dam. Annual rainfall and runoff at Sleepy Hollow Weir average 21.1 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 1922-2018 and 1902-2018 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 1989-2018 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 37,639 acre-feet.

Production vs. CDO and Adjudication to Date: WY 2019

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights			
	Carmel River Basin ^{2, 6}	Seaside Groundwater Basin		MPWRS Total				Water Projects and Rights Total	
		Coastal	Laguna Seca			ASR Recovery	Table 13 ⁷		
Target	4,756	1,100	0	1,100	5,856	0	211	175	386
Actual ⁴	4,117	1,343	135	1,478	5,595	0	371	73	443
Difference	639	-243	-135	-378	261	0	-160	102	-57
WY 2018 Actual	3,802	1,715	161	1,876	5,678	0	153	92	244

1. This table is current through the date of this report.
2. For CDO compliance, ASR, Mal Paso, and Table 13 diversions are included in River production per State Board.
3. Sand City Desal, Table 13, and ASR recovery are also tracked as water resources projects.
4. To date, 1231 AF and 371 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 2019

(All values in Acre-Feet)

	Carmel River Basin	Seaside Basin	ASR Recovery	Table 13	Sand City	Mal Paso	Total
Oct-18	491	369	0	0	16	8	884
Nov-18	456	304	0	0	21	8	790
Dec-18	468	180	0	0	11	8	667
Jan-19	395	161	0	81	19	8	664
Feb-19	363	147	0	91	7	8	616
Mar-19	411	161	0	101	0	8	682
Apr-19	505	156	0	98	0	7	765
May-19							
Jun-19							
Jul-19							
Aug-19							
Sep-19							
Total	3,090	1,478	0	371	73	57	5,068
WY 2018	3,119	1,876	0	153	92	35	5,273

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

Rationing Trigger: WY 2019

12 Month Moving Average ¹	9,762	10,130	Rule 160 Production Limit
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1. Average includes production from Carmel River, Seaside Basin, Sand City Desal, and ASR recovery produced for Customer Service.

California American Water Production by Source: Water Year 2019

	Carmel Valley Wells ¹						Seaside Wells ²						Total Wells			Sand City Desal		
	Actual		Anticipated ³		Compaired to Target		Actual		Anticipated		Compaired to Target		Actual	Anticipated	Acre-Feet Compaired to Target	Actual	Anticipated	Compaired to Target
	Upper acre-feet	Lower acre-feet	Upper acre-feet	Lower acre-feet	Upper acre-feet	Lower acre-feet	Coastal acre-feet	LagunaSeca acre-feet	Coastal acre-feet	LagunaSeca acre-feet	Coastal acre-feet	LagunaSeca acre-feet	acre-feet	acre-feet	acre-feet	acre-feet	acre-feet	acre-feet
Oct-18	0	491	0	550	0	59	341	28	350	0	9	-28	860	900	40	16	25	9
Nov-18	0	456	0	383	0	-73	280	25	350	0	70	-25	761	733	-28	21	25	4
Dec-18	0	468	0	559	0	91	162	18	100	0	-62	-18	648	659	11	11	25	14
Jan-19	232	515	100	573	-132	58	146	15	100	0	-46	-15	907	773	-134	19	25	6
Feb-19	0	761	100	459	100	-302	133	14	100	0	-33	-14	908	659	-249	7	25	19
Mar-19	0	885	100	616	100	-269	145	17	100	0	-45	-17	1046	816	-230	0	25	25
Apr-19		884	0	863	0	-21	137	19	100	0	-37	-19	1040	963	-77	0	25	25
May-19																		
Jun-19																		
Jul-19																		
Aug-19																		
Sep-19																		
To Date	232	4,460	300	4,003	68	-457	1,343	135	1,200	0	-143	-135	6,170	5,503	-667	73	175	102

Total Production: Water Year 2019

	Actual	Anticipated	Acre-Feet Compaired to Target
Oct-18	876	925	49
Nov-18	782	758	-24
Dec-18	659	684	25
Jan-19	926	798	-128
Feb-19	914	684	-230
Mar-19	1,046	841	-205
Apr-19	1,040	988	-52
May-19			
Jun-19			
Jul-19			
Aug-19			
Sep-19			
To Date	6,243	5,678	-565

1. Carmel Valley Wells include upper and lower valley wells. Anticipate production from this source includes monthly production volumes associated with SBO 2009-60, 20808A, and 20808C water rights. Under these water rights, water produced from the Carmel Valley wells is delivered to customers or injected into the Seaside Groundwater Basin for storage.

2. Seaside wells anticipated production is associated with pumping native Seaside Groundwater (which is regulated by the Seaside Groundwater Basin Adjudication Decision) and recovery of stored ASR water (which is prescribed in a MOA between MPWMD, Cal-Am, California Department of Fish and Game, National Marine Fisheries Service, and as regulated by 20808C water right.

3. Negative values for Acre-Feet under target indicates production over targeted value.