AGENDA
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
****
Monday, October 19, 2026 at 6:00 p.m. [PST]
****
Director Marianne Gawain will participate remotely from the following location, which will be open and accessible to the public:
49 E 96th Street
New York, NY 10128
****
Meeting Location: MPWMD – Main Conference Room
5 Harris Court, Building G, Monterey, CA 93940
****

[This is an in-person meeting. Remote participation via Zoom may be offered; however, it is optional and is not required for the meeting to proceed. **The meeting will proceed as scheduled even if technical difficulties affect Zoom access.** The District will make reasonable efforts to resolve technical issues as quickly as possible.]

To Join via Zoom- Teleconferencing means, please click the link below:
https://mpwmd-net.zoom.us/j/83921526863?pwd=MDPbdxV8Rj5sraMsItamFYNhVwa2YE.1

Webinar ID: **839 2152 6863** | Passcode: **101926** | To Participate by Phone: **(669) 900-9128**

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

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

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

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

Board of Directors
Ian Oglesby, Chair – Mayoral Representative
Rebecca Lindor, Vice-Chair – Division 3
Alvin Edwards – Division 1
George Riley – Division 2
Karen Paull – Division 4
Marianne Gawain – Division 5
Kate Daniels – Monterey County Board of Supervisors Representative

General Manager
David J. Stoldt

Assistant General Manager
Mike McCullough

Mission Statement
Sustainably manage and augment the water resources of the Monterey Peninsula to meet the needs of its residents and businesses while protecting, restoring, and enhancing its natural and human environments.

Vision Statement
Model ethical, responsible, and responsive governance in pursuit of our mission.

Board's Goals and Objectives
Are available online at: https://www.mpwmd.net/who-we-are/mission-vision-goals/

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

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

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

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

1. Consider Adoption of Minutes of the Regular Board Meeting on September 28, 2026
2. Consider Adoption of Treasurer's Report for August 2026
3. Receive Government Accounting Standards Board (GASB) Statement No. 68 – Financial Reporting for Pensions
4. Receive Government Accounting Standard Board (GASB) Statement No. 75 – Financial Reporting for Post-Employment Benefits Other Than Pensions
5. Consider Updates to Surplus Property Disposal Policy and Declaration of Surplus Items
6. Consider Approval of Additional Contract Spending for Legal Services with Richards Watson Gershon (RWG Law)

GENERAL MANAGER'S REPORT

7. General Manager's Report *(Verbal Report)*

REPORT FROM DISTRICT COUNSEL

8. Report from District Counsel – General Report of Pending Litigation

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

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

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

10. Consider First Reading of Ordinance No. 203 – Adding Rule 142.2, a Prohibition on Irrigation of Non-Functional Turf with Potable Water, and Amending Rules 11, 23, 24, 25.5, 141, 142.1 and 162

    Recommended Action: The Board will consider the first reading of Ordinance No. 203 adding a prohibition on Irrigation of Non-Functional Turf with Potable Water and Amending Rules 11, 23, 24, 25.5, 141, 142.1 and 162.

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

11. Consider Adoption of Resolution No. 2026-11 – Establish a Time-Limited Multi-Family Residential Sites Common Laundry Room Amnesty and Rebate Program

    Recommended Action: The Board will consider approving a Time-Limited Multi-Family Residential Sites Common Laundry Room Retrofit Program.

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

12. Update on Cease and Desist Order

    Recommendation: The Board will receive an update from the General Manager regarding the Cease and Desist Order.

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

13. Report on Activity/Progress on Contracts Over $25,000
14. Status Report on Expenditures – Public's Ownership of Monterey Water System
15. Letters Received and Sent
16. Committee Reports
17. Monthly Allocation Report
18. Water Efficiency Program Report for September 2026
19. Carmel River Fishery Report for September 2026
20. Quarterly Carmel River Riparian Corridor Management Program Report
21. Monthly Water Supply and California American Water Production Report
    [Exempt from environmental review per SWRCB Order Nos. 95-10 and 2016-0016, and the Seaside Basin Groundwater Basin adjudication decision, as amended and Section 15268 of the California Environmental Quality Act (CEQA) Guidelines, as a ministerial project; Exempt from Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources]

ADJOURNMENT

Board Meeting Schedule		
Monday, November 16, 2026	*Regular*	6:00 p.m.
Monday, December 21, 2026	*Regular*	6:00 p.m.

Accessibility

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

Options for Providing Public Comment

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

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

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

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

ITEM: CONSENT CALENDAR

1. CONSIDER ADOPTION OF MINUTES OF THE REGULAR BOARD MEETING ON SEPTEMBER 28, 2026

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Sara Reyes**	**Cost Estimate:**	**N/A**

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

SUMMARY: Attached for Board consideration are the draft minutes of the MPWMD Board of Directors' Regular Meeting held on September 28, 2026 **(Exhibit 1-A)**.

RECOMMENDATION: Adopt the draft minutes of the September 28, 2026 Regular Board Meeting.

EXHIBIT

1-A Draft Minutes – MPWMD Board of Directors' September 28, 2026 Regular Board Meeting

EXHIBIT 1-A

Draft Minutes
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
September 28, 2026 at 6:00 p.m.

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

CALL TO ORDER
Vice-Chair Lindor called the regular session to order at 6:00 p.m.

ROLL CALL

Board Members Present:
Ian Oglesby, Chair (arrived at 7:02 p.m.)
Rebecca Lindor, Vice Chair (participated via Zoom)
Kate Daniels
Alvin Edwards
George Riley
Karen Paull (participated via Zoom)
Marianne Gawain

Board Members Absent:
None

District Staff Members Present:
David Stoldt, General Manager
Mike McCullough, Assistant General Manager
Mollie Wooden, Water Demand Manager
Nishil Bali, Chief Financial Officer/Administrative Services Manager
Jonathan Lear, Water Resources Manager
Thomas Christensen, Environmental Resources Manager
Sara Reyes, Executive Assistant / Board Clerk

District Counsel Present:
Michael Laredo, De Lay & Laredo

PLEDGE OF ALLEGIANCE
Director Daniels led the Pledge of Allegiance.

ADDITIONS AND CORRECTIONS TO THE AGENDA
None.

ORAL COMMUNICATIONS
Vice Chair Lindor opened the oral communications period; no comments were received.

CONSENT CALENDAR
Vice Chair Lindor introduced the Consent Calendar.

Vice Chair Lindor opened public comment; no comments were received.

Director Riley moved to approve the Consent Calendar, seconded by Director Edwards. The motion passed by a roll call vote with 6 Ayes (Edwards, Daniels, Paull, Lindor, Gawain, and Riley), 0 Noes, and 1 Absent (Oglesby).

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

1. **Consider Adoption of Minutes of the Regular Board Meeting on August 17, 2026**
2. **Consider Approval of Cost Sharing Agreement for Recalibration and Updating Groundwater Models for the Seaside Groundwater Basin**
3. **Consider Adoption of Treasurer's Report for July 2026**

GENERAL MANAGER'S REPORT
Vice Chair Lindor introduced the General Manager's Report.

4. General Manager's Report
General Manager David Stoldt reported that the 2026 water year was nearing completion and overall conditions remained favorable. Most water supplies were near full utilization, with some Seaside Basin water expected to carry over. Staff continued to monitor Carmel River withdrawals to ensure CalAm remained within the legal water limit. The presentation is available on the District's website.

Vice Chair Lindor opened public comment; no comments were received.

REPORT FROM DISTRICT COUNSEL
Vice Chair Lindor introduced the District Counsel Report.

5. Report from District Counsel - General Report of Pending Litigation
District Counsel Michael Laredo referenced the litigation report on page 31 of the meeting packet and briefly summarized ongoing legal matters.

Vice Chair Lindor opened the public comment period, during which the following comment was received:

1) Melodie Chrislock asked whether the CPUC had accepted the complaint regarding the size of CalAm's desalination project. District Counsel Michael Laredo and General Manager David Stoldt clarified that an administrative law judge must first determine whether to initiate a proceeding and that the complaint could still be dismissed.

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

Vice Chair Lindor introduced the Directors' Reports.

6. Oral Reports on Activities of County, Cities, Other Agencies/Committees/Associations
No reports were presented by Board members.

PUBLIC HEARING
Vice Chair Lindor introduced the public hearing items.

7. Consider Adoption of October through December 2026 Quarterly Water Supply Strategy and Budget
Water Resources Manager Jonathan Lear presented the proposed October–December 2026 water supply strategy and budget. The strategy prioritizes Carmel River diversions when available, retains stored ASR water for possible future use, and provides alternative supplies if Sand City desalination remains unavailable. The presentation is available on the District's website.

Vice Chair Lindor opened public comment; no comments were received.

Director Riley made a motion, seconded by Director Gawain, to adopt the October through December 2026 Quarterly Water Supply Strategy and Budget. The motion passed by a roll call vote with 6 Ayes (Edwards,

Daniels, Paull, Lindor, Riley, and Gawain), 0 Noes, and 1 Absent (Oglesby).

8. Consider Adoption of Resolution No. 2026-10 – Modifying Rule 160 – Regulatory Water Production Targets for California American Water Systems

Water Resources Manager Jonathan Lear presented the proposed 2027 regulatory water production targets under Rule 160. He reported that projected supplies were sufficient to meet anticipated demand and that rationing was not expected. The presentation is available on the District's website.

Chair Oglesby arrived at 7:02 p.m., assumed presiding duties, and opened public comment; no comments were received.

Director Gawain made a motion, seconded by Director Daniels, to adopt Resolution No. 2026-10 – Modifying Rule 160. The motion passed by a roll call vote with 7 Ayes (Edwards, Daniels, Paull, Oglesby, Lindor, Riley, and Gawain) and 0 Noes.

9. Consider Second Reading and Adoption of Ordinance No. 202 – Deleting Rules 18, 19, 19.5, 26, 32, 80, 81, 82, 100, and 129, and Amending Rules 42, 52, 54, 56, 64, 101, 110, 123, 128, and 161

Assistant General Manager Mike McCullough summarized Ordinance No. 202, which deletes outdated rules, consolidates and relocates certain provisions, and updates existing rules to reflect current District practices. He noted that the ordinance creates no new regulatory programs and would take effect 30 days after adoption. The presentation is available on the District's website.

Chair Oglesby opened public comment; no comments were received.

Director Daniels made a motion, seconded by Director Edwards, to adopt Ordinance No. 202. The motion passed by a roll call vote with 7 Ayes (Edwards, Daniels, Paull, Oglesby, Lindor, Riley, and Gawain) and 0 Noes.

ACTION ITEM

Chair Oglesby introduced the action item.

10. Consider Request by RE: VISION West for District Reserve Water for Workforce Attainable Housing at 1045 Cass Street, Monterey (APN 001-671-003-000)

General Manager David Stoldt corrected the staff report, clarifying that the City of Monterey had adopted a policy not to release water until the cease and desist order is modified.

Water Demand Manager Mollie Wooden presented a request for 0.338 acre-feet of District Reserve Water to support a six-unit workforce housing project. Staff recommended the allocation to help the applicant secure project funding.

Chair Oglesby opened the public comment period, during which the following comments were received:

1) Diane Coward, CEO of RE: VISION West, requested 0.338 acre-feet of District Reserve Water to support six workforce housing units for teachers, first responders, and nurses. She stated that confirming water availability was necessary to secure funding and permits.

2) Dr. PK Diffenbaugh, Superintendent of the Monterey Peninsula Unified School District, supported the request, citing the high cost of housing as a factor in annual staff turnover and the project's potential to provide attainable housing for local educators and other essential workers.

3) Kimberly Cole, Community Development Director for the City of Monterey, clarified that the City had adopted a policy delaying new water allocations until applicable state restrictions are lifted or modified. She stated that the City was unaware the request was on the agenda and noted that water permits were not being issued unless sufficient credits existed on the property.

Director Daniels made a motion, seconded by Director Edwards, to approve the allocation of 0.338 acre-feet of District Reserve Water to RE: VISION West. The motion passed by a roll call vote with 7 Ayes (Edwards, Daniels, Paull, Oglesby, Lindor, Riley, and Gawain) and 0 Noes.

DISCUSSION ITEM
Chair Oglesby introduced the discussion items.

11. Update on Cease and Desist Order Hearing Schedule
General Manager David Stoldt reported that the District submitted rebuttal testimony on September 18 and that a hybrid public hearing was scheduled for November 5. He clarified the available processes for lifting the meter moratorium and noted that the District had requested State Water Board action, although the effect on the moratorium remained uncertain.

Chair Oglesby opened the public comment period, during which the following comments were received:

1) Melodie Chrislock asked whether CalAm's current position contradicts its earlier statement that it did not oppose modifying the cease and desist order, and whether CalAm misrepresented its position. General Manager David Stoldt responded to her question.

12. Update on CalAm Progress to Satisfy Coastal Commission Permit Conditions
General Manager David Stoldt reported progress in satisfying the Coastal Commission permit conditions, including the State Lands Commission lease award and ongoing Coastal Commission submittals. He noted that additional approvals for the outfall modifications were still required and that the anticipated 2028 project completion appeared unlikely.

Chair Oglesby opened the public comment period, during which the following comment was received:

1) Susan Schiavone expressed concern that the project's intergenerational and environmental justice impacts remained unresolved and reiterated her opposition to the project.

INFORMATIONAL ITEMS / STAFF REPORTS
Chair Oglesby introduced the item and asked if Board members had any comments or questions.

13. Report on Activity/Progress on Contracts Over $25,000
14. Status Report on Spending – Public's Ownership of Monterey Water System
15. Letters Received and Sent
16. Committee Reports
17. Monthly Allocation Report
18. Water Efficiency Program Report for August 2026
19. Carmel River Fishery Report for August 2026
Director Gawain asked about the effects of private well pumping on lower Carmel River flows and the District's role in fractured-rock well disputes. Staff responded that private pumping contributes to seasonal demand and that such well disputes are generally addressed through the courts.
20. Monthly Water Supply and California American Water Production Report

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

ADJOURNMENT
Chair Oglesby adjourned the meeting at 8:01 p.m.

_____
Sara Reyes, Deputy District Secretary

Minutes approved by the MPWMD Board of Directors on _____.

ITEM: CONSENT CALENDAR

2. CONSIDER ADOPTION OF TREASURER'S REPORT FOR AUGUST 2026

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Nishil Bali**	**Cost Estimate:**	**N/A**

General Counsel Review: N/A
Committee Recommendation: The Finance and Administration Committee reviewed this item on October 12, 2026, and recommended approval.
CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Exhibit 2-A comprises the Treasurer's Report for August 2026. **Exhibit 2-B** includes listings of check disbursements for the period August 1-31, 2026. Checks, virtual checks (AP Automation), direct deposits of employee paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of $3,741,517.45 and rebate payments in the amount of $13,455.00. **Exhibit 2-C** reflects the unaudited version of the Statement of Revenues and Expenditures for the month ending August 31, 2026.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board adopt the August 2026 Treasurer's Report and Statement of Revenues and Expenditures and ratify the disbursements made during the month.

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

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EXHIBIT 2-A

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT FOR AUGUST 2026

	Description	Checking	MPWMD Money Market	California CLASS	L.A.I.F.	Multi-Bank Securities*	MPWMD Total	PB Reclamation Money Market
	Beginning Balance (A)	**$1,237,011.89**	**$3,717,233.61**	**$1,063,265.31**	**$12,405,160.51**	**$10,959,174.92**	**$29,381,846.23**	**$300,908.59**
	Fees/Deposits		2,493,467.48				2,493,467.48	697,673.68
	MoCo Tax & WS Chg Installment Pymt						0.00	
	Interest Received			3,384.30		29,450.41	32,834.71	
	Transfer - Checking/CLASS						0.00	
	Transfer - Money Market/LAIF		-				0.00	
	Transfer - Money Market/Checking	4,000,000.00	(4,000,000.00)				0.00	
	Transfer - Money Market/Multi-Bank						0.00	
	Transfer to CAWD						0.00	(650,000.00)
	Sub-total - Receipts/Transfers (B)	*$4,000,000.00*	*($1,506,532.52)*	*$3,384.30*	-	*$29,450.41*	*$2,526,302.19*	*$47,673.68*
[1]	AP Automation Payments	(429,520.75)					(429,520.75)	
[2]	General Checks	(2,808,802.17)					(2,808,802.17)	
[3]	Bank Draft Payments	(35,213.22)					(35,213.22)	
[3]	Payroll Tax/Benefit Deposits	(224,931.12)					(224,931.12)	
[4]	Rebate Payments	(13,455.00)					(13,455.00)	
[5]	WSC APA Payments Re-issues	(41,816.27)					(41,816.27)	
*	Payroll Checks/Direct Deposits	(221,609.04)					(221,609.04)	
	Bank Charges/Other	(1,327.89)					(1,327.89)	
	Reversals of Outstanding WSC Payments	36,476.58					36,476.58	
	Voided Checks	-					0.00	
	Credit Card Fees	(1,318.57)					(1,318.57)	
	Returned Deposits						0.00	
	Sub-total - Disbursements (C)	*(3,741,517.45)*	-	-	-	-	*(3,741,517.45)*	-
	Ending Balance (A+B+C)	**$1,495,494.44**	**$2,210,701.09**	**$1,066,649.61**	**$12,405,160.51**	**$10,988,625.33**	**$28,166,630.97**	**$348,582.27**

Refer to Exhibit B for payments totalling [1], [2], [3], [4] and [5]

* Total amount of District Employee and Board payroll

** Merchant account fees from Bank of America

WSC: Water Supply Charge

* Fixed Income investments are reported at face value

Check Report

Monterey Peninsula Water Management District

By Check Number

Date Range: 08/01/2026 - 08/31/2026

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK	**-Bank of America Checking**					
Payment Type: Regular						
01002	Monterey County Clerk	08/10/2026	Regular	0.00	50.00	41104
00274	Monterey One Water	08/10/2026	Regular	0.00	1,193,520.60	41105
01002	Monterey County Clerk	08/10/2026	Regular	0.00	50.00	41106
00274	Monterey One Water	08/24/2026	Regular	0.00	11,672.50	41109
11822	CSC	08/26/2026	Regular	0.00	20,000.00	41110
00274	Monterey One Water	08/28/2026	Regular	0.00	1,583,509.07	41111
			Total Regular:	**0.00**	**2,808,802.17**	

[2]

Check Report **Date Range: 08/01/2026 - 08/31/2026**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Virtual Payment						
00225	AAA Workspace	08/07/2026	Virtual Payment	0.00	385.56	APA021969
41145	Advance Cleaning 365, Inc.	08/07/2026	Virtual Payment	0.00	1,850.00	APA021970
00278	Big Brand Tire and Service	08/07/2026	Virtual Payment	0.00	296.08	APA021971
16468	Biomark, LLC	08/07/2026	Virtual Payment	0.00	750.00	APA021972
04043	Campbell Scientific, Inc.	08/07/2026	Virtual Payment	0.00	2,700.00	APA021973
00192	Extra Space Storage	08/07/2026	Virtual Payment	0.00	510.00	APA021974
00094	John Arriaga	08/07/2026	Virtual Payment	0.00	6,000.00	APA021975
05371	June Silva	08/07/2026	Virtual Payment	0.00	1,155.80	APA021976
06999	KBA Document Solutions, LLC	08/07/2026	Virtual Payment	0.00	222.14	APA021977
00242	MBAS	08/07/2026	Virtual Payment	0.00	313.00	APA021978
16182	Monterey County Weekly	08/07/2026	Virtual Payment	0.00	970.00	APA021979
22201	Montgomery & Associates	08/07/2026	Virtual Payment	0.00	327.00	APA021980
13396	Navia Benefit Solutions, Inc.	08/07/2026	Virtual Payment	0.00	201.10	APA021981
00987	SDRMA - Prop & Liability Pkg	08/07/2026	Virtual Payment	0.00	47.50	APA021982
02838	Solinst Canada Ltd	08/07/2026	Virtual Payment	0.00	2,557.20	APA021983
08067	Stephanie Locke	08/07/2026	Virtual Payment	0.00	1,544.16	APA021984
09425	The Ferguson Group LLC	08/07/2026	Virtual Payment	0.00	6,615.00	APA021985
31337	The Pun Group, LLP	08/07/2026	Virtual Payment	0.00	39,375.00	APA021986
00229	Tyler Technologies	08/07/2026	Virtual Payment	0.00	38,408.89	APA021987
22792	Uline	08/07/2026	Virtual Payment	0.00	485.61	APA021988
06009	yourservicesolution.com	08/07/2026	Virtual Payment	0.00	2,019.00	APA021989
00010	Access Monterey Peninsula	08/14/2026	Virtual Payment	0.00	1,750.00	APA021990
12601	Carmel Valley Ace Hardware	08/14/2026	Virtual Payment	0.00	19.55	APA021991
06001	Cypress Coast Ford	08/14/2026	Virtual Payment	0.00	968.02	APA021992
18734	DeVeera Inc.	08/14/2026	Virtual Payment	0.00	7,829.86	APA021993
06849	GSI Environmental Inc.	08/14/2026	Virtual Payment	0.00	2,868.62	APA021994
07205	Just Ergonomics Inc.	08/14/2026	Virtual Payment	0.00	284.05	APA021995
06999	KBA Document Solutions, LLC	08/14/2026	Virtual Payment	0.00	15.00	APA021996
05830	Larry Hampson	08/14/2026	Virtual Payment	0.00	1,544.16	APA021997
13431	Lynx Technologies, Inc	08/14/2026	Virtual Payment	0.00	4,500.00	APA021998
26785	Monterey Bay Pest Control, Inc.	08/14/2026	Virtual Payment	0.00	890.00	APA021999
00275	Monterey County Herald	08/14/2026	Virtual Payment	0.00	1,017.16	APA022000
00274	Monterey One Water	08/14/2026	Virtual Payment	0.00	215.70	APA022001
13396	Navia Benefit Solutions, Inc.	08/14/2026	Virtual Payment	0.00	1,612.89	APA022002
00154	Peninsula Messenger Service	08/14/2026	Virtual Payment	0.00	405.00	APA022003
17968	Rutan & Tucker, LLP	08/14/2026	Virtual Payment	0.00	9,385.20	APA022004
04359	The Carmel Pine Cone	08/14/2026	Virtual Payment	0.00	680.00	APA022005
17965	The Maynard Group	08/14/2026	Virtual Payment	0.00	1,847.49	APA022006
06639	TruePoint Solutions, LLC	08/14/2026	Virtual Payment	0.00	195.00	APA022007
11622	United States Geologic Survey	08/14/2026	Virtual Payment	0.00	20,710.00	APA022008
23550	WellmanAD	08/14/2026	Virtual Payment	0.00	10,985.63	APA022009
20230	Zoom Video Communications Inc	08/14/2026	Virtual Payment	0.00	552.25	APA022010
00010	Access Monterey Peninsula	08/21/2026	Virtual Payment	0.00	875.00	APA022047
00763	ACWA-JPIA	08/21/2026	Virtual Payment	0.00	384.48	APA022048
00760	Andy Bell	08/21/2026	Virtual Payment	0.00	664.00	APA022049
00983	Beverly Chaney	08/21/2026	Virtual Payment	0.00	1,544.16	APA022050
46571	California American Water	08/21/2026	Virtual Payment	0.00	1,614.21	APA022051
12601	Carmel Valley Ace Hardware	08/21/2026	Virtual Payment	0.00	82.06	APA022052
00224	City of Monterey	08/21/2026	Virtual Payment	0.00	27,253.93	APA022053
00046	De Lay & Laredo	08/21/2026	Virtual Payment	0.00	103,410.60	APA022054
18225	DUDEK	08/21/2026	Virtual Payment	0.00	1,278.75	APA022055
00192	Extra Space Storage	08/21/2026	Virtual Payment	0.00	523.00	APA022056
02833	Greg James	08/21/2026	Virtual Payment	0.00	1,544.16	APA022057
03857	Joe Oliver	08/21/2026	Virtual Payment	0.00	1,223.80	APA022058
31342	Kennedy/Jenks Consultants, Inc	08/21/2026	Virtual Payment	0.00	2,351.25	APA022059
27302	Kyocera Document Solutions America, Inc.	08/21/2026	Virtual Payment	0.00	535.75	APA022060
00222	M.J. Murphy	08/21/2026	Virtual Payment	0.00	27.18	APA022061
05829	Mark Bekker	08/21/2026	Virtual Payment	0.00	519.20	APA022062
01012	Mark Dudley	08/21/2026	Virtual Payment	0.00	540.00	APA022063
04715	Matthew Lyons	08/21/2026	Virtual Payment	0.00	202.90	APA022064

Check Report **Date Range: 08/01/2026 - 08/31/2026**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00242	MBAS	08/21/2026	Virtual Payment	0.00	233.00	APA022065
26785	Monterey Bay Pest Control, Inc.	08/21/2026	Virtual Payment	0.00	135.00	APA022066
24869	Raftelis Financial Consultants, Inc.	08/21/2026	Virtual Payment	0.00	2,467.50	APA022067
13394	Regional Government Services	08/21/2026	Virtual Payment	0.00	3,500.00	APA022068
17968	Rutan & Tucker, LLP	08/21/2026	Virtual Payment	0.00	23,333.20	APA022069
00176	Sentry Alarm Systems	08/21/2026	Virtual Payment	0.00	221.75	APA022070
19700	Shute, Mihaly & Weinberger LLP	08/21/2026	Virtual Payment	0.00	23,174.98	APA022071
09989	Star Sanitation Services	08/21/2026	Virtual Payment	0.00	515.93	APA022072
00286	Stephanie L Locke	08/21/2026	Virtual Payment	0.00	90.29	APA022073
04366	Tom Lindberg	08/21/2026	Virtual Payment	0.00	1,399.63	APA022074
00271	UPEC, Local 792	08/21/2026	Virtual Payment	0.00	1,312.50	APA022075
08105	Yolanda Munoz	08/21/2026	Virtual Payment	0.00	540.00	APA022076
00010	Access Monterey Peninsula	08/25/2026	Virtual Payment	0.00	875.00	APA022077
01001	CDW Government	08/25/2026	Virtual Payment	0.00	6,716.65	APA022078
00263	Arlene Tavani	08/28/2026	Virtual Payment	0.00	1,223.80	APA022094
00224	City of Monterey	08/28/2026	Virtual Payment	0.00	28,777.51	APA022095
14036	City of Sand City	08/28/2026	Virtual Payment	0.00	860.00	APA022096
00281	CoreLogic Information Solutions, Inc.	08/28/2026	Virtual Payment	0.00	1,355.46	APA022097
00986	Henrietta Stern	08/28/2026	Virtual Payment	0.00	915.80	APA022098
04717	Inder Osahan	08/28/2026	Virtual Payment	0.00	1,467.40	APA022099
06999	KBA Document Solutions, LLC	08/28/2026	Virtual Payment	0.00	15.00	APA022100
00222	M.J. Murphy	08/28/2026	Virtual Payment	0.00	63.05	APA022101
00117	Marina Backflow Company	08/28/2026	Virtual Payment	0.00	170.00	APA022102
18325	Minuteman Press Monterey	08/28/2026	Virtual Payment	0.00	128.14	APA022103
21460	MoGo Urgent Care	08/28/2026	Virtual Payment	0.00	60.00	APA022104
13396	Navia Benefit Solutions, Inc.	08/28/2026	Virtual Payment	0.00	1,508.72	APA022105
00262	Pure H2O	08/28/2026	Virtual Payment	0.00	65.54	APA022106
19700	Shute, Mihaly & Weinberger LLP	08/28/2026	Virtual Payment	0.00	8,811.85	APA022107
			Total Virtual Payment:	**0.00**	**429,520.75**	

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Check Report **Date Range: 08/01/2026 - 08/31/2026**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Bank Draft						
00266	I.R.S.	08/07/2026	Bank Draft	0.00	25,880.60	DFT0004328
00266	I.R.S.	08/07/2026	Bank Draft	0.00	6,187.59	DFT0004329
00267	Employment Development Dept.	08/07/2026	Bank Draft	0.00	10,625.15	DFT0004330
00266	I.R.S.	08/07/2026	Bank Draft	0.00	1,058.28	DFT0004331
00993	Harris Court Business Park	08/07/2026	Bank Draft	0.00	792.39	DFT0004335
00282	PG&E	08/07/2026	Bank Draft	0.00	6.05	DFT0004336
00221	Verizon Wireless	08/07/2026	Bank Draft	0.00	1,560.69	DFT0004337
00277	Home Depot Credit Services	08/07/2026	Bank Draft	0.00	296.51	DFT0004338
00266	I.R.S.	08/14/2026	Bank Draft	0.00	50.94	DFT0004339
00266	I.R.S.	08/14/2026	Bank Draft	0.00	217.62	DFT0004340
29035	BlueTriton Brands Inc	08/14/2026	Bank Draft	0.00	362.63	DFT0004341
00277	Home Depot Credit Services	08/14/2026	Bank Draft	0.00	37.94	DFT0004342
00769	Laborers Trust Fund of Northern CA	08/14/2026	Bank Draft	0.00	46,436.00	DFT0004343
00768	MissionSquare Retirement- 302617	08/14/2026	Bank Draft	0.00	37,270.54	DFT0004344
00256	PERS Retirement	08/14/2026	Bank Draft	0.00	26,633.12	DFT0004345
00282	PG&E	08/14/2026	Bank Draft	0.00	42.13	DFT0004346
07627	Purchase Power	08/14/2026	Bank Draft	0.00	300.00	DFT0004347
00766	Standard Insurance Company	08/14/2026	Bank Draft	0.00	1,374.94	DFT0004348
18163	Wex Bank	08/14/2026	Bank Draft	0.00	2,272.00	DFT0004349
00266	I.R.S.	08/21/2026	Bank Draft	0.00	19,512.81	DFT0004350
00266	I.R.S.	08/21/2026	Bank Draft	0.00	4,510.50	DFT0004351
00267	Employment Development Dept.	08/21/2026	Bank Draft	0.00	7,629.50	DFT0004352
00266	I.R.S.	08/21/2026	Bank Draft	0.00	990.82	DFT0004353
00769	Laborers Trust Fund of Northern CA	08/21/2026	Bank Draft	0.00	1,786.00	DFT0004354
00259	Marina Coast Water District	08/21/2026	Bank Draft	0.00	3,568.01	DFT0004355
00282	PG&E	08/21/2026	Bank Draft	0.00	3,916.80	DFT0004356
00269	U.S. Bank	08/24/2026	Bank Draft	0.00	15,230.28	DFT0004357
00768	MissionSquare Retirement- 302617	08/21/2026	Bank Draft	0.00	9,754.54	DFT0004358
00256	PERS Retirement	08/28/2026	Bank Draft	0.00	25,420.21	DFT0004359
00282	PG&E	08/28/2026	Bank Draft	0.00	3,918.98	DFT0004360
00766	Standard Insurance Company	08/28/2026	Bank Draft	0.00	1,377.96	DFT0004361
22667	Pitney Bowes Inc	08/18/2026	Bank Draft	0.00	1,122.81	DFT0004380
			Total Bank Draft:	**0.00**	**260,144.34**	

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From Treasurer's Report	
Bank Draft Payments	35,213.22
Payroll Tax/Benefit Deposits	224,931.12
Sub-Total	260,144.34

Check Report **Date Range: 08/01/2026 - 08/31/2026**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: REBATES-02-Rebates: Use Only For Rebates						
Payment Type: Virtual Payment						
07224	Antoinette Crivello	08/07/2026	Virtual Payment	0.00	125.00	APA021938
07230	Carla Morreale	08/07/2026	Virtual Payment	0.00	300.00	APA021939
07211	Charles Criswell	08/07/2026	Virtual Payment	0.00	500.00	APA021940
07214	Curtis Reiser	08/07/2026	Virtual Payment	0.00	500.00	APA021941
07206	Cynthia Douglass	08/07/2026	Virtual Payment	0.00	55.00	APA021942
07215	David Heuck	08/07/2026	Virtual Payment	0.00	500.00	APA021943
07225	Diana McBride	08/07/2026	Virtual Payment	0.00	125.00	APA021944
07217	Drayton Hurley	08/07/2026	Virtual Payment	0.00	500.00	APA021945
07222	Jack Herbig	08/07/2026	Virtual Payment	0.00	125.00	APA021946
07210	Jack Robertson	08/07/2026	Virtual Payment	0.00	500.00	APA021947
07227	Jacob Golder	08/07/2026	Virtual Payment	0.00	500.00	APA021948
07220	James Culcasi	08/07/2026	Virtual Payment	0.00	500.00	APA021949
07228	Kenneth Norton	08/07/2026	Virtual Payment	0.00	75.00	APA021950
07231	Laurence Friese	08/07/2026	Virtual Payment	0.00	75.00	APA021951
07226	Lois Cornell	08/07/2026	Virtual Payment	0.00	125.00	APA021952
07209	Mary Lefever	08/07/2026	Virtual Payment	0.00	500.00	APA021953
07208	Michael Lewis	08/07/2026	Virtual Payment	0.00	500.00	APA021954
07013	Michael M Holl	08/07/2026	Virtual Payment	0.00	125.00	APA021955
07218	Natalie Orrick	08/07/2026	Virtual Payment	0.00	500.00	APA021956
07216	Peyton Price	08/07/2026	Virtual Payment	0.00	500.00	APA021957
07012	Romy Taormina	08/07/2026	Virtual Payment	0.00	1,000.00	APA021958
07223	Ronni Alvarez	08/07/2026	Virtual Payment	0.00	125.00	APA021959
07219	Roseanne Rito	08/07/2026	Virtual Payment	0.00	500.00	APA021960
07212	Salvador Saia	08/07/2026	Virtual Payment	0.00	500.00	APA021961
07034	Scottish Fairway Inn	08/07/2026	Virtual Payment	0.00	2,500.00	APA021962
07213	Shelley Flanagan	08/07/2026	Virtual Payment	0.00	500.00	APA021963
07229	Sophia Vicuna	08/07/2026	Virtual Payment	0.00	75.00	APA021964
07207	Summer Wright	08/07/2026	Virtual Payment	0.00	500.00	APA021965
07221	William McFall	08/07/2026	Virtual Payment	0.00	500.00	APA021966
20546	William Nguyen	08/07/2026	Virtual Payment	0.00	500.00	APA021967
41117	Zoe Shoats	08/07/2026	Virtual Payment	0.00	125.00	APA021968
			Total Virtual Payment:	**0.00**	**13,455.00**	

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Check Report **Date Range: 08/01/2026 - 08/31/2026**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: WSC -Water Supply Charge						
Payment Type: Virtual Payment						
07123	Aiello Matthew Joseph & Polly Annette	08/03/2026	Virtual Payment	0.00	49.96	APA021852
07204	ARCEO LINDA C & CHRISTINA M PRESTON	08/03/2026	Virtual Payment	0.00	30.60	APA021853
07159	AVILA JUDY M	08/03/2026	Virtual Payment	0.00	43.35	APA021854
07163	BERON DIANE	08/03/2026	Virtual Payment	0.00	30.60	APA021855
07177	Beth White	08/03/2026	Virtual Payment	0.00	43.35	APA021856
07138	BOHNEN LYNN M	08/03/2026	Virtual Payment	0.00	30.60	APA021857
07183	BOOTH ROBERT OR NIGHTENGALE MICHELLE	08/03/2026	Virtual Payment	0.00	30.60	APA021858
07151	BRADY COURTNEY NICKELL	08/03/2026	Virtual Payment	0.00	26.27	APA021859
07154	BREITHAUPT WENDELL	08/03/2026	Virtual Payment	0.00	75.48	APA021860
07158	BUTLER HUGH P & LISA F	08/03/2026	Virtual Payment	0.00	43.35	APA021861
07133	CABRAL DOROTHY	08/03/2026	Virtual Payment	0.00	106.08	APA021862
07179	Carmel Cypress TR	08/03/2026	Virtual Payment	0.00	46.64	APA021863
07125	Cheryl Block	08/03/2026	Virtual Payment	0.00	75.48	APA021864
07135	Clementina Olivera	08/03/2026	Virtual Payment	0.00	43.35	APA021865
07178	Coast Comercial Property Management	08/03/2026	Virtual Payment	0.00	839.66	APA021866
07184	Cynthia S. Bitter	08/03/2026	Virtual Payment	0.00	30.60	APA021867
07172	CZIRBAN MARKUS DANIEL	08/03/2026	Virtual Payment	0.00	43.35	APA021868
07196	Dante Most	08/03/2026	Virtual Payment	0.00	43.35	APA021869
07194	David Gross	08/03/2026	Virtual Payment	0.00	43.35	APA021870
07202	Donna Kiernan	08/03/2026	Virtual Payment	0.00	43.35	APA021871
07148	DOYLE BRENDAN A & REGINA	08/03/2026	Virtual Payment	0.00	43.35	APA021872
07200	Emma Nelson	08/03/2026	Virtual Payment	0.00	43.35	APA021873
07187	Erin Bell	08/03/2026	Virtual Payment	0.00	75.48	APA021874
07146	FLANAGAN ROBERT J & MENDELSOHN SUSAN I	08/03/2026	Virtual Payment	0.00	43.35	APA021875
07145	FLAVELL PAUL F	08/03/2026	Virtual Payment	0.00	30.60	APA021876
07169	GAROFALO LOREN FRANCIS	08/03/2026	Virtual Payment	0.00	75.48	APA021877
07153	GARRETT CAROL L	08/03/2026	Virtual Payment	0.00	43.35	APA021878
07132	Gayla Crisler	08/03/2026	Virtual Payment	0.00	52.37	APA021879
07166	Gibbons Grace E	08/03/2026	Virtual Payment	0.00	26.27	APA021880
07129	Glenn Smith & Mary Eileen	08/03/2026	Virtual Payment	0.00	93.29	APA021881
07175	Gluskin Neil E & Melanie A	08/03/2026	Virtual Payment	0.00	75.48	APA021882
07173	HAGERTY MICHAEL & DONNA HAGERTY	08/03/2026	Virtual Payment	0.00	75.48	APA021883
07143	HASTINGS LAURIE LOUISE	08/03/2026	Virtual Payment	0.00	30.60	APA021884
07131	Ihlenfeld Bert J & Monika S	08/03/2026	Virtual Payment	0.00	75.48	APA021885
07181	Jeremy Arkes	08/03/2026	Virtual Payment	0.00	75.48	APA021886
07185	Joey Miller	08/03/2026	Virtual Payment	0.00	93.29	APA021887
07147	Joseph Banks	08/03/2026	Virtual Payment	0.00	43.35	APA021888
07193	Kum Ye Kim	08/03/2026	Virtual Payment	0.00	43.35	APA021889
07160	KUWATANI KIKUYO	08/03/2026	Virtual Payment	0.00	21.68	APA021890
07201	Laban P Jackson Jr 2024 Irrevocable Trust	08/03/2026	Virtual Payment	0.00	175.88	APA021891
07141	LASKA LEO M & LINDA	08/03/2026	Virtual Payment	0.00	93.29	APA021892
07182	Laurel M. Quimby	08/03/2026	Virtual Payment	0.00	75.48	APA021893
07168	Lauryn Nichols	08/03/2026	Virtual Payment	0.00	43.35	APA021894
07189	Linda Laverne Clay	08/03/2026	Virtual Payment	0.00	121.46	APA021895
07188	Linda Laverne Clay	08/03/2026	Virtual Payment	0.00	75.48	APA021896
07170	Linda Suzanne Roth	08/03/2026	Virtual Payment	0.00	226.14	APA021897
07180	Los Gatos TR	08/03/2026	Virtual Payment	0.00	93.29	APA021898
07142	Louis Meadows	08/03/2026	Virtual Payment	0.00	43.35	APA021899
07161	LUEKEN WILLIAM B & J SHANNON	08/03/2026	Virtual Payment	0.00	43.35	APA021900
07144	MALIS MARSHA	08/03/2026	Virtual Payment	0.00	75.48	APA021901
07199	Mark Chappell	08/03/2026	Virtual Payment	0.00	43.35	APA021902
07128	Marki Trujillo	08/03/2026	Virtual Payment	0.00	30.60	APA021903
07176	Mary Currier	08/03/2026	Virtual Payment	0.00	141.49	APA021904
40100	MCDANIEL KEITH D & LESLIE D SMITH TRS	08/03/2026	Virtual Payment	0.00	108.46	APA021905
07203	MEEKER RONALD K & LINDA	08/03/2026	Virtual Payment	0.00	80.12	APA021906
07190	Michael M. Shea, JR	08/03/2026	Virtual Payment	0.00	186.58	APA021907
07152	MINK MYRNA S & GEORGE PIERCY	08/03/2026	Virtual Payment	0.00	26.27	APA021908
07150	MYERS JAMES DAVID & CLEO ESTER	08/03/2026	Virtual Payment	0.00	43.35	APA021909
07136	Myrna Eldredge	08/03/2026	Virtual Payment	0.00	30.60	APA021910

Check Report **Date Range: 08/01/2026 - 08/31/2026**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
07198	Nancy Cross-Fitswater	08/03/2026	Virtual Payment	0.00	15.30	APA021911
07192	Nicholas Junger	08/03/2026	Virtual Payment	0.00	47.67	APA021912
07122	O MARA JUDITH	08/03/2026	Virtual Payment	0.00	30.60	APA021913
07174	OLDHAM JOHN THOMAS	08/03/2026	Virtual Payment	0.00	75.48	APA021914
07127	Patricia Thompson	08/03/2026	Virtual Payment	0.00	30.60	APA021915
73736	PURCHASE MARGARET LOUISE TR	08/03/2026	Virtual Payment	0.00	30.60	APA021916
07139	RAPPA DEBORAH	08/03/2026	Virtual Payment	0.00	43.35	APA021917
07195	Richard Mayeri	08/03/2026	Virtual Payment	0.00	75.48	APA021918
07121	Richard Omara K	08/03/2026	Virtual Payment	0.00	75.48	APA021919
07124	Roger O'Sullivan & Leslie Armstrong	08/03/2026	Virtual Payment	0.00	30.60	APA021920
07134	RUSSELL JILL MURRAY	08/03/2026	Virtual Payment	0.00	75.48	APA021921
07156	RUYBAL RUBEN A & PAMELA M HOLMES	08/03/2026	Virtual Payment	0.00	43.35	APA021922
07162	SAGE KEVIN P & VICKY	08/03/2026	Virtual Payment	0.00	26.27	APA021923
07130	Sara Leonard & Carl Leonard	08/03/2026	Virtual Payment	0.00	43.35	APA021924
07149	SAXE ALFRED OWEN JR	08/03/2026	Virtual Payment	0.00	57.51	APA021925
07137	SCHAFER CLYDE N & DIANA L	08/03/2026	Virtual Payment	0.00	30.60	APA021926
07191	Sebastian Barbarino	08/03/2026	Virtual Payment	0.00	308.80	APA021927
07155	STEWART RAYMOND EUGENE	08/03/2026	Virtual Payment	0.00	43.35	APA021928
07165	SUCHAN JAMES E & SUCHAN LOUISE	08/03/2026	Virtual Payment	0.00	75.48	APA021929
07157	SUNDBLAD HARRIET	08/03/2026	Virtual Payment	0.00	26.27	APA021930
07126	Thomas R Bishop	08/03/2026	Virtual Payment	0.00	30.60	APA021931
07197	Tina Zhu	08/03/2026	Virtual Payment	0.00	30.60	APA021932
07167	VASILIAUSKAS MARIA	08/03/2026	Virtual Payment	0.00	75.48	APA021933
07171	VASSALLO MARILYN	08/03/2026	Virtual Payment	0.00	30.60	APA021934
07186	Victor Mora	08/03/2026	Virtual Payment	0.00	43.35	APA021935
07140	WHITMAN NEAL & ELAINE WEISS	08/03/2026	Virtual Payment	0.00	43.35	APA021936
07164	YORK NANCY LEE	08/03/2026	Virtual Payment	0.00	43.35	APA021937
07239	2003 Namgui Chang & Kyungsook Revocable Tr	08/20/2026	Virtual Payment	0.00	43.35	APA022011
07237	Amy Solliday	08/20/2026	Virtual Payment	0.00	73.95	APA022012
07245	Belcher Stephen	08/20/2026	Virtual Payment	0.00	30.60	APA022013
22600	Carolyn Moore	08/20/2026	Virtual Payment	0.00	43.35	APA022014
07256	Casanova Monterey Llc	08/20/2026	Virtual Payment	0.00	554.00	APA022015
41427	CITY OF MONTEREY	08/20/2026	Virtual Payment	0.00	1,402.50	APA022016
07178	Coast Comercial Property Management	08/20/2026	Virtual Payment	0.00	870.01	APA022017
07247	Creative Property Manager	08/20/2026	Virtual Payment	0.00	165.89	APA022018
07240	East George W Tr Est Of	08/20/2026	Virtual Payment	0.00	75.48	APA022019
07250	Giles Beilby Or Christina Beilby	08/20/2026	Virtual Payment	0.00	30.60	APA022020
07233	Gill, Barbara R	08/20/2026	Virtual Payment	0.00	43.35	APA022021
07258	Golden Oaks Apt Common Area	08/20/2026	Virtual Payment	0.00	1,552.64	APA022022
07234	Goodhue Esther Jennie Trs Et Al	08/20/2026	Virtual Payment	0.00	63.13	APA022023
07236	Guy Schuh	08/20/2026	Virtual Payment	0.00	43.35	APA022024
07254	High Meadow Terrace Comm Assn Of Carmel	08/20/2026	Virtual Payment	0.00	881.83	APA022025
07244	James M. Hinton & Cynthia C. Hinton	08/20/2026	Virtual Payment	0.00	30.60	APA022026
07241	Johnson Maggie Bell Tr	08/20/2026	Virtual Payment	0.00	43.35	APA022027
85759	JONES DAVID MICHAEL & DEBORAH ANN TRS	08/20/2026	Virtual Payment	0.00	43.35	APA022028
07243	Laurie Bend	08/20/2026	Virtual Payment	0.00	75.48	APA022029
07257	Lv44 Limited Partnership	08/20/2026	Virtual Payment	0.00	1,523.34	APA022030
07242	Marilyn Blankenship	08/20/2026	Virtual Payment	0.00	30.60	APA022031
07251	Michael Costa	08/20/2026	Virtual Payment	0.00	30.60	APA022032
07263	Mid Valley Partners Llc	08/20/2026	Virtual Payment	0.00	2,706.96	APA022033
07249	Nunez Jesus Or Jose Luis Nunez	08/20/2026	Virtual Payment	0.00	30.60	APA022034
07246	Panetta Julie & Jacobsen Christine Trs	08/20/2026	Virtual Payment	0.00	274.25	APA022035
07255	Rippling River Affordable Housing Lp	08/20/2026	Virtual Payment	0.00	1,372.56	APA022036
07264	Santa Rosa Motel Co	08/20/2026	Virtual Payment	0.00	971.74	APA022037
07259	Shepherds Knoll Association Inc	08/20/2026	Virtual Payment	0.00	979.65	APA022038
07238	Shields Gisela	08/20/2026	Virtual Payment	0.00	75.48	APA022039
07248	Stephan Gwen L Or Stephan Gail Ruth	08/20/2026	Virtual Payment	0.00	75.48	APA022040
07235	Steve Watkins	08/20/2026	Virtual Payment	0.00	43.35	APA022041
07260	Stone Creek Village Llc	08/20/2026	Virtual Payment	0.00	555.55	APA022042
07261	Tobin Elinor R Tr	08/20/2026	Virtual Payment	0.00	550.21	APA022043
07262	Vega Nelson Alvelo Tr & Bickel William Tr	08/20/2026	Virtual Payment	0.00	671.00	APA022044

Check Report **Date Range: 08/01/2026 - 08/31/2026**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
07252	Woodward Inheritance Trust	08/20/2026	Virtual Payment	0.00	114.54	APA022045
07253	Woodward Inheritance Trust	08/20/2026	Virtual Payment	0.00	13.13	APA022046
07273	(The Hotel Carmel) 4TH & SAN CARLOS PROPER	08/28/2026	Virtual Payment	0.00	1,558.06	APA022079
07271	BORRESON NAN	08/28/2026	Virtual Payment	0.00	37.74	APA022080
07270	EDWARDS MARY J	08/28/2026	Virtual Payment	0.00	30.60	APA022081
07279	Frank and Barbara Strehlitz	08/28/2026	Virtual Payment	0.00	68.10	APA022082
07272	HIGHLANDS INN INVESTORS II LP	08/28/2026	Virtual Payment	0.00	9,863.09	APA022083
07278	HIGUERA CHARLES THOMAS ET AL	08/28/2026	Virtual Payment	0.00	505.63	APA022084
07276	KHP V CARMEL FEE OWNER LLC	08/28/2026	Virtual Payment	0.00	4,958.92	APA022085
07274	LINCOLN LANE COURTYARD LLC	08/28/2026	Virtual Payment	0.00	700.26	APA022086
07268	Linda Garofalo	08/28/2026	Virtual Payment	0.00	75.48	APA022087
07269	Michael Amaya	08/28/2026	Virtual Payment	0.00	129.75	APA022088
07275	OTTERWAY LLC	08/28/2026	Virtual Payment	0.00	517.97	APA022089
07267	Pamela Holmes	08/28/2026	Virtual Payment	0.00	43.35	APA022090
07266	Sarah Leonard	08/28/2026	Virtual Payment	0.00	43.35	APA022091
07277	SCOTTISH FAIRWAY MOTEL LP	08/28/2026	Virtual Payment	0.00	1,146.75	APA022092
07265	Valerie Lynch	08/28/2026	Virtual Payment	0.00	30.60	APA022093
			Total Virtual Payment:	**0.00**	**41,816.27**	**[5]**

EXHIBIT 2-C

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

	Mitigation	Conservation	Water Supply	Current Period Activity	Current FY Year-to-Date Actual	Current FY Annual Budget	Prior FY Year-to-Date Actual
REVENUES							
Property taxes	$ -	$ -	$ -	$ -	$ -	$ 3,081,000	$ -
User fees	143,404	143,404	430,211	717,019	717,019	8,400,000	675,648
PWM Water Sales			1,665,568	1,665,568	3,249,077	20,086,800	2,887,592
Capacity fees			32,358	32,358	76,197	600,000	283,541
Permit fees	-	21,302		21,302	38,874	250,000	52,904
Investment income	10,980	10,976	11,317	33,274	64,877	660,000	51,611
Miscellaneous	-	-	-	-	-	15,000	-
Sub-total district revenues	**154,384**	**175,682**	**2,139,455**	**2,469,521**	**4,146,045**	**33,092,800**	**3,951,297**
Project reimbursements	-	20,715	583,476	604,191	613,946	932,108	29,644
Legal fee reimbursements		450		450	750	15,000	1,500
Grants	-	-	-	-	-	2,494,896	-
Recording fees		6,125		6,125	12,875	65,000	9,970
Sub-total reimbursements	**-**	**27,290**	**583,476**	**610,766**	**627,571**	**3,507,004**	**41,114**
From Reserves	-	-	-	-	-	2,837,896	-
Total revenues	**154,384**	**202,971**	**2,722,931**	**3,080,286**	**4,773,616**	**39,437,700**	**3,992,411**
EXPENDITURES							
Personnel:							
Salaries	86,014	98,384	169,930	354,327	568,790	4,096,000	493,450
Retirement	8,588	7,170	12,941	28,699	818,971	1,383,884	745,404
Unemployment Compensation	-	-	-	-	-	10,100	-
Auto Allowance	148	148	443	738	1,241	11,000	1,255
Deferred Compensation	187	187	561	935	1,571	22,605	1,589
Temporary Personnel	-	-	-	-	-	10,000	-
Workers Comp. Ins.	3,294	466	3,489	7,249	12,519	114,341	12,424
Employee Insurance	19,272	17,893	22,583	59,747	107,851	789,311	101,751
Medicare & FICA Taxes	2,161	1,777	2,499	6,437	10,355	87,178	8,421
Personnel Recruitment	20	19	21	60	120	11,500	-
Other benefits	66	64	70	200	401	2,000	400
Staff Development	255	1,170	271	1,697	3,387	33,900	1,700
Sub-total personnel costs	**120,004**	**127,278**	**212,808**	**460,090**	**1,525,205**	**6,571,820**	**1,366,395**
Services & Supplies:							
Board Member Comp	713	713	734	2,160	3,915	37,000	4,455
Board Expenses	46	45	49	140	360	7,500	5,952
Rent	593	163	604	1,360	1,870	30,000	3,230
Utilities	1,625	1,551	1,697	4,873	9,000	51,200	8,390
Telephone	988	862	810	2,660	6,076	40,900	5,730
Facility Maintenance	1,115	1,081	1,183	3,379	9,183	95,100	9,909
Bank Charges	873	847	926	2,646	5,230	25,100	1,699
Office Supplies	271	262	468	1,002	2,573	26,300	5,547
Courier Expense	-	-	-	-	405	7,600	1,330
Postage & Shipping	99	96	105	300	474	8,900	25,170
Equipment Lease	-	-	-	-	-	13,200	-
Equip. Repairs & Maintenance	371	359	393	1,123	1,691	5,100	40
Printing/Duplicating/Binding	-	-	-	-	-	3,100	-
IT Supplies/Services	5,404	5,268	5,705	16,377	48,788	331,000	85,288
Operating Supplies	716	325	356	1,397	3,312	27,500	5,376
Legal Services	-	-	126	126	50,599	420,000	60,100
Professional Fees	6,308	6,117	6,690	19,115	77,025	358,100	84,098
Transportation	1,566	179	412	2,156	4,737	60,200	6,325
Travel	196	171	245	611	1,401	40,100	3,075

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

	Mitigation	Conservation	Water Supply	Current Period Activity	Current FY Year-to-Date Actual	Current FY Annual Budget	Prior FY Year-to-Date Actual
Meeting Expenses	729	707	774	2,211	5,090	28,700	4,782
Insurance	9,544	9,255	10,123	28,922	57,845	360,000	52,421
Legal Notices	-	-	-	-	-	3,700	-
Membership Dues	441	204	315	960	2,210	51,900	2,325
Public Outreach	6,735	6,531	7,143	20,409	32,733	247,500	1,921
Assessors Administration Fee	-	-	-	-	-	24,000	-
Miscellaneous	-	-	-	-	-	3,500	-
Sub-total services & supplies costs	**38,333**	**34,737**	**38,857**	**111,928**	**324,516**	**2,307,200**	**377,163**
Project expenditures	21,047	34,321	21,961	77,329	1,768,659	29,368,680	3,105,071
Fixed assets	399	-	44	442	862	262,200	2,427
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	-	250,000	-
Capital equipment reserve	-	-	-	-	-	407,800	-
Pension reserve	-	-	-	-	-	100,000	-
OPEB reserve	-	-	-	-	-	100,000	-
Sub-total other	**21,446**	**34,321**	**22,004**	**77,771**	**1,769,521**	**30,558,680**	**3,107,498**
Total expenditures	**179,783**	**196,336**	**273,669**	**649,789**	**3,619,242**	**39,437,700**	**4,851,056**
Excess (Deficiency) of revenues over expenditures	**$ (25,399)**	**$ 6,635**	**$ 2,449,262**	**$ 2,430,498**	**$ 1,154,374**	**$ (0)**	**$ (858,645)**

ITEM: CONSENT CALENDAR

3. RECEIVE GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 68 – FINANCIAL REPORTING FOR PENSIONS

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Nishil Bali**	**Cost Estimate:**	**N/A**

General Counsel Review: N/A
Committee Recommendation: The Finance and Administration Committee reviewed this item on October 12, 2026, and recommended approval.
CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: The Government Accounting Standards Board (GASB) Statement No. 68 established accounting and financial reporting standards for local governments that provide their employees with pensions. This standard requires government agencies to report pension information to increase transparency about pension costs and to help decision-makers factor in the financial impact of total pension obligations. This Statement established standards for measuring and recognizing liabilities, deferred outflows and inflows of resources, and expense/expenditures, including the methods and assumptions that should be used for defined benefit pensions to project benefit payments and discount projected benefit payments to their actuarial present value.

The District participates in the CalPERS cost-sharing multiple-employer defined benefit pension plan. The District's Net Pension Liability as of June 30, 2025 (latest available measurement date), is estimated at $6,696,604. See table below:

	Miscellaneous Risk Pool	Allocation Factor	MPWMD Share
Total Pension Liability	$25,481,588,928	0.0011717	$29,856,778
Risk Pool Fiduciary Net Position	$21,492,366,084	0.0010776	$23,160,174
Net Pension Liability/(Asset)	$3,989,222,844		$6,696,604

In comparison, the District's Net Pension Liability as of June 30, 2024, was estimated at $7,536,683. It is to be noted that the Net Pension Liability can change significantly from year to year based on the market conditions and the position of the District's Fiduciary Net Position (District's Market Value of Assets). For example, if the actual CalPERS investment earnings rate decreases from the projected annual rate of investment return (currently set at 6.8%) the unfunded Net Pension Liability increases for the same future pension obligation.

The District's independent auditing firm, The Pun Group LLP, will provide a final opinion on the appropriateness of the GASB 68 allocation that will be presented in the FY 2025-2026 Annual Comprehensive Financial Report. The pension liability that is reported in the Annual

Comprehensive Financial Report for GASB 68 purposes does not directly impact the District's budget, although the amount of annual Unfunded Accrued Liability paid by the District has generally increased over the years. The District paid $696,366 in UAL in FY2025-26. This is projected to increase to $845,000 in FY2031-32. The District's annual budget process continues to account for the annual pension costs that are provided by CalPERS in the actuarial valuation report in July of each year. The District budget starting with fiscal year 2018-2019 has included a $100,000 set aside towards pension reserve funds. The pension reserve balance as of 06/30/2026 was $800,000.

Details of existing employees in the District plan are as follows:

Classic Plan (hired by participating public agency before 01/01/2013)	7 employees
PEPRA Plan (hired by participating public agency after 01/01/2013)	19 employees

RECOMMENDATION: The Finance and Administration Committee recommends that the Board receive the GASB 68 Accounting Valuation Report prepared by CalPERS.

BACKGROUND: Local governments with pensions have a total pension liability, which is the obligation to pay deferred pension benefits in the future. When the total pension liability is greater than the pension plan's assets, there is a net pension liability, also known as unfunded pension liability. GASB 68 requires governments to report their net pension liability on their government-wide financial statements, as well as in the proprietary fund statements, in the Annual Financial Report. Government-wide financial statements report information about the government as a whole without displaying individual funds or fund types.

As with past practice, the District will continue to pay the annual required contribution for the pension liabilities as identified in the annual CalPERS actuarial report. The last actuarial report, which informs the District of its FY 2026-2027 pension payments and rates, was released in July 2025. The GASB 68 reports are based on actuarial analysis using employee census data that is two years in arrears, while the July actuarial reports are based on current calendar year employee census data. The annual contribution rate prescribed by CalPERS includes amortization of the unfunded Net Pension Liability. Other strategies to reduce the unfunded liability might include reducing the amortization schedule through increased annual contributions over and above the annual contribution calculated by CalPERS, paying portions of the liability as a lump sum over time, and issuing bonds to increase the District's market value of assets, which would require annual debt repayments. These approaches do not ensure that the unfunded liability will not continue to vary based on market performance over time. Eventually, the District may also consider setting up a Section 115 trust fund – a tax-exempt trust that prefunds post-retirement employee benefits, including pensions.

EXHIBITS

3-A GASB 68 Accounting Valuation Report



GASB 68 Accounting Report

Prepared for
Miscellaneous Risk Pool,
a Cost-Sharing Multiple-Employer Defined Benefit Pension Plan

Measurement Date of June 30, 2025

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Appendix A – Risk Pool Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

Schedule of Changes of Assumptions A-1

Deferred Outflows of Resources and Deferred Inflows of Resources Arising From Changes of Assumptions A-2

Schedule of Differences Between Expected and Actual Experience A-3

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Schedule of Differences Between Projected and Actual Earnings on Pension Plan Investments A-5

Deferred Outflows of Resources and Deferred Inflows of Resources Arising From Differences Between Projected and Actual Earnings on Pension Plan Investments A-6

Summary of Recognized Deferred Outflows of Resources and Deferred Inflows of Resources A-7

Appendix B – Interest and Total Projected Earnings

Risk Pool Interest on Total Pension Liability and Total Projected Earnings B-1

Appendix C – Schedule of Collective Pension Amounts

Schedule of Collective Pension Amounts for PERF C, as of the Measurement Date June 30, 2025 C-1

Actuarial Certification

This report provides accounting and financial reporting information as required under Governmental Accounting Standards Board Statement 68 (GASB 68) for the Miscellaneous Risk Pool, which is part of the Public Agency Cost-Sharing Multiple-Employer Defined Benefit Pension Plan (the Plan or PERF C) administered by the California Public Employees' Retirement System (CalPERS), for the measurement period ended June 30, 2025. The undersigned are actuaries who satisfy the *Qualification Standards for Actuaries Issuing Statements of Actuarial Opinion in the United States* of the American Academy of Actuaries with regard to pensions.

This report is to be viewed solely for the purpose of financial reporting requirements. Any use of the contents provided in this report for purposes other than financial reporting requirements would be inappropriate.

This accounting report relies on liabilities and related validation work performed by the CalPERS Actuarial Office as part of the June 30, 2024, annual funding valuation. The census data and benefit provisions underlying the liabilities were prepared as of June 30, 2024, and certified as part of the annual funding valuation by the CalPERS Actuarial Office. The asset information used in this accounting report is provided by the CalPERS Financial Office.

Actuarial Assumptions and Methods

The June 30, 2024, liabilities, which were rolled forward to June 30, 2025, and used for this accounting report, are based on actuarial assumptions recommended by the Chief Actuary and adopted by the CalPERS Board of Administration. It is our opinion that the assumptions and methods are internally consistent and reasonable for PERF C.

Scott Terando, ASA, EA, MAAA, FCA, CFA
Chief Actuary, CalPERS

Randall Dziubek, ASA, MAAA
Deputy Chief Actuary, Valuation Services, CalPERS

Accounting Information and Actuarial Results

With the provided liability and asset information, the total pension liability, net pension liability, deferred inflows and outflows, and pension expense were developed for the measurement period using standard actuarial techniques.

To the best of our knowledge and having relied upon the attestation above that the actuarial assumptions and methods are reasonable, this report is complete and accurate and contains the actuarial information required for employer financial reporting under GASB 68.

Chyna Nakao, FSA, EA, FCA, MAAA
Senior Actuary, CalPERS

Thomas Purdy, ASA, MAAA
Actuary, CalPERS

Introduction

This is the GASB 68 accounting report for the Miscellaneous Risk Pool for the measurement date June 30, 2025. The Public Agency cost-sharing multiple-employer defined benefit pension plan (the Plan or PERF C) is administered by the California Public Employees' Retirement System (CalPERS). PERF C consists of a miscellaneous pool and a safety pool (also referred to as "risk pools"), which are comprised of individual employer miscellaneous and safety valuation rate plans, respectively. Individual employers may sponsor more than one miscellaneous and safety valuation rate plan. The employer participates in one cost-sharing multiple-employer defined benefit pension plan regardless of the number of valuation rate plans the employer sponsors. Each employer should combine information provided for their participation in the miscellaneous and/or safety pools to report them as one plan in their financial statements.

GASB 68 requires that the reported results must pertain to liability and asset information within certain defined timeframes. For this report, the following timeframes are used.

Valuation Date	June 30, 2024
Measurement Date	June 30, 2025
Measurement Period	July 1, 2024, to June 30, 2025

Pension Plan Fiduciary Net Position

The plan fiduciary net position disclosed in the GASB 68 accounting report may differ from the plan assets reported in the funding valuation report due to several reasons. For example, for the accounting reports, CalPERS must keep items such as deficiency reserves and fiduciary self-insurance included as components of the plan's fiduciary net position. These amounts are excluded for rate setting purposes in the funding valuation.

Discount Rate

The discount rate used to measure the total pension liability as of June 30, 2025, was 6.90%. This is based on the long-term expected rate of return on plan assets and is net of investment expenses but not reduced for administrative expenses. In determining the long-term expected rate of return, CalPERS took into account 20-year market return expectations as well as the expected pension fund cash flows. Projected returns for all asset classes are estimated and combined with risk estimates to project compound (geometric) returns over the long term.

Asset Class	Assumed Asset Allocation	Long-Term Expected Real Rate of Return[1, 2]
Public Equity	37.0%	4.56%
Private Equity	17.0%	5.56%
Fixed Income	28.0%	2.53%
Real Assets	15.0%	3.03%
Private Debt	8.0%	4.93%
Strategic Leverage	(5.0%)	1.40%

[1] An expected annual rate of price inflation of 2.30% was used for this period.

[2] Figures are based on the 2024 Asset Liability Management mid-cycle review.

Subsequent Events

CalPERS will be completing an Asset Liability Management (ALM) review process in November 2025 that will review the capital market assumptions as well as the risk and asset allocation analysis and ascertain whether a change in the discount rate is warranted. As part of the ALM process, the Actuarial Office will be completing its Experience Study to review economic assumptions other than the discount rate as well as all demographic assumptions and make recommendations to modify future assumptions where appropriate. Any resulting changes will be reflected as of the June 30, 2025, valuation date and June 30, 2026, measurement date.

Changes in the Miscellaneous Risk Pool Net Pension Liability

The following table shows the changes in the net pension liability recognized over the measurement period.

	Increase (Decrease)		
	Total Pension Liability (a)	**Risk Pool Fiduciary Net Position (b)**	**Net Pension Liability/(Asset) (c) = (a) – (b)**
Balance at: 06/30/2024	**$24,077,884,150**	**$19,241,277,838**	**$4,836,606,312**
Beginning of Year Adjustment	**$0**	**$0**	**$0**
Adjusted Balance at: 06/30/2024	**$24,077,884,150**	**$19,241,277,838**	**$4,836,606,312**
Changes Recognized for the Measurement Period:			
Service Cost	623,756,031		623,756,031
Interest on Total Pension Liability	1,663,559,708		1,663,559,708
Changes of Benefit Terms	636,468		636,468
Changes of Assumptions	0		0
Differences Between Expected and Actual Experience	322,572,163		322,572,163
Net Plan to Plan Resource Movement		1,076,535	(1,076,535)
Contributions – Employer		824,433,531	(824,433,531)
Contributions – Employees		292,532,010	(292,532,010)
Net Investment Income		2,353,667,520	(2,353,667,520)
Benefit Payments, Including Refunds of Employee Contributions	(1,206,819,592)	(1,206,819,592)	0
Administrative Expense		(13,801,758)	13,801,758
Other Miscellaneous (Income)/Expense		0	0
Net Changes During 2024-25	**$1,403,704,778**	**$2,251,088,246**	**($847,383,468)**
Balance at: 06/30/2025	**$25,481,588,928**	**$21,492,366,084**	**$3,989,222,844**

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

	Discount Rate -1% 5.90%	**Current Discount Rate 6.90%**	**Discount Rate +1% 7.90%**
Risk Pool's Net Pension Liability/(Asset)	$7,427,905,390	$3,989,222,844	$1,159,223,257

Pension Expense/(Income) for the Measurement Period Ended June 30, 2025

Description	Amount
Service Cost	$623,756,031
Interest on Total Pension Liability	1,663,559,708
Changes of Benefit Terms	636,468
Recognized Changes of Assumptions	124,310,820
Recognized Differences Between Expected and Actual Experience	246,419,799
Net Plan to Plan Resource Movement	(1,076,535)
Employee Contributions	(292,532,010)
Projected Earnings on Pension Plan Investments	(1,323,374,991)
Recognized Differences Between Projected and Actual Earnings on Plan Investments	(212,069,322)
Administrative Expense	13,801,758
Other Miscellaneous (Income)/Expense	0
Total Pension Expense/(Income)	**$843,431,726**

Note: Employers should also include changes in proportion and differences between actual and proportionate share of contributions in the pension expense computation.

Deferred Outflows and Deferred Inflows of Resources Related to Pensions

The following table presents deferred outflows and deferred inflows of resources related to pensions as of June 30, 2025. Note that no adjustments have been made for contributions subsequent to the measurement date. Appropriate treatment of any contributions made after the measurement date is the responsibility of the employer. Employers are also responsible for determining the difference between the employer's actual and allocated contributions and changes in proportion.

	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes of Assumptions	$0	$0
Differences Between Expected and Actual Experience	478,004,677	0
Net Difference Between Projected and Actual Earnings on Pension Plan Investments	0	(539,785,685)
Total	**$478,004,677**	**($539,785,685)**

Amounts reported as deferred outflows and deferred inflows of resources related to pensions will be recognized in future pension expense as follows:

Measurement Periods Ended June 30:	Deferred Outflows/(Inflows) of Resources
2026	$492,767,975
2027	(114,924,666)
2028	(233,565,812)
2029	(206,058,505)
2030	0
Thereafter	0

Expected Average Remaining Service Lifetime (EARSL)

The EARSL for PERF C for the measurement period ending June 30, 2025, is 3.8 years, which was obtained by dividing the total service years of 659,872 (the sum of remaining service lifetimes of the active employees) by 172,460 (the total number of participants: active, inactive, and retired) in PERF C. Inactive employees and retirees have remaining service lifetimes equal to 0. Total future service is based on the members' probability of decrementing due to an event other than receiving a cash refund.

Required Supplementary Information

Summary of Changes of Benefits or Assumptions

Changes of Benefit Terms: There were no changes to benefit terms that applied to all members of the Public Agency Pool. However, individual employers in the Plan may have provided a benefit improvement to their employees such as Golden Handshakes, service purchases, and other prior service costs. Employers that have done so may need to report this information as a separate liability in their financial statement as CalPERS considers such amounts to be separately financed employer-specific liabilities. These employers should consult with their auditors. Additionally, the figures above do not include any liability impact that occurred after the June 30, 2024, valuation date, unless the liability impact is deemed to be material to the Public Agency Pool.

Changes of Assumptions: There were no assumption changes in 2023 through 2025. Effective with the June 30, 2021, valuation date (June 30, 2022, measurement date), the accounting discount rate was reduced from 7.15% to 6.90%. In determining the long-term expected rate of return, CalPERS took into account long-term market return expectations as well as the expected pension fund cash flows. In addition, demographic assumptions and the price inflation assumption were changed in accordance with the *2021 CalPERS Experience Study and Review of Actuarial Assumptions*. The accounting discount rate was 7.15% for measurement dates June 30, 2017, through June 30, 2021, and 7.65% for measurement date June 30, 2016.

Employers should refer to the CalPERS *Annual Comprehensive Financial Report* for the fiscal year ended June 30, 2025, which may be accessed on the CalPERS website at www.calpers.ca.gov, to obtain the required supplementary information for proper financial reporting.

Appendices

- **Appendix A – Risk Pool Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions**
- **Appendix B – Interest and Total Projected Earnings**
- **Appendix C – Schedule of Collective Pension Amounts**

Appendix A

Risk Pool Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

- Schedule of Changes of Assumptions
- Deferred Outflows of Resources and Deferred Inflows of Resources Arising From Changes of Assumptions
- Schedule of Differences Between Expected and Actual Experience
- Deferred Outflows of Resources and Deferred Inflows of Resources Arising From Differences Between Expected and Actual Experience
- Schedule of Differences Between Projected and Actual Earnings on Pension Plan Investments
- Deferred Outflows of Resources and Deferred Inflows of Resources Arising From Differences Between Projected and Actual Earnings on Pension Plan Investments
- Summary of Recognized Deferred Outflows of Resources and Deferred Inflows of Resources

Schedule of Changes of Assumptions

Measurement Date	Changes of Assumptions	Recognition Period (Years)	Increase (Decrease) in Pension Expense Arising From the Recognition of the Effects of Changes of Assumptions						
			2025	2026	2027	2028	2029	2030	Thereafter
2016	$0	0.0	$0	$0	$0	$0	$0	$0	$0
2017	907,027,295	3.8	0	0	0	0	0	0	0
2018	(142,903,842)	3.8	0	0	0	0	0	0	0
2019	0	0.0	0	0	0	0	0	0	0
2020	0	0.0	0	0	0	0	0	0	0
2021	0	0.0	0	0	0	0	0	0	0
2022	657,071,478	3.7	124,310,820	0	0	0	0	0	0
2023	0	0.0	0	0	0	0	0	0	0
2024	0	0.0	0	0	0	0	0	0	0
2025	0	0.0	0	0	0	0	0	0	0
Net Increase (Decrease) in Pension Expense			**$124,310,820**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

Deferred Outflows of Resources and Deferred Inflows of Resources Arising From Changes of Assumptions

Measurement Date	Increase in Total Pension Liability (a)	Decrease in Total Pension Liability (b)	Amounts Recognized in Pension Expense Through June 30, 2025 (c)	Balances at June 30, 2025	
				Deferred Outflows of Resources (a) – (c)	Deferred Inflows of Resources (b) – (c)
2016	$0	$0	$0	$0	$0
2017	907,027,295	0	907,027,295	0	0
2018	0	(142,903,842)	(142,903,842)	0	0
2019	0	0	0	0	0
2020	0	0	0	0	0
2021	0	0	0	0	0
2022	657,071,478	0	657,071,478	0	0
2023	0	0	0	0	0
2024	0	0	0	0	0
2025	0	0	0	0	0
				$0	**$0**

Schedule of Differences Between Expected and Actual Experience

Measurement Date	Differences Between Expected and Actual Experience	Recognition Period (Years)	Increase (Decrease) in Pension Expense Arising From the Recognition of the Effects of Differences Between Expected and Actual Experience						
			2025	2026	2027	2028	2029	2030	Thereafter
2016	($3,805,440)	3.7	$0	$0	$0	$0	$0	$0	$0
2017	(102,359,669)	3.8	0	0	0	0	0	0	0
2018	196,241,321	3.8	0	0	0	0	0	0	0
2019	251,306,290	3.8	0	0	0	0	0	0	0
2020	77,379,161	3.8	0	0	0	0	0	0	0
2021	169,063,216	3.7	0	0	0	0	0	0	0
2022	(86,245,219)	3.7	(16,316,662)	0	0	0	0	0	0
2023	303,271,782	3.8	79,808,364	63,846,690	0	0	0	0	0
2024	372,554,607	3.8	98,040,686	98,040,686	78,432,549	0	0	0	0
2025	322,572,163	3.8	84,887,411	84,887,411	84,887,411	67,909,930	0	0	0
Net Increase (Decrease) in Pension Expense			**$246,419,799**	**$246,774,787**	**$163,319,960**	**$67,909,930**	**$0**	**$0**	**$0**

Deferred Outflows of Resources and Deferred Inflows of Resources Arising From Differences Between Expected and Actual Experience

Measurement Date	Experience Losses (a)	Experience Gains (b)	Amounts Recognized in Pension Expense Through June 30, 2025 (c)	Balances at June 30, 2025	
				Deferred Outflows of Resources (a) – (c)	Deferred Inflows of Resources (b) – (c)
2016	$0	($3,805,440)	($3,805,440)	$0	$0
2017	0	(102,359,669)	(102,359,669)	0	0
2018	196,241,321	0	196,241,321	0	0
2019	251,306,290	0	251,306,290	0	0
2020	77,379,161	0	77,379,161	0	0
2021	169,063,216	0	169,063,216	0	0
2022	0	(86,245,219)	(86,245,219)	0	0
2023	303,271,782	0	239,425,092	63,846,690	0
2024	372,554,607	0	196,081,372	176,473,235	0
2025	322,572,163	0	84,887,411	237,684,752	0
				$478,004,677	**$0**

Schedule of Differences Between Projected and Actual Earnings on Pension Plan Investments

Measurement Date	Differences Between Projected and Actual Earnings on Pension Plan Investments	Recognition Period (Years)	Increase (Decrease) in Pension Expense Arising From the Recognition of the Differences Between Projected and Actual Earnings on Pension Plan Investments						
			2025	2026	2027	2028	2029	2030	Thereafter
2016	$772,867,770	5.0	$0	$0	$0	$0	$0	$0	$0
2017	(448,702,781)	5.0	0	0	0	0	0	0	0
2018	(169,486,738)	5.0	0	0	0	0	0	0	0
2019	70,735,658	5.0	0	0	0	0	0	0	0
2020	300,498,116	5.0	0	0	0	0	0	0	0
2021	(2,290,312,540)	5.0	(458,062,508)	0	0	0	0	0	0
2022	2,621,189,057	5.0	524,237,811	524,237,813	0	0	0	0	0
2023	116,155,594	5.0	23,231,119	23,231,119	23,231,118	0	0	0	0
2024	(477,086,188)	5.0	(95,417,238)	(95,417,238)	(95,417,238)	(95,417,236)	0	0	0
2025	(1,030,292,529)	5.0	(206,058,506)	(206,058,506)	(206,058,506)	(206,058,506)	(206,058,505)	0	0
Net Increase (Decrease) in Pension Expense			**($212,069,322)**	**$245,993,188**	**($278,244,626)**	**($301,475,742)**	**($206,058,505)**	**$0**	**$0**

Deferred Outflows of Resources and Deferred Inflows of Resources Arising From Differences Between Projected and Actual Earnings on Pension Plan Investments

Measurement Date	Investment Earnings Less Than Projected (a)	Investment Earnings Greater Than Projected (b)	Amounts Recognized in Pension Expense Through June 30, 2025 (c)	Balances at June 30, 2025	
				Deferred Outflows of Resources (d) = (a) – (c)	Deferred Inflows of Resources (e) = (b) – (c)
2016	$772,867,770	$0	$772,867,770	$0	$0
2017	0	(448,702,781)	(448,702,781)	0	0
2018	0	(169,486,738)	(169,486,738)	0	0
2019	70,735,658	0	70,735,658	0	0
2020	300,498,116	0	300,498,116	0	0
2021	0	(2,290,312,540)	(2,290,312,540)	0	0
2022	2,621,189,057	0	2,096,951,244	524,237,813	0
2023	116,155,594	0	69,693,357	46,462,237	0
2024	0	(477,086,188)	(190,834,476)	0	(286,251,712)
2025	0	(1,030,292,529)	(206,058,506)	0	(824,234,023)
				$570,700,050	**($1,110,485,735)**

Net Deferred Outflows/(Inflows) of Resources (d) + (e)
($539,785,685)

Note: GASB 68 paragraph 33 requires that deferred outflows of resources and deferred inflows of resources arising from differences between projected and actual pension plan investment earnings in different measurement periods should be aggregated and reported as a net deferred outflow or inflow.

Summary of Recognized Deferred Outflows of Resources and Deferred Inflows of Resources

	Net Increase (Decrease) in Pension Expense						
	2025	**2026**	**2027**	**2028**	**2029**	**2030**	**Thereafter**
Changes of Assumptions	$124,310,820	$0	$0	$0	$0	$0	$0
Differences Between Expected and Actual Experience	246,419,799	246,774,787	163,319,960	67,909,930	0	0	0
Net Differences Between Projected and Actual Earnings on Pension Plan Investments	(212,069,322)	245,993,188	(278,244,626)	(301,475,742)	(206,058,505)	0	0
Grand Total	**$158,661,297**	**$492,767,975**	**($114,924,666)**	**($233,565,812)**	**($206,058,505)**	**$0**	**$0**

Appendix B

Interest and Total Projected Earnings

- Risk Pool Interest on Total Pension Liability and Total Projected Earnings

Risk Pool Interest on Total Pension Liability and Total Projected Earnings

Interest on Total Pension Liability	Amount for Period (a)	Portion of Period (b)	Interest Rate (c)	Interest on the Total Pension Liability (a) x (b) x (c)
Beginning Total Pension Liability	$24,077,884,150	100%	6.90%	$1,661,374,006
Changes of Benefit Terms	636,468	100%	6.90%	43,916
Changes of Assumptions	0	100%	6.90%	0
Difference Between Expected and Actual Experience	322,572,163	100%	6.90%	22,257,479
Service Cost	623,756,031	50%	6.90%	21,519,583
Benefit Payments, Including Refunds of Employee Contributions	(1,206,819,592)	50%	6.90%	(41,635,276)
Total Interest on Total Pension Liability				**$1,663,559,708**

Projected Earnings on Pension Plan Investments	Amount for Period (a)	Portion of Period (b)	Projected Rate of Return (c)	Projected Earnings (a) x (b) x (c)
Beginning Plan Fiduciary Net Position Excluding Receivables[1]	$19,229,847,467	100%	6.90%	$1,326,859,475
Net Plan to Plan Resource Movement	1,076,535	50%	6.90%	37,140
Employer Contributions	824,433,531	50%	6.90%	28,442,957
Employee Contributions[2]	294,111,759	50%	6.90%	10,146,856
Benefit Payments, Including Refunds of Employee Contributions	(1,206,819,592)	50%	6.90%	(41,635,276)
Administrative Expense	(13,801,758)	50%	6.90%	(476,161)
Other Miscellaneous Income/(Expense)	0	50%	6.90%	0
Total Projected Earnings				**$1,323,374,991**

[1] Includes any beginning of year adjustment. Contribution receivables for employee service buybacks, totaling $11,430,371 as of June 30, 2024, were excluded for purposes of calculating projected earnings on pension plan investments.

[2] The increase/(decrease) in contribution receivables for employee service buybacks, totaling ($1,579,749) during fiscal year 2024-25, was excluded for purposes of calculating projected earnings on pension plan investments.

Appendix C

Schedule of Collective Pension Amounts

- Schedule of Collective Pension Amounts for PERF C, as of the Measurement Date June 30, 2025

Schedule of Collective Pension Amounts for PERF C, as of the Measurement Date June 30, 2025

	Miscellaneous	Safety	Total
Total Pension Liability	$25,481,588,928	$32,747,118,710	$58,228,707,638
Plan Fiduciary Net Position	$21,492,366,084	$26,506,610,837	$47,998,976,921
Net Pension Liability	**$3,989,222,844**	**$6,240,507,873**	**$10,229,730,717**
Deferred Outflows of Resources			
Changes of Assumptions	$0	$0	$0
Differences Between Expected and Actual Experience	478,004,677	592,406,034	1,070,410,711
Net Difference Between Projected and Actual Investment Earnings on Pension Plan Investments	0	0	0
Total Deferred Outflows of Resources Excluding Employer Specific Amounts[1]	**$478,004,677**	**$592,406,034**	**$1,070,410,711**
Deferred Inflows of Resources			
Changes of Assumptions	$0	$0	$0
Differences Between Expected and Actual Experience	0	0	0
Net Difference Between Projected and Actual Investment Earnings on Pension Plan Investments	(539,785,685)	(669,476,373)	(1,209,262,058)
Total Deferred Inflows of Resources Excluding Employer Specific Amounts[1]	**($539,785,685)**	**($669,476,373)**	**($1,209,262,058)**
Plan Pension Expense	**$843,431,726**	**$1,164,269,106**	**$2,007,700,832**

[1] No adjustments have been made for employer specific amounts such as changes in proportion, differences between employer contributions and proportionate share of contributions, and contributions to the Plan subsequent to the measurement date as defined in paragraphs 54, 55, and 57 of GASB 68. Appropriate treatment of such amounts is the responsibility of the employer.

ITEM: CONSENT CALENDAR

4. RECEIVE GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 75 - FINANCIAL REPORTING FOR POST-EMPLOYMENT BENEFITS OTHER THAN PENSIONS

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Nishil Bali**	**Cost Estimate:**	**N/A**

General Counsel Review: N/A
Committee Recommendation: The Finance and Administration Committee reviewed this item on October 12, 2026, and recommended approval.
CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: The Governmental Accounting Standards Board (GASB) Statement No. 75 provides guidelines for accounting and financial reporting by state and local governments for Other Post-employment Benefits (OPEB) other than pensions. GASB 75 establishes standards for recognizing and measuring liabilities and expenses. For defined benefit OPEB, this Statement identifies the methods and assumptions that are required to be used to project benefit payments, discount projected benefit payments to their actuarial present value, and attribute that present value to periods of employee service. Since this statement requires a full actuarial report, the District used TrueComp to prepare this report for the fiscal year ending June 30, 2026, attached as **Exhibit 4-A**.

As reported in the Executive Summary, page 3, the District's Net OPEB Liability as of the valuation date of June 30, 2026, is estimated at $4,885,562. In comparison, the District's Net OPEB Liability as of the valuation date of June 30, 2025, was estimated at $4,833,572. The increase in liability is attributed to increases in service costs, interest costs, and a change in the actuarial assumptions discount rate, which is offset by decreases in liability experience arising from differences in expected versus actual experience.

The District's annual OPEB expense of $316,396 would fully fund the current and future costs amortized over time. In FY 2025-2026, the District paid premium contributions towards medical coverage for eighteen retirees in the amount of $185,587. This actual cost would be deducted from any contribution made for the year. For example, if the District had fully funded its contribution in FY2025-2026, the $185,587 would have been deducted from the $316,396, resulting in an additional net contribution of $130,809. It should be noted that both current and future costs must be recalculated on an annual basis based on the current employee data and District benefit levels, so the contribution amounts may vary somewhat each subsequent year. The District can elect to either partially fund, fully fund, or continue to fund the costs on a pay-as-you-go basis. The District's budget in the past has included funds for pay-as-you-go basis.

The District's OPEB reserve balance as of 06/30/2026 was $800,000. Details of existing eligible employees in the OPEB tiered plan are as follows.

Tier 1 Plan (hired by District before 01/01/2013 with 15 years of service)	6 employees
Tier 2 Plan (hired by District after 01/01/2013 with 5 years of service)	20 employees

RECOMMENDATION: The Finance and Administration Committee recommends that the Board receive the GASB 75 OPEB Valuation Report prepared by TrueComp.

BACKGROUND: In July 2004, GASB issued Statement Nos. 43 & 45, establishing financial reporting requirements for post-employment benefits other than pensions. The District provides health insurance as a post-employment benefit and was required to comply with GASB 43 and 45 and included the required information in its audited financial statements beginning in FY 2009-10. In June 2015, GASB issued Statement No. 75, replacing GASB 45, the financial reporting requirement for post-employment benefits other than pensions, which includes information with respect to the total obligation to provide future retiree health and welfare benefits with fiscal year beginning June 15, 2017.

The main thrust of GASB OPEB standard is to require that public-sector employees recognize the cost of other post-employment benefits over the service life of their employees rather than on a pay-as-you-go basis. While the liability amount must be included in each entity's annual audited financial statements, the GASB statements do not require that the amount be funded. Government entities can either partially fund, fully fund, or continue to fund the costs on a pay-as-you-go basis. Beginning with the fiscal year 2018-2019 budget, District has started setting aside funds towards unfunded pensions and other postemployment benefits. The District's OPEB reserve stands at $800,000 as of June 30, 2026. With each budget cycle, staff will continue to recommend additional funding for these reserve accounts. As part of the District's long-term financial strategy, staff also recommends establishing a tax-exempt Section 115 trust to fund the District's OPEB liability.

EXHIBIT

4-A GASB 75 OPEB Valuation Report

Monterey Peninsula Water Management District

Governmental Accounting Standards Board
(GASB) Statement 75
Actuarial Valuation Date: June 30, 2026
Measurement Date: June 30, 2026
Fiscal Year End: June 30, 2026

August 12, 2026

NICOLAY CONSULTING

TrueComp

Nicolay Consulting Group

August 12, 2026

OPEB CONSULTANTS AND ACTUARIES
231 SANSOME STREET, SUITE 300
SAN FRANCISCO, CALIFORNIA 94104
TEL: 415-512-5300
FAX: 415-512-5314

Mr. Nishil Bali
Administrative Services Manager / CFO
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940

Re: Monterey Peninsula Water Management District's GASB 75 Report for FYE June 30, 2026

Dear Mr. Bali,

TrueComp has retained Nicolay Consulting Group to complete this valuation of the Monterey Peninsula Water Management District's postemployment medical program (the "Plan") as of the June 30, 2026 measurement date in compliance with Governmental Accounting Standards Board (GASB) Statement 75.

The purpose of this valuation is to determine the value of the expected postretirement benefits for current and future retirees and the Net OPEB Liability and OPEB Expense for the fiscal year ending June 30, 2026. The results presented in this report may not be appropriate for other purposes or for use in future fiscal years without adjustment.

The actuarial cost results and exhibits contained in this report have been prepared in accordance with generally accepted actuarial principles and practices and with applicable Actuarial Standards of Practice. We believe they provide a fair and reasonable representation of the Plan's actuarial status, based on the plan provisions and participant data provided.

This valuation was completed under the supervision of Tina Haugbro and Sue Simon, members of the American Academy of Actuaries who meet the Qualification Standards of the Academy to issue this actuarial opinion. To the best of our knowledge, the data and information provided for this valuation are complete and accurate. In our opinion, the actuarial assumptions used, and approved by the plan sponsor are reasonable and reflect the Plan's experience and expectations.

We welcome any questions regarding the information presented in this report and are available to provide additional details or clarification as needed.

Respectfully submitted,

Tina D. Haugbro EA, FCA, MAAA
Consulting Actuary

Sue Simon ASA, EA, FCA, MAAA
Vice President & Senior Actuary

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Management Summary

Key Valuation Results

Measurement Date: June 30	2026	2025
Present Value of Future Benefits:		
Active	$2,481,035	$2,199,707
Retired	3,453,732	3,274,467
Total	$5,934,767	$5,474,174
Actuarial Accrued Liability or Total OPEB Liability (TOL):		
Active	$1,431,830	$1,559,105
Retired	3,453,732	3,274,467
Total	$4,885,562	$4,833,572
Plan Fiduciary Net Position (i.e. Fair Value of Assets)	0	0
Net OPEB Liability (NOL)	$4,885,562	$4,833,572
Plan Fiduciary Net Position as a percentage of TOL	0%	0%
Aggregate OPEB Expense/(Income)	$316,396	$249,789
Covered Payroll	$3,925,770	$3,448,954
Employer's Share of Benefit Payments	$185,587	$174,861
Demographic Data		
Number of active members	26	25
Number of retired members & beneficiaries	18	18
Total Participants	44	43
Key Assumptions		
Discount rate	4.63%	4.71%
Initial Trend Rate		
Pre-65	8.63%	6.50%
Post 65	6.15%	4.90%
Ultimate Rate	4.00%	4.04%
Year Ultimate Rate is Reached	2075	2075

Management Summary

(Gain)/Loss Analysis

The Total OPEB Liability increased $51,990 from $4,833,572 at June 30, 2025 to $4,885,562 at June 30, 2026. The below table details the sources of the change.

(Gain)/Loss: Total OPEB Liability	Amount
Expected increase due to service cost, interest, and benefit payments	$131,630
Liability Experience	
Actual demographic and other experience	($412,960)
New premiums	172,698
Total	($240,262)
Change in Assumptions	
Change in trend	$115,099
Change in discount rate	45,523
Total	$160,622
Change in Benefit Terms	$0

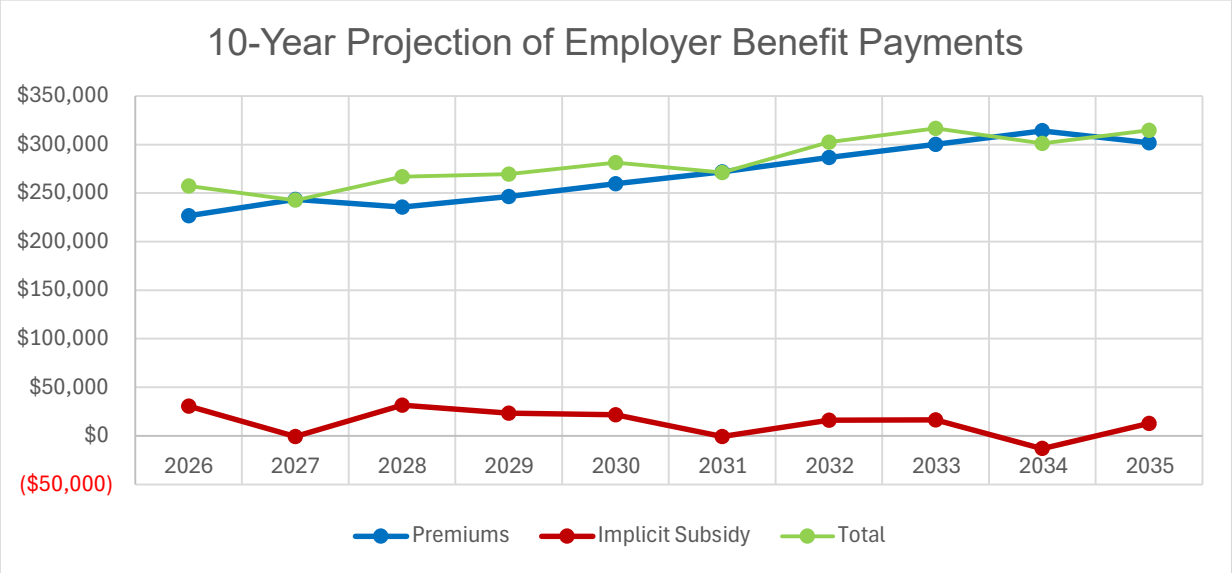
Total Change in Total OPEB Liability	Amount
Expected increase due to service cost, interest, and benefit payments	$131,630
Liability Experience	(240,262)
Change in Assumptions	160,622
Change in Benefit Terms	0
Total	$51,990

Management Summary

10-Year Projection of Employer's Benefit Payments

The table below presents the projected pay-as-you-go costs, including the employer's share of retiree premiums, the implicit subsidy, and the total expected benefit payments. The implicit subsidy represents the difference between the true cost of retiree coverage and the blended premium rate charged to both active employees and retirees. This subsidy arises because premiums are developed using a combined risk pool, in which the typically higher claims costs of retirees are averaged with those of younger, active employees to produce a single uniform premium rate.

Measurement Date June 30	Employer Paid Premiums	Estimated Implicit Subsidy	Total Benefit Payments
2026	$226,702	$30,545	$257,247
2027	$243,526	($727)	$242,799
2028	$235,425	$31,598	$267,023
2029	$246,468	$23,196	$269,664
2030	$259,741	$21,514	$281,255
2031	$271,725	($624)	$271,101
2032	$286,494	$16,089	$302,583
2033	$300,226	$16,426	$316,652
2034	$314,311	($13,080)	$301,231
2035	$301,891	$12,629	$314,520



Management Summary

Breakdown of Explicit and Implicit Liabilities

	Explicit	Implicit	Total
Present Value of Future Benefits			
Actives	$2,237,185	$243,850	$2,481,035
Retirees	3,373,874	79,858	3,453,732
Total	$5,611,059	$323,708	$5,934,767
Actuarial Accrued Liability			
Actives	$1,321,227	$110,603	$1,431,830
Retirees	3,373,874	79,858	3,453,732
Total	$4,695,101	$190,461	$4,885,562
Normal Cost 2026 - 2027	$86,176	$9,232	$95,408

GASB 75 Exhibits

Schedule of Change in Net OPEB Liability

	2026	2025
Total OPEB Liability (TOL)		
Service Cost	$89,653	$87,211
Interest Cost	227,564	207,317
Change of benefit terms	0	0
Differences between expected and actual experience	(240,262)	(45,911)
Changes in assumptions	160,622	(462,497)
Benefit payments	(185,587)	(174,861)
Net change in Total OPEB Liability	$51,990	($388,741)
Total OPEB Liability - beginning (a)	$4,833,572	$5,222,313
Total OPEB Liability - ending (b)	$4,885,562	$4,833,572
Plan Fiduciary Net Position		
Contributions - employer	$185,587	$174,861
Contributions - employee	0	0
Net investment income	0	0
Benefit payments	(185,587)	(174,861)
Administrative expense	0	0
Other	0	0
Net change in Plan Fiduciary Net Position	$0	$0
Plan Fiduciary Net Position beginning (c)	$0	$0
Plan Fiduciary Net Position ending (d)	$0	$0
Net OPEB Liability (NOL) - beginning (a) - (c)	$4,833,572	$5,222,313
Net OPEB Liability (NOL) - ending (b) - (d)	$4,885,562	$4,833,572
Plan Fiduciary Net Position as a percentage of the TOL	0%	0%
Covered employee payroll	$3,925,770	$3,448,954
NOL as a percentage of covered employee payroll	124%	140%

GASB 75 Exhibits

Summary of Change in Net OPEB Liability

	Total OPEB Liability (a)	Plan Fiduciary Net Position (b)	Net OPEB Liability (a) - (b)
Measurement as of June 30, 2025	$4,833,572	$0	$4,833,572
Service cost	$89,653	$0	89,653
Interest cost	227,564	0	227,564
Difference between expected and actual experience	(240,262)	0	(240,262)
Assumption changes	160,622	0	160,622
Net investment income	0	0	0
Benefit payments	(185,587)	(185,587)	0
Contributions - employer	0	185,587	(185,587)
Contributions - employee	0	0	0
Administrative expense	0	0	0
Change of benefit terms	0	0	0
Net changes	$51,990	$0	$51,990
Measurement as of June 30, 2026	$4,885,562	$0	$4,885,562

GASB 75 Exhibits

Sensitivity Analysis

The Net OPEB Liability (NOL) is sensitive to changes in key actuarial assumptions. The following analysis illustrates the impact of a 1-percentage point change in both the discount rate and the healthcare cost trend rates on the NOL as of the June 30, 2026 measurement date.

Discount Rate Sensitivity

The table below shows the NOL calculated using a discount rate of 1-percentage point lower (3.63%) and 1-percentage point higher (5.63%) than the current rate of 4.63%.

Assumed Discount Rate	Net OPEB Liability
5.63%	$4,360,941
4.63% (Current)	$4,885,562
3.63%	$5,515,205

Healthcare Trend Rate Sensitivity

The table below shows the NOL calculated using healthcare cost trend rates that are 1-percentage point lower and 1-percentage point higher than the current assumption:

Assumed Healthcare Trend Rate	Net OPEB Liability
1% Decrease	$4,373,898
Current Trend	$4,885,562
1% Increase	$5,507,776

GASB 75 Exhibits

Schedule of OPEB Expense

Measurement Date: June 30	2026	2025
Components of OPEB Expense:		
Service Cost	$89,653	$87,211
Interest on the Total OPEB Liability	227,564	207,317
Projected Investment Earnings on Plan Assets	0	0
Employee Contributions	0	0
Administrative Expense	0	0
Change in Benefit Terms	0	0
Recognition of Deferred Resources Due to:		
Difference: Expected & Actual Experience	(69,034)	(81,346)
Difference: Assumption Changes	68,213	36,607
Difference: Expected & Actual Investment Earnings	0	0
Aggregate OPEB Expense/(Income)	**$316,396**	**$249,789**

GASB 75 Exhibits

Interest on the Total OPEB Liability

	Amount Subject to Interest	Portion of Year (Timing Assumption)	Interest Rate	Interest on TOL
Beginning Total OPEB Liability	$4,833,572	100%	4.71%	$227,661
Service Cost	89,653	100%	4.71%	4,223
Benefit Payments	(185,587)	50%	4.71%	(4,320)
Total Interest on the TOL				**$227,564**

GASB 75 Exhibits

Summary of Deferred Outflows/(Inflows) of Resources

	Deferred Outflows of Resources	Deferred Inflows of Resources
Unrecognized Deferred Resources due to:		
Differences between expected and actual experience	$119,796	$312,126
Changes in assumptions	248,729	436,452
Net difference between projected and actual investment earnings	0	0
Total	$368,525	$748,578

Amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB Expense as follows:

Fiscal Year Ending	Recognized Deferred Outflows/(Inflows) of Resources
2027	($103,412)
2028	(4,784)
2029	(99,119)
2030	(66,675)
2031	(78,672)
Thereafter	(27,391)
Net Deferred Outflows/(Inflows) of Resources	($380,053)

GASB 75 Exhibits

Schedule of Deferred Outflows/(Inflows) of Resources

Fiscal Year Established	Initial Amount	Amort. Period (Years)	Rem. Years	Amount Recognized In FY 2026	Deferred Balances as of June 30, 2026	
					Outflows	Inflows
Difference Between Expected and Actual Plan Experience						
2020	($411,131)	6.3	0.0	($19,577)	$0	$0
2021	(5,585)	6.3	0.3	(887)	0	(263)
2022	(120,671)	6.0	1.0	(20,112)	0	(20,111)
2023	(120,643)	7.0	3.0	(17,235)	0	(51,703)
2024	205,368	7.2	4.2	28,524	119,796	0
2025	(45,911)	7.2	5.2	(6,377)	0	(33,157)
2026	(240,262)	7.2	6.2	(33,370)	0	(206,892)
Total	($738,835)			($69,034)	$119,796	($312,126)
Changes in Assumptions						
2020	($190,471)	6.3	0.0	($9,067)	$0	$0
2021	337,730	6.3	0.3	53,608	16,082	0
2022	565,999	6.0	1.0	94,333	94,334	0
2023	(106,465)	7.0	3.0	(15,209)	0	(45,629)
2024	(97,373)	7.2	4.2	(13,525)	0	(56,798)
2025	(462,497)	7.2	5.2	(64,236)	0	(334,025)
2026	160,622	7.2	6.2	22,309	138,313	0
Total	$207,545			$68,213	$248,729	($436,452)
Totals:				($821)	$368,525	($748,578)

GASB 75 Exhibits

Reconciliation of the Net Position

Measurement Date: June 30	2026	2025
Total OPEB Liability (TOL)	$4,885,562	$4,833,572
Plan Fiduciary Net Position	0	0
Net OPEB Liability (NOL)	$4,885,562	$4,833,572
Deferred Inflows of resources (CR):		
Differences between expected and actual experience	$312,126	$169,422
Assumption Changes	436,452	538,489
Net differences between projected and actual earnings	0	0
Deferred Outflows of resources (DR):		
Differences between expected and actual experience	119,796	148,320
Assumption Changes	248,729	258,357
Net differences between projected and actual earnings	0	0
Net Position	$5,265,615	$5,134,806

Reconciliation of Net Position	
Net Position at June 30, 2025	$5,134,806
Aggregate OPEB Expense/(Income)	316,396
Total OPEB Contributions	(185,587)
Net Position at June 30, 2026	$5,265,615

GASB 75 Exhibits

Derivation of Significant Actuarial Assumptions

The discount rate used to measure the total OPEB liability is based on a blend of (i) the long-term expected rate of return on plan assets for benefits projected to be covered by investments and (ii) a yield or index rate for 20-year, tax-exempt general obligation municipal bonds rated AA/Aa or higher for any benefits not expected to be covered by plan assets.

Discount Rate Development	June 30, 2026	June 30, 2025
Discount Rate	4.63%	4.71%
Fidelity 20-year GO Bond Index	N/A	4.71%
Bond Buyer 20-year Bond GO Index	4.63%	N/A

Data

Summary of Demographic Information

The participant data used in this valuation was provided by the District as of June 30, 2026. Although the data was reviewed for overall consistency and reasonableness, it was not independently audited. The accuracy of the valuation results presented in this report relies on the completeness and accuracy of the data provided.

The table below summarizes key demographic information for active employees and retired participants covered under the terms of the plan.

	2026	2024
Active		
Count	26	25
Average Age	45.1	43.5
Average Service	9.6	9.8
Retirees		
Under age 65	6	5
Age 65 and over	12	13
Total	18	18
Average Age	68.4	67.0
Inactive Participants with deferred benefits	0	0
Total Participants	44	43

Data

Distribution of Participants by Age and Service

Age Group	Retired Participants	Active Participants - Years of Service						
		0 - 4	5 - 9	10 - 14	15 - 19	20 - 24	25+	Total
Under 25	0	0	0	0	0	0	0	0
25 to 29	0	2	0	0	0	0	0	2
30 to 34	0	4	0	0	0	0	0	4
35 to 39	0	3	2	1	0	0	0	6
40 to 44	0	1	1	0	1	0	0	3
45 to 49	0	1	1	0	0	1	0	3
50 to 54	1	0	0	0	1	0	0	1
55 to 59	1	1	0	0	0	0	3	4
60 to 64	4	0	1	0	0	0	0	1
65 to 69	4	1	0	1	0	0	0	2
Over 70	8	0	0	0	0	0	0	0
Total	18	13	5	2	2	1	3	26

Retired participants not including covered dependents.

Plan Provisions Summary

Eligibility and Contribution Requirements

Tier 1 - Employees hired before July 1, 2013:
Retirees can enroll in lifetime medical coverage starting at the age of 50. Retirees will be enrolled in the Laborers Northern California Trust Special Plan. Reirees may enroll dependents but with no employer contribution. The surviving spouse benefits are available for one year after the retiree's death, if applicable. For retirees with less than 15 years, the District will contribute $540. For retirees with 15 years of service or more, the District will contribute up to $1,544.04 per month for the fiscal-year beginning July 1, 2026. This cap increases by 3% on July 1st of each successive year.

Tier 2 - Employees hired on or after July 1, 2013:
Retirees are eligible to enroll in lifetime medical coverage starting at the age of 50 with 5 years of service will be enrolled in the Laborers Northern California Trust Special Plan. The District will contribute up to $540. For dependent coverage, retirees are eligible to enroll but with no employer contribution. The surviving spouses benefits are available for one year after the retiree's death, if applicable.

Health Care Premiums

	2026 Rates		
	EE	EE+1	Family
Pre-Medicare			
Laborers Northern California Trust	$1,724.00	$1,724.00	$1,724.00

Monthly Medicare Part B Premium	
Calendar Year 2026	$202.90

Actuarial Assumptions and Methods

Actuarial Assumptions

Discount Rate	4.63% on June 30, 2026 4.71% on June 30, 2025
Payroll increases	2.80% annual increases.
Health Care Trend	Short-term healthcare trends are based on recent plan experience. Long-term trends are based on the Society of Actuaries recommended use of the "Getzen Model".

Year Beginning	Increase in Premium Rates Pre-65	Post-65
2026	Actual	Actual
2027	8.63%	6.15%
2028	8.13%	5.65%
2029	7.60%	5.33%
2030	7.04%	5.18%
2031	6.48%	5.03%
2032	5.92%	4.88%
2033	5.36%	4.74%
2034	4.80%	4.59%
2035	4.41%	4.41%
2036	4.30%	4.30%
….		
2075+	4.00%	4.00%

Tier 1 Cap: 3.00%
Medicare Part B increases with Post-65 trend rates.

Actuarial Assumptions and Methods

Actuarial Assumptions (continued)

Average Monthly Per Capita Claims Cost (Baseline Cost)

Post-65 average premium was developed from actual participant premiums provided by the District. The District did not provide names of corresponding plans.

Plan	Pre - Medicare	Post - Medicare
Retiree & Spouse	$1,786.00	$422.24

Medicare Part B

$202.90

Medicare Coverage

All future retirees will be eligible for Medicare when they reach age 65.

Morbidity Factors

2021 CalPERS Study

Population for Curving

2021 CalPERS Study

Health premiums for Medicare eligible retirees are based on Medicare eligible retiree claims experience and represent the true cost of retiree coverage. No implicit subsidy is calculated for Medicare retirees.

Age-Weighted Monthly Claims

Age	Retiree	Spouse
50	$1,307	$1,490
55	$1,716	$1,731
60	$2,155	$2,027
61	$2,242	$2,091
62	$2,330	$2,156
63	$2,372	$2,189
64	$2,414	$2,221

Health Plan Participation

90% of retirees eligible for Tier 1 benefits will participate in the medical plan. 75% of those eligible for the $540 cap will participate in the medical plan.

Actuarial Assumptions and Methods

Actuarial Assumptions (continued)

Mortality	Pre-Retirement: CalPERS 2021 Mortality pre-retirement Post-Retirement: CalPERS 2021 Mortality post-retirement
Disability	N/A
Retirement	CalPERS 2021 Experience
Withdrawal	CalPERS 2021 Experience
Percent Married	70% of current and future retirees are assumed to cover a spouse. Male spouses are assumed to be three years older than females.

Assumption Changes:

The following assumption changes from June 30, 2025 to June 30, 2026:

1. Trend was updated to reflect the Society of Actuaries recommended 2025 Getzen Model.
2. The discount rate were decreased from 4.71% to 4.63%

Actuarial Assumptions and Methods

Actuarial Methods

Actuarial Cost Method	Entry Age Normal
Amortization Methodology	Straight-line amortization over the Average Future Working Lifetime for assumption changes and experience gains/losses. Asset gains/losses are amortized over 5 years.
Financial and Census Data	The plan sponsor provided the participant data, financial information and plan descriptions used in this valuation. We reviewed the data for reasonableness but have not independently audited the data. We have no reason to believe the data is incomplete or inaccurate and we are unaware of any additional information that is essential to the preparation of the actuarial valuation.
Plan Fiduciary Net Position	Market value of assets as of the measurement date.
Measurement Date	June 30, 2026
Valuation Date	June 30, 2026
Funding Policy	Pay-as-you-go.
Valuation Model	Results in this report were calculated using ProVal actuarial valuation software in accordance with its intended purpose. We have not identified any material inconsistencies in ProVal's assumptions or outputs that would affect this valuation. ProVal was developed in 1994 and maintained by WinTech, a company that provides valuation and projection software for both pension and other postemployment benefit plans.

Key Terms

Key Terms

Actuarial Accrued Liability (AAL)	The portion of the actuarial present value of projected benefit payments that is attributed to past service as defined by the Actuarial Cost Method.
Actuarially Determined Contribution (ADC)	The annual contribution amount determined under the Actuarial Cost Method. In this valuation, the ADC is equal to the Normal Cost plus amortization of the unfunded actuarial accrued liability over a closed amortization period.
Covered Payroll	Aggregate annual compensation paid (or expected to be paid) to active employees covered by an OPEB plan.
Implicit Subsidy	Subsidy generated by blending active and pre-Medicare retirees to develop a single flat premium for both groups, with active employees subsidizing the premiums for retirees.
Normal Cost (or Service Cost)	The portion of PVB attributed to employee service during the current fiscal year.
Other Postemployment Benefits (OPEB)	Post-employment benefits (excluding termination and severance benefits) not covered by a pension plan.
Present Value of Future Benefits (PVB)	The value, as of the valuation date, of the projected benefits payable to all members for their accrued service and their expected future service, discounted to reflect the time value of money and adjusted for the probabilities of retirement, withdrawal, death and disability.

ITEM: CONSENT CALENDAR

5. CONSIDER UPDATES TO SURPLUS PROPERTY DISPOSAL POLICY AND DECLARATION OF SURPLUS ITEMS

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Nishil Bali**	**Cost Estimate:**	**N/A**

General Counsel Approval: N/A
Committee Recommendation: The Finance and Administration Committee reviewed this item on October 12, 2026, and recommended approval.
CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.

SUMMARY: The District's existing Policy Regarding Disposal of Surplus Property was adopted on July 21, 2003. The policy establishes general procedures for disposing of District property and needs to be updated. Since adopting the 2003 policy, the District has updated its Purchasing Policy and incorporated a surplus-property provision in Chapter 7. The current Purchasing Policy authorizes the General Manager or designee to exchange, trade in, sell, and dispose of surplus District property, generally above $5,000 in original or market value through open-market sales, public auction, competitive sealed bids, or trade-in. It also addresses sales or leases to governmental, public, or quasi-public agencies and establishes restrictions on employee purchases. The proposed Surplus Disposal policy consolidates the District's surplus-property procedures into one document, establishes internal control for appropriate value for property sold, distinguishes personal property from real property, establishes safeguards for employee participation, and requires evaluation of the applicability of the California Surplus Land Act before disposing of real property.

This report also lists items on **Exhibit 5-A** that have been declared as surplus and will be disposed of through a public auction.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board

1. Rescind and replace the District's July 21, 2003, Policy Regarding Disposal of Surplus Property with the updated Surplus Property Disposal Policy, and
2. Approve an amendment to Chapter 7 of the District's Purchasing Policy to provide that surplus-property dispositions shall be governed by the updated Surplus Property Disposal Policy; and
3. Declare the items listed on **Exhibit 5-B** as surplus assets to be disposed of via public auction in accordance with the new policy.

BACKGROUND: The existing 2003 policy states that the General Manager or delegated staff is responsible for determining the status of and disposing of surplus District property. It provides for trade-in or public auction of property having residual value and permits donation of property determined to have no value to a nonprofit organization. The District has continued to rely upon the 2003 policy for surplus-property dispositions. Since adoption of the 2003 policy, the District has updated its Purchasing Policy and has incorporated a surplus-property provision in Chapter 7. Maintaining two overlapping provisions creates an opportunity for inconsistent interpretation. The proposed action establishes one comprehensive policy framework.

District property must also be disposed of consistently with Article XVI, Section 6 of the California Constitution and other applicable law. The proposed policy therefore does not assume that every transfer for little or no consideration is permissible because the property has little monetary value. The proposed policy also separates real-property dispositions from routine personal-property dispositions. If District-owned land is proposed for disposition, staff will first determine whether the California Surplus Land Act, Government Code Sections 54220 et seq., applies and will consult General Counsel regarding the applicable process.

The proposed policy is not expected to result in a material fiscal impact. The policy may improve recovery of value from surplus assets by establishing documented valuation and disposition procedures. It may also reduce administrative costs by permitting the General Manager or designee to select an appropriate disposition method based upon the nature and value of the property.

The proposed policy is intended to establish a consistent surplus-property process; provide reasonable assurance that the district receives appropriate value for property sold and establish documented valuation procedures. It also establishes safeguards for employee and official participation along with appropriate accounting and recordkeeping requirements, as well as a separate legal review process for real-property dispositions.

EXHIBITS

5-A Surplus Property Disposal Policy (amended)
5-B Surplus List – October 12, 2026
5-C Chapter 7 of the District's Purchasing Policy (amended)

Monterey Peninsula Water Management District

Policy Regarding Disposal of Surplus Property
Proposed Changes in Color

EXHIBIT 5-A

Policy Purpose:

~~Periodically, the District has surplus property that is no longer required for District operations. The purpose of this policy is to provide a systematic and accountable method of monitoring and controlling the disposal of surplus District property.~~

The Monterey Peninsula Water Management District ("District") periodically owns personal property, equipment, vehicles, supplies, materials, and real property that may become obsolete, excess, damaged, uneconomical to repair, or otherwise no longer necessary or useful for District operations.

The purpose of this policy is to establish a consistent, transparent, accountable, and compliant process for identifying, declaring, valuing, and disposing of District property that is no longer required for District purposes.

Authority:

The General Manager or delegated staff shall be responsible for determining the status of and disposing of surplus District property.

Restrictions:

a. **Property Covered by Legal Restrictions**: Before disposing of property, the Division responsible shall determine whether the property is subject to additional legal, contractual, grant, funding, bond, title, environmental, records-management, or other restrictions. Property acquired with federal, state, grant, bond, restricted, or other specially designated funds shall not be disposed of until the District determines whether the applicable funding agreement or law imposes additional requirements.

b. **Electronic Equipment and District Information:** Before disposing of computers, mobile devices, storage media, networking equipment, or other electronic equipment capable of retaining District information, the District shall take reasonable steps to remove or securely destroy District information, including confidential information, personally identifiable information, passwords, credentials, and other protected information. The District's records-retention and information-security requirements shall be satisfied before such equipment is released for sale, donation, recycling, or disposal.

c. **Real Property:** The disposal of District-owned real property is subject to requirements that are separate from the routine disposal of personal property. Before initiating the sale, lease, or other disposition of District-owned land, the General Manager or designee shall consult with District General Counsel to determine the applicability of the California Surplus Land Act, Government Code §§ 54220–54234, and any other applicable law.

Monterey Peninsula Water Management District

Policy Regarding Disposal of Surplus Property
Proposed Changes in Color

When the Surplus Land Act applies, the District shall comply with all applicable requirements concerning Formal identification and declaration of surplus or exempt surplus land; Required written findings; Notices of availability; Notice to applicable public entities and interested housing entities; Good-faith negotiations; Affordable-housing requirements; Required restrictions or covenants; Department of Housing and Community Development review; and Required documentation submitted through the applicable HCD process.

No District employee or officer shall enter into negotiations for the disposition of land subject to the Surplus Land Act before the District has determined the applicable statutory process and completed any required preliminary actions.

d. No Unlawful Gift: Article 16, Section 6 of the California Constitution prohibits any public entity from making a gift of public personal property. 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.~~Employees are not eligible to receive or purchase surplus property, however, employees may receive personalized items and receive or purchase market value items considered to be memorial or commemorative in nature, subject to General Manager approval.

Personal Property: For purposes of this policy, personal property includes, but is not limited to: Vehicles and trailers; Equipment and machinery; Furniture; Computers and electronic equipment; Tools; Office equipment; Supplies and materials; and Other movable property owned by the District, generally above $5,000 in original or market value and a useful life of more than 5 years.

Surplus Personal Property Categories and Disposal Guidelines:

a. Personal Property with potential value: ~~a)~~ Surplus~~s~~ personal District property, including vehicles, with some residual value may be disposed of by Open-market sale; Public auction, including online auction; Competitive sealed bids; Exchange or trade-in for replacement goods~~trade-in or by public auction~~. Based on the circumstances and the value of the property to be auctioned, an auction may be held by the District or the District may utilize the auction services of another government agency or a private auction company. All items to be auctioned will be sold on an "as is" basis with no warranties or guarantees expressed or implied.

b. Personal Property with no value: ~~b)~~ Surplus District property that is determined to have no value may be donated to a governmental or non-profit organization that is willing to accept it. If a non-profit organization willing to accept the property cannot be identified, the property may be disposed of at a landfill or by any other appropriate manner.

Monterey Peninsula Water Management District

Policy Regarding Disposal of Surplus Property
Proposed Changes in Color

Valuation and Accounting:

The Division responsible shall establish a reasonable estimated value for surplus property that has potential monetary value. The valuation may be based on: Current market information; Comparable sales; Used equipment or vehicle guides; Recent sales of similar property; An appraisal or other qualified valuation; Anticipated auction proceeds; the depreciated value of the property, other reasonable information appropriate to the property.

Appropriate accounting entries, if any, will be made at the time the surplus property is disposed of.

EXHIBIT 5-B

MPWMD Public Auction Inventory

	Description	VIN/Serial No.	Quantity
1.	2003 Dodge Ram*	1D7HU16N213J619171	1
2.	2010 Honda Insight Hybrid*	JHMZE2H58AS037967	1
3.	HP ColorLaserJet Printers 4700	JP8LD09735 & JP8RB76826	2
4.	Fluorescent Lights at ASR	Left over lights from ASR upgrade	12

* Non-functional

EXHIBIT 5-C

CHAPTER 7. DISPOSAL OF SURPLUS PROPERTY (updated)

The District shall dispose of surplus property in accordance with the District's Surplus Property Disposal Policy, as adopted and amended by the Board of Directors.

The General Manager or designee is authorized to administer the disposition of surplus personal property in accordance with that policy, the District's enabling legislation, applicable federal and California law, and any required Board authorization.

Disposition of District-owned real property shall comply with all applicable statutory requirements, including the California Surplus Land Act, Government Code Sections 54220–54234, when applicable.

Nothing in this Chapter authorizes the transfer or disposition of District property in a manner inconsistent with applicable law.

ITEM: CONSENT CALENDAR

6. CONSIDER APPROVAL OF ADDITIONAL CONTRACT SPENDING FOR LEGAL SERVICES WITH RICHARDS WATSON GERSHON (RWG LAW)

Meeting Date:	**October 19, 2026**	**Budgeted:**	**No**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item:**	**Legal**
Prepared By:	**Nishil Bali**	**Cost Estimate:**	**$55,000**

General Counsel Review: N/A
Committee Recommendation: The Finance and Administration committee reviewed this item on October 12, 2026, and recommended approval.
CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: The Monterey County Superior Court upheld the California Coastal Commission's approval of Cal-Am's desalination project and subsurface slant wells. The City of Marina, the Marina Coast Water District (MCWD), MCWD Groundwater Sustainability Agency, and the Monterey Peninsula Water Management District jointly appealed the decision to the California Court of Appeal and are represented by Richards, Watson & Gershon (RWG). The Opening Brief was filed on March 2, 2026, with oral argument anticipated in February/March 2027. The parties are sharing legal expenses equally. The District's initial $65,000 budget for RWG Law has been exhausted. Staff recommends authorizing an additional $55,000 for costs incurred and anticipated through the remainder of the case, consistent with the District's purchasing policy.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board approve an additional contract spending of $55,000 on legal services with RWG Law.

BACKGROUND: Monterey County Superior Court Case No. 22CV004063 challenged the Coastal Commission's conditioned approval of a Coastal Development Permit for Cal-Am's proposed desalination project and subsurface slant wells. Following a trial in late 2024 and early 2025, the court issued a final decision upholding the Coastal Commission's action. A Notice of Entry of Judgment was served on June 2, 2025, and the petitioning parties subsequently filed a joint Notice of Appeal to take the matter to the California Court of Appeal. Petitioners include the City of Marina, MCWD, the MCWD Groundwater Sustainability Agency, and the Monterey Peninsula Water Management District, challenging the California Coastal Commission, with Cal-Am as the real party in interest.

Appellants for the above case are jointly represented by Richards, Watson, Gershon in San Francisco. On March 2, 2026, the Opening Brief was timely lodged with the Appellate Court. Oral arguments in the Court of Appeal are due in February/March 2027.

The District and the other parties are sharing legal expenses equally (one-third each). The District's initial $65,000 authorization for RWG Law has been exhausted. Staff recommends an additional

$55,000 authorization for the remainder of the fiscal year to cover costs incurred to date and anticipated expenses through the conclusion of the case. Under the District's Purchasing Policy, Board approval is required for contract expenditures exceeding $25,000 unless exempt under Chapter 5.

EXHIBIT
6-A RWG Legal Contract

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T. Peter Pierce

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350 South Grand Avenue
37th Floor
Los Angeles, CA 90071
rwglaw.com

July 21, 2025

VIA ELECTRONIC MAIL

Remleh Scherzinger, General Manager
Marina Coast Water District
11 Reservation Road
Marina, California 93933-2099

Layne Long, City Manager
City of Marina
211 Hillcrest Avenue
Marina, California 93933

David J. Stoldt, General Manager
Monterey Peninsula Water Management District
Post Office Box 85
Monterey, California 93942-0085

Re: Legal Services Agreement - Appellate Services

Dear Messrs. Scherzinger, Long, and Stoldt:

On behalf of Richards, Watson & Gershon ("RWG"), my colleagues and I are pleased to have the opportunity to provide legal services to the Marina Coast Water District ("Marina Coast"), the City of Marina ("City"), and the Monterey Peninsula Water Management District ("District") (at times collectively "Appellants") by evaluating their chance of success on appeal, and prosecuting an appeal, in *City of Marina, et al. v. California Coastal Commission,* Monterey County Superior Court Case No. 22CV004063.

We write to set forth the terms upon which the firm will provide legal services to Appellants and the basis upon which we will bill for our services and expenses.

Our firm maintains a conflict of interest database. Based on the information provided, we will examine this database to determine whether we might have a professional conflict of interest with respect to the parties listed below. If there are other parties who would be

affected by this matter or who you otherwise feel we should consider, please provide those names to us so we can determine whether there are conflicts as to those parties.

The names we utilized in determining whether any potential or actual conflicts of interest exist are the following:

Marina Coast Water District
Marina Coast Water District Groundwater Sustainability Agency
City of Marina
Monterey Peninsula Water Management District
Remy Moose Manley LLP
Howard F. Wilkins III
Christina Berglund
DeLay & Laredo
David C. Laredo
Shartsis Friese LLP
Paul P. Spaulding III
Larisa A. Meisenheimer
Suzanne S. Orza
California Coastal Commission
Office of Attorney General
Rob Bonta
David Pa
Joel S. Jacobs
California American Water Company
Latham & Watkins
Paul Hastings LLP
Duncan J. Moore
Winston P. Stromberg
Lucas I. Quass
Natalie C. Rogers

We will add these names to our database for consultation in regard to future matters. We will proceed on the understanding that the above listing is accurate and complete unless we hear from Appellants to the contrary. We have not identified any actual or potential conflicts which would preclude us from undertaking this representation.

I will have primary responsibility for the representation, with consultation from CEQA/Coastal Act expert Ginetta Giovinco. We may also use other attorneys, legal assistants, and other law firm personnel as may be helpful.

We will bill Appellants on a monthly basis. When a bill is to be sent, we will review it before it is issued to ensure that the amount charged is appropriate and accurately reflects the services rendered.

Our time will be charged at the following rates: Peter Pierce - $475 per hour; all other firm Shareholders, Senior Counsel, Of Counsel - $450 per hour; all firm Associates - $395 per hour; and all firm paralegals - $250 per hour.

In addition, we will bill for costs in connection with our representation. Such costs include copying documents ($.25/page), facsimile transmission of documents ($1.00/page), long distance telephone, court fees, litigation costs, messenger and delivery services, electronic research, litigation support services, and other similar costs. Such costs frequently are billed to the firm from third-party vendors. Therefore, there sometimes will be a delay between the time such costs are incurred and the time when they appear on the bill.

The nature of legal representation makes it impossible for us to accurately estimate the total amount of fees and costs that may be incurred over time. We will keep Appellants informed of significant developments in the matter, including those that might have a substantial effect on the cost of this representation. Please feel free to inquire at any time about expected future costs.

Naturally, we expect you to ask us about the likely results of our work. We will respond as best we can, but cannot and do not guarantee any particular result. We can make no promises about the outcome of litigation or negotiations and any opinions about likely outcomes are not intended to constitute a guarantee.

We rarely have fee disputes with clients. Nevertheless, Appellants should be aware that they are entitled to require that any fee dispute be resolved through the mandatory fee arbitration provisions of the California Business & Professions Code. One such program is operated under the auspices of the Los Angeles County Bar Association. Many other local bar associations have similar programs.

In the event that any one Appellant chooses not to utilize the County Bar arbitration procedures or that such procedures fail to resolve all fee disputes, all Appellants agree that all fee disputes between us shall be submitted to binding arbitration in Los Angeles to be conducted by the American Arbitration Association, in accordance with its commercial arbitration rules.

Each Appellant has the right to terminate our representation at any time. We have the same right, subject to our obligation to provide the Appellant with reasonable notice to arrange alternative representation. In either circumstance, the Appellant agrees to secure new counsel

to represent it as quickly as possible and to cooperate fully in the substitution of the new counsel as counsel of record in the appeal. If our representation is terminated by any party, as to one or more, but not all Appellants, we will be paid all fees and costs incurred prior to the termination, and continue representing the remaining Appellants. If our representation is terminated as to all Appellants by the Appellants or by RWG, we will be paid all fees and costs incurred prior to the termination within 30 days after delivery of a final bill for services.

We are also required to inform you that we currently maintain professional liability insurance.

Our legal relationship and the terms of this agreement will be governed by the substantive laws of the State of California without regard to any contrary conflict of law principles or authority.

Important Information About Potential Conflicts of Interest

Whenever we represent more than one party, we review whether there is a potential for a conflict of interest between or among two or more of our potential clients. In that regard, Rule 1.7 of the California Rules of Professional Conduct provides, in relevant part, as follows:

> (a) A lawyer shall not, without informed written consent from each client and compliance with paragraph (d), represent a client if the representation is directly adverse to another client in the same or a separate matter.
>
> (b) A lawyer shall not, without informed written consent from each affected client and compliance with paragraph (d), represent a client if there is a significant risk the lawyer's representation of the client will be materially limited by the lawyer's responsibilities to or relationships with another client, a former client or a third person, or by the lawyer's own interests.

Where "informed consent" is required, we are obligated to inform you of the "relevant circumstances" and of the "material risks, including any actual and reasonably foreseeable adverse consequences" of the informed written consent in connection with RWG's joint representation of Appellants.[1]

[1] Even where informed consent is obtained, representation only is permitted if: (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client; (2) the representation is not prohibited by law; and (3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal. Based on the analysis in this letter, we feel confident that the interests of Appellants are aligned at

We understand that in the trial court Marina Coast, the City, and the District asserted identical causes of action arising from the same set of facts. We also understand that the Court's rulings were identical as to all three Appellants. Lastly, we understand that there are no potential claims between or among Appellants with regard to the matters that are at issue in the above-referenced litigation. Please advise if you believe any of these understandings is incorrect.

Our assignment is to analyze potential grounds for appeal, and to prosecute an appeal. Given that the facts, causes of action, and rulings in the trial court were identical as to each Appellant, we anticipate our appellate work will be identical for each Appellant as well, eliminating any reasonable possibility that their respective interests could diverge on appeal. Please let me know if you are aware of any information to the contrary. Otherwise, we will monitor the matter for potential conflicts as we proceed and will advise and consult if we discover facts that change our conclusion.

At this point, the only potential consequence of joint representation that merits discussion relates to confidentiality. Ordinarily, communications between a client and an attorney are privileged from disclosure with certain limited exceptions. In a joint client representation, however, the attorney has obligations to each client. If one or more clients reveals information that might be damaging, or otherwise relevant to one of the other clients, RWG might be required to disclose that information to the other clients. In some cases, the conflict may be resolved by a withdrawal but, as a practical matter, the withdrawal itself may reveal the existence of such information. As a result, we require each Appellant to agree that by entering into this joint representation, each Appellant consents and agrees that any information it discloses to us may be disclosed to the other Appellants.

We do not perceive the limitation of confidentiality among joint clients to present a significant adverse consequence in this matter. Information disclosed to us will continue to be privileged (with limited exceptions) against third-parties who are not clients. Moreover, we would expect any conflicts in this regard to have arisen in the trial court, and be unlikely to arise here where we will be reviewing an existing and now closed record. Still, to proceed we need to advise you of this possibility and request that each Appellant consent to this aspect of joint representation. The alternative would be for each Appellant to seek separate representation and incur that additional expense.

---

this time and that we can provide competent and diligent representation that is not prohibited by law and will not assert claims by one client against another.

The final required disclosure arises from Rule 1.7, subdivision (c)(1) of the California Rules of Professional Conduct:

> (c) Even when a significant risk requiring a lawyer to comply with paragraph (b) is not present, a lawyer shall not represent a client without written disclosure of the relationship to the client and compliance with paragraph (d) where:
>
> (1) the lawyer has, or knows that another lawyer in the lawyer's firm has, a legal, business, financial, professional, or personal relationship with or responsibility to a party or witness in the same matter.

This rule requires us to inform you that RWG has represented Marina Coast in numerous matters, including pending separate litigation against the California-American Water Company (Cal-Am), real party in interest here. That litigation involves alleged breaches of contract arising from the proposed desalination plant at issue here. Our representation of Marina Coast against Cal-Am in the ongoing separate lawsuit would not adversely affect our representation here of Marina Coast, the City, or the District. The interests of all Appellants here are adverse to Cal-Am just as Marina Coast's interests are adverse to Cal-Am in the separate lawsuit. In addition, RWG advised the City in the 1970s and 1980s with respect to matters that were entirely separate from the issues involved in this case, or in any way related to Cal-Am's proposed desalination plant. Accordingly, our representation of the City decades ago would not adversely affect our representation here of Marina Coast, the City, or the District. Please let us know if you are aware of any matters which in your view would adversely affect RWG's ability to represent Appellants here.

Financial Terms

Our work on this matter is not divisible or allocable to any one Appellant. Each Appellant will benefit equally from the full appellate analysis. As a result, we require that all three Appellants agree to be jointly and severally liable to pay our fees. This means that each Appellant is responsible for full payment of our fees and our firm can look to any one or combination of Appellants for full payment. Essentially, each Appellant is guaranteeing full payment and, to the extent applicable, waives any limitations on such a guaranty.

When a bill is complete, we will send it to each of you at the addresses above, and will expect prompt payment. The allocation and payment of those fees is a matter to be determined among the three Appellants and we cannot advise you in that regard. Please feel free to consult independent counsel on this joint and several payment obligation.

CONCLUSION

We apologize for the length and formality of this letter, but we seek to provide you with a full disclosure of potential issues foreseeable at this time that might arise with RWG's joint representation.

Should you have any concern signing the informed written consent and proceeding with joint representation on the terms outlined above, please feel free to seek advice from an independent lawyer. Such concerns could include, without limitation:

(i) whether Appellants' interests conflict or may not be aligned in any way with each other's interests,

(ii) whether a single Appellant is aware of separate facts or concerns that may require confidentiality from the other Appellants, or

(iii) Appellants' joint and several liability guaranteeing full payment of our fees.

If, after carefully reviewing the information above, you consent to RWG's representation, kindly review the "Acknowledgment, Waiver, and Consent" and "Acknowledgement of Terms" below and sign in the space provided to signify your acceptance. Thereafter, kindly return one executed copy of this letter to me by email to ppierce@rwglaw.com.

We appreciate your consideration of the issues relating to joint representation and I look forward to working with you.

Please contact me if you have any questions. My office direct dial is (415) 782-0314.

Very truly yours,



T. Peter Pierce

Enclosure

ACKNOWLEDGEMENT, WAIVER, AND CONSENT

I have reviewed and understand the disclosures and description of potential adverse consequences and conflicts set forth in the letter above. I acknowledge the disclosures in the letter, confirm my understanding that there currently are no known conflicting interests with other Appellants. As to the Appellant on whose behalf I am authorized to execute this Acknowledgement, Waiver, and Consent, I hereby waive any actual or potential conflicts should they arise in the future. I consent to representation on the terms described in the letter and understand that by agreeing to joint representation I am waiving the confidentiality of information I disclose to appellate counsel solely as between and among the Appellants signing below.

ACKNOWLEDGEMENT OF TERMS

I hereby agree, as to the Appellant on whose behalf I am authorized to execute this Acknowledgement of Terms, to all terms set forth above. Without limiting the forgoing, I agree that the Appellant on whose behalf I am authorized to act is jointly and severally liable, and shall be separately responsible for, payment of all attorney's fees and costs incurred under this engagement agreement.

Dated: JULY 22ND, 2025

PATRICK J. BREEN, WATER RESOURCES MANAGER, MCWD FOR
REMLEH SCHERZINGER, GENERAL MANAGER,
MARINA COAST WATER DISTRICT

Dated: _____, 2025

LAYNE LONG, CITY MANGER, CITY OF MARINA

Dated: _____, 2025

DAVID J. STOLDT, GENERAL MANAGER,
MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT

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ACKNOWLEDGEMENT, WAIVER, AND CONSENT

I have reviewed and understand the disclosures and description of potential adverse consequences and conflicts set forth in the letter above. I acknowledge the disclosures in the letter, confirm my understanding that there currently are no known conflicting interests with other Appellants. As to the Appellant on whose behalf I am authorized to execute this Acknowledgement, Waiver, and Consent, I hereby waive any actual or potential conflicts should they arise in the future. I consent to representation on the terms described in the letter and understand that by agreeing to joint representation I am waiving the confidentiality of information I disclose to appellate counsel solely as between and among the Appellants signing below.

ACKNOWLEDGEMENT OF TERMS

I hereby agree, as to the Appellant on whose behalf I am authorized to execute this Acknowledgement of Terms, to all terms set forth above. Without limiting the forgoing, I agree that the Appellant on whose behalf I am authorized to act is jointly and severally liable, and shall be separately responsible for, payment of all attorney's fees and costs incurred under this engagement agreement.

Dated: _____, 2025

REMLEH SCHERZINGER, GENERAL MANAGER, MARINA COAST WATER DISTRICT

_____

Dated: Aug. 8, 2025

LAYNE LONG, CITY MANGER, CITY OF MARINA

_____

Dated: _____, 2025

DAVID J. STOLDT, GENERAL MANAGER, MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

_____

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ACKNOWLEDGEMENT, WAIVER, AND CONSENT

I have reviewed and understand the disclosures and description of potential adverse consequences and conflicts set forth in the letter above. I acknowledge the disclosures in the letter, confirm my understanding that there currently are no known conflicting interests with other Appellants. As to the Appellant on whose behalf I am authorized to execute this Acknowledgement, Waiver, and Consent, I hereby waive any actual or potential conflicts should they arise in the future. I consent to representation on the terms described in the letter and understand that by agreeing to joint representation I am waiving the confidentiality of information I disclose to appellate counsel solely as between and among the Appellants signing below.

ACKNOWLEDGEMENT OF TERMS

I hereby agree, as to the Appellant on whose behalf I am authorized to execute this Acknowledgement of Terms, to all terms set forth above. Without limiting the forgoing, I agree that the Appellant on whose behalf I am authorized to act is jointly and severally liable, and shall be separately responsible for, payment of all attorney's fees and costs incurred under this engagement agreement.

Dated: _____, 2025

REMLEH SCHERZINGER, GENERAL MANAGER, MARINA COAST WATER DISTRICT

_____

Dated: _____, 2025

LAYNE LONG, CITY MANGER, CITY OF MARINA

_____

Dated: July 24, 2025

DAVID J. STOLDT, GENERAL MANAGER, MONTEREY PENINSULA WATER MANAGEMENT DISTRICT



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De LAY & LAREDO
ATTORNEYS AT LAW

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Frances M. Farina
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Paul R. De Lay
(1919 – 2018)

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Telephone: (831) 646-1502
Facsimile: (831) 646-0377

October 13, 2026

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

FROM: Michael D. Laredo, General Counsel

RE: General Report of Pending Litigation effective October 13, 2026

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

1 – *MPWMD v. Cal-Am*; 23CV004102

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

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

At the February 24, 2026 Case Management Conference (CMC) Judge Rivamonte set **a bench trial in Department 14 to begin October 19, 2026**. This trial shall focus solely on LAFCO issues. The trial is estimated to take two to four days. A Management Conference for the trial is set for October 16, 2026 in Department 14, at 10:00 a.m.

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

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

MPWMD's brief was filed in November 2025. LAFCO and Cal-Am filed their respective briefs in April. MPWMD timely prepared and filed its reply brief earlier this month. The matter has not yet been set for oral argument.

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

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

Respondents have not yet filed their reply briefs.

4 – *City of Marina; MPWMD, et al, v. California State Lands Commission; Cal-Am*; 26CV004100

This case arises from the State Lands Commission's (SLC) decision to issue a General Lease – Industrial Use (Lease 9177; A4181; RA# 2022354) applied for by Cal-Am for its Monterey Peninsula Water Supply Project. Petitioners and Plaintiffs City of Marina, MPWMD, and Marina Coast Water District (collectively, "Petitioners"), allege causes of action for violation of the California Environmental Quality Act, violation of the Public Trust Doctrine, violation of the SLC's Public Resources Code Requirements, and violation of the Bagley-Keene Open Meeting Act. Petitioners seek a writ of mandate, interim and permanent injunctive relief, and attorneys' fees and costs.

The Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief was filed on July 24, 2026. Petitioners, Respondent SLC, and Real Party in Interest Cal-Am (collectively, the "Parties") met and jointly filed a Case Management Conference Statement in advance of its Case Management Conference. A Case Management Conference was held on August 18, 2026.

The Administrative Record is currently being prepared by Respondent SLC. The Parties have agreed that respective answers may be filed 30 days after certification of the Administrative Record.

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

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

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

Cal-Am filed its latest triennial rate request with the CPUC on July 1, 2025. This request is part of the regular three-year rate cycle by which the CPUC reviews and authorizes Cal-Am's rates and charges, and also by which the CPUC authorizes Cal-Am to modify its operating system. Evidentiary Hearings were held in San Francisco from April 20 to April 24, 2026. The District conducted cross examination of witnesses to provide a basis to comment on Cal-Am's proposed settlement. At the time of the hearing the proposed settlement had been orally described, but no written summary was made available.

California American Water and Cal Advocates filed their proposed settlement on June 8, 2026. The projected increase is 16%, down from the almost 28% increase originally proposed. It includes

operation and maintenance expenses, labor and benefits, capital budgets, various account balance recovery and other requests. For 2027, the Central Division (Monterey) Operating Revenues will approach $116 million to maintain Cal-Am's rate of return at 7.68%.

MPWMD filed comments on the Settlement Agreement on July 8, 2026 with reply comments submitted on July 23, 2026. Opening briefs on the overall application were submitted June 29 with reply briefs filed July 20th. **A Proposed Decision is anticipated in October with Commission approval sometime before the end of 2026.**

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

This action is a statewide CPUC Rulemaking matter that addresses statewide public utility system policy regarding water system acquisitions, with specific impact on the Cal-Am system. The matter is assigned to Commissioner Darcie Houck.

A Proposed Decision was issued May 29, 2026, containing many revisions to the existing procedures specifically advocated for by MPWMD. New revisions include mandatory detailed impact analyses for both existing and acquired customers, expanded public notice requirements, and mandatory community engagement. The primary focus of the acquisition process is on failing, at-risk, and potentially at-risk

systems identified by the SWRCB with expedited review timelines and refined incentives. The Commission adopted the recommendations at the July 2, 2026, meeting. California Water Association and Small Water Companies filed a Joint Application for Rehearing of Decision 26-07-031 on August 10, 2026. The Public Advocates Office filed a Response on August 25, 2026.

5.c C.26-06-021 MPWMD, MCWD, City of Marina v. Cal-Am

On June 16, 2026, MPWMD, Marina Coast Water District, and the City of Marina filed a joint Complaint against Cal-Am for violation of D.18-09-017, various sections of the California Public Utilities Code, and the California Constitution. The parties allege Cal-Am is proceeding with a desalination project of a smaller size in violation of a Commission order. Commissioner Matthew Baker and Administrative Law Judge Gerald Kelly were assigned to this proceeding on July 7, 2026.

Cal-Am timely filed an Answer and a Motion to Dismiss on August 6, 2026. Complainants responded to the motion on August 24, 2026. Cal-Am requested permission to file a reply which was granted. The reply was served on September 4, 2026. **The reply was served on September 4, 2026.**

A Prehearing Conference was held in San Francisco on August 19, 2026. Commissioner Baker subsequently issued a scoping memo on September 1, 2026.

Cal-Am's September 4th reply revealed for the first time since the Complaint was filed that construction had begun on the desalination plant. Since the ALJ previously delayed further action until December, the three public agencies prepared, filed, and served an Emergency Motion for Summary Judgment/Adjudication on September 29, 2026. Cal-Am's response is due by October 14, 2026.

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

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

After the action was dismissed by the July 2025 motion of the Sierra Club and Carmel River Steelhead Association (CRSA), the Sierra Club filed a Motion Award of Attorney's Fees against Cal-Am and MPWMD, requesting payment of approximately $450,000 in total fees, costs and interest thereon. De Lay & Laredo defended MPWMD's interests before the trial court.

Following briefing and a hearing on the merits, Santa Clara County Superior Court, Judge Beth McGowen denied Sierra Club's request in its entirety, finding Sierra Club's request (1) was flawed due to procedural deficiencies, (2 Sierra Club failed to make " 'a clear showing of some unique contribution to the litigation" and also (3) Sierra Club had "not met its burden to establish that "an action involving a successful party 'has resulted in the enforcement of an important right affecting the public interest….' "

Sierra Club has filed a Notice of Appeal and has designated the Record for Appeal. The 6th District Court of Appeal assigned Case # H054345 to this case.

Appellant's opening brief and appendix is required to be served and filed within 70 days from the date of filing the notice of election under Rule 8.212(a)(1)(B) of the California Rules of Court). De Lay & Laredo will continue to represent District interests as lead appellate council in this appeal.

7 – Hearing to Consider Modification of California American Water Company Cease and Desist Order (State Water Board Orders WR2016-0016 and WR2009-0060).

On October 24, 2025, MPWMD submitted an Application seeking modification of the State Water Resource Control Board (SWRCB) Cease and Desist Order (State Water Board Orders WR2016-0016 and WR2009-0060) ("Application"). The Application was filed under California Water Code § 1832 which allows the Water Board, after notice and opportunity for hearing, upon receipt of an application from an aggrieved person, to modify, revoke, or stay in whole or in part a cease and desist order.

On June 19, 2026, SWRCB Senior Hearing Officer Megan S. Knize issued a "Notice of Hearing" establishing a briefing schedule and hearing date. On July 1, 2026, the SWRCB received an objection from Cal-Am to the proposed deadline of July 20, 2026, for submitting testimony, and all deadlines thereafter. The objection requested an extension of 30 days for each deadline, which was granted on July 9, 2026.

The amended Hearing Schedule is as follows:

- August 19, 2026: Written testimony and exhibits addressing the hearing questions.
- September 18, 2026: Written rebuttal to testimony and exhibits.

- **November 5, 2026: Opportunity for public comments and presentation of policy statements. This will be conducted as a hybrid hearing with the opportunity to participate in person at the CalEPA Building in Sacramento or online on the Zoom platform.**
- **November 10, 2026:** Closing briefs due.

MPWMD timely submitted written testimony/exhibits and written rebuttal testimony/exhibits to the SWRCB. MPWMD is currently preparing its closing brief to be submitted to the SWRCB by November 10, 2026.

ITEM: PUBLIC HEARING

10. CONSIDER FIRST READING OF ORDINANCE NO. 203 ADDING RULE 142.2, A PROHIBITION ON IRRIGATION OF NON-FUNCTIONAL TURF WITH POTABLE WATER, AND AMENDING RULES 11, 23, 24, 25.5, 141, 142.1 AND 162

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Stephanie Locke**	**Cost Estimate:**	**N/A**

General Counsel Review: Review will take place prior to second reading.
Committee Recommendation: The Water Demand Committee reviewed this ordinance on October 1, 2026, and recommended approval.
CEQA Compliance: To be determined prior to second reading.

SUMMARY: Ordinance No. 203 is part of the District's ongoing effort to update and clarify its Rules and Regulations in support of the Board's 2026 Strategic Goal #6, *Update and Prioritize District Rules and Regulations*. The ordinance makes targeted changes to implement State requirements, incorporate Water Demand Committee direction, and clarify existing water-use, permitting, rebate, and landscape provisions.

The most significant action is the addition of new Rule 142.2, which implements the State legislation prohibiting the use of Potable Water to irrigate Non-Functional Turf beginning in January 2027. As part of this ordinance, the District is adding definitions for Functional and Non-Functional Turf. Nonfunctional Turf is decorative grass that serves no active public or recreational purpose, such as grass around parking lots and buildings, sloped areas and narrow strips around sidewalks and buildings. Lawns at Single-Family Dwellings are exempt from the prohibition but are subject to the District's Landscape Water Permit requirements when installed. Functional turf (sports fields, parks, golf courses, dog parks, and cemeteries) is also exempt. Areas irrigated with Recycled or Non-Potable Water are also exempt. Trees planted within Turf areas can still receive water.

Compliance will be phased in beginning January 1, 2027:

- State, local government, and public agency buildings beginning January 1, 2027.
- Institutional properties and all Commercial and Industrial properties, beginning January 1, 2028.
- All common areas of properties of homeowners' associations, and Common Interest Developments, beginning January 1, 2029.

- All properties owned by local governments, local public agencies, and Public Water Systems in a Disadvantaged Community, beginning January 1, 2031, or when funding is available. Note that there are few systems in the District that might fall into this category.

The ordinance also adds related definitions to Rule 11 and updates Rule 142.1 to reference non-compliance with the new prohibition as Water Waste.

Other amendments include:

- **Water Permits:** Eliminates Conditional Water Permits, adds a Limitation for Use of Water Deed Restriction as a permit condition, and clarifies that Water Meters are required for all Users, including Users served by Wells as a condition of the Water Permit.

- **Water Use Capacity:** Clarifies the calculation of capacity for Common Laundry Rooms and incorporates the Water Demand Committee's direction regarding installation of multiple High-Efficiency Dishwashers.

- **Rebates and Water Use Credits:** Clarifies that an appliance receiving a Rebate is not eligible for a Water Use Credit and adds the potential to allow Rebates for appliances replaced through special District programs, such as the proposed amnesty program item on the October 2026 agenda.

- **Landscape Requirements:** Updates provisions related to Non-Functional Turf, restores inadvertently deleted provisions concerning rainwater storage, clarifies information needed for Prescriptive Compliance with the rule and makes the Lawn-removal deed restriction permanent unless a Landscape Water Permit is issued to reinstall the Lawn.

  Staff is aware that there are formatting issues in the Rule 142.1 exhibit and will correct them prior to consideration of adoption.

- **Administrative Updates:** Corrects regulation and table numbering, updates table references, eliminates duplicate table numbering, and makes other clarifying and organizational changes.

The ordinance is intended to improve the clarity, consistency, and administration of the District's Rules and Regulations while incorporating applicable State requirements and previously adopted Board or Water Demand Committee direction. The ordinance would become effective 30 days after adoption at second reading.

Ordinance No. 203 has been circulated to the Technical Advisory Committee members for review. Comments received will be addressed between first and second reading.

RECOMMENDATION: The Board of Directors should receive public comments before approving the first reading of Ordinance No. 203.

EXHIBIT
10-A Draft Ordinance No. 203

EXHIBIT 10-A

FIRST READING DRAFT

ORDINANCE NO. 203
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT ADDING RULE 142.2, A PROHIBITION ON IRRIGATION OF NON-FUNCTIONAL TURF WITH POTABLE WATER, AND AMENDING RULES 11, 23, 24, 25.5, 141, 142.1 AND 162

FINDINGS

1. The Monterey Peninsula Water Management District was created to address ground and surface water resources in the Monterey Peninsula area, which the Legislature found required integrated management, and was endowed with the powers set forth in the Monterey Peninsula Water Management District Law (Chapter 527 of the Statutes of 1977, found at West's Water Code, Appendix, Section 118-1, et seq.).

2. Draft Ordinance No. 203 is the third of several ordinances intended to update and clarify the District's Rules and Regulations in support of the Board's 2026 mid-level Strategic Goal #6: Update and Prioritize District Rules and Regulations. This ordinance deletes non-functional and outdated rules, relocates policies for better flow, and updates older rules.

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. California Senate Bill 1139 authorizes the Monterey Peninsula Water Management District to enforce state prohibitions against using Potable water for irrigating nonfunctional turf with Potable water on Commercial, Industrial, and Institutional properties.

5. Assembly Bill (AB) 1572 was passed in 2023 and amended the California Water Code to prohibit the use of Potable water for irrigation of nonfunctional turf on Commercial, Institutional, and Industrial Sites, as well as on common areas of homeowners' associations and similar entities.

6. AB 1572 established phased compliance deadlines based on property type, with the first

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compliance deadline being January 1, 2027, for properties owned by local governments, local or regional public agencies, and Public Water Systems.

7. Ordinance No. 203 adds the provisions of AB 1572 to Rule 142.2 and adds related definitions to Rule 11.

8. This ordinance makes formatting changes to align provisions with the appropriate rule numbers, adds regulation references to tables, renumbers Table XVI-6 to eliminate a duplicate table number, and makes other edits for clarification.

9. This ordinance implements June 4, 2026, direction from the Water Demand Committee regarding multiple High Efficiency Dishwashers in a Dwelling Unit.

10. This ordinance removes the program for Conditional Water Permits as water is now available in Jurisdiction Allocations.

11. This ordinance supports the District's metering requirements by clarifying that Water Meters are required as a condition of a Water Permit for all Users, including Users served by Wells.

12. This ordinance makes amendments to Rules 25.5 (Water Use Credits and Water Credits) and 141 (Rebates) primarily for clarification, including clarifying that receipt of a Rebate for an appliance makes that appliance ineligible for a Water Use Credit.

13. Rule 141 (Rebates) is amended to allow certain Rebates for special District programs, such as the Amnesty Program proposed for Multi-Family Dwellings and Common Interest Developments that will be considered at the October 2026 meeting. The rule was also amended to make a Lawn removal Rebate permanent (currently deed restricted to 15 years) unless a Water Permit is issued for reinstallation of Lawn.

14. This ordinance was reviewed and recommended by the Water Demand Committee on October 1, 2026.

15. CEQA finding to be added prior to second reading.

NOW THEREFORE, be it ordained:

ORDINANCE

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Section One: Short Title

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

Section Two: Purpose

This ordinance is the third of several ordinances intended to update and clarify the District's Rules and Regulations in support of the Board's mid-level Strategic Goal #6: Update and Prioritize District Rules and Regulations. This ordinance focuses on adding a prohibition on Potable irrigation of non-functional turf and implementing direction from the Water Demand Committee.

Section Three: Renumbering of Regulations

Over time, regulations have been added to or removed from the District's Rules and Regulations without corresponding adjustments to the regulation numbering system. As a result, certain regulation numbers no longer correspond to their associated rule numbers. To restore consistency and improve organization, the regulations shall be renumbered as follows. *These amendments are administrative in nature and do not modify the substantive requirements of any rule or regulation.*

A. Upon adoption of this ordinance, the following regulation numbers shall be revised:

   1. Regulation XVI (16): The Monterey Peninsula Water Conservation and Rationing Plan (Rules 160-169).

   2. Regulation XVIII (18): Ex Parte Communication (Rules 180-189).

   3. Regulation XIX (19): Claims (Rules 190-203).

B. The Table of Contents of the District's Rules and Regulations shall be amended to reflect these changes.

C. Tables and references to tables found in (renumbered) Regulation XVI shall be renumbered as follows:

   a. Table XV-1, Regulatory Water Production Targets for All California American Water Systems from Sources Within The Monterey Peninsula Water Resource System, shall be renumbered to XVI-1;

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b. Table XV-2, Regulatory Water Production Targets for California American Water Satellite Systems from Sources Within The Monterey Peninsula Water Resource System, shall be renumbered to XVI-2;

c. Table XV-3, Regulatory Water Production Targets for California American Water Systems from Carmel River Sources Within The Monterey Peninsula Water Resource System, shall be renumbered to XVI-3;

d. Table XV-4, Regulatory Water Production Targets for All California American Water Systems from Other Sources Within The Monterey Peninsula Water Resource System, shall be renumbered to XVI-4;

e. Table XV-5, Physical Supply Target for the California American Water Main System for the May-September 2025 and All WY 2026, shall be renumbered to XVI-5; and

f. Table XV-5, Water Waste Fines, shall be renumbered to XVI-6.

D. Tables found throughout the Rules and Regulations shall be renumbered with the regulation number before the table number, consistent with the table references in Section 3-B, above.

Section Four: <u>Prohibition on Irrigation of Non-Functional Turf with Potable Water</u>

The District adopts subsections (a) and (b) of California Water Code section 10608.14, which prohibit the use of Potable Water to irrigate Non-Functional Turf as specified in those provisions, as amended from time to time. The terms used in Rule 142.2 have the meanings provided in California Water Code section 10608.12, as amended from time to time.

A. The following definitions shall be added to Rule 11, Definitions, to support Rule 142.2:

COMMON AREA – "Common Area" shall mean that portion of a Common Interest Development or of a property owned or managed by a homeowners' association or a community service organization or similar entity that is not assigned or allocated to the exclusive use of the occupants of an individual Dwelling Unit within the property.

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DISADVANTAGED COMMUNITY – "Disadvantaged Community" shall mean a community with an annual median household income that is less than 80 percent of the statewide annual median household income.

FUNCTIONAL TURF – "Functional Turf" shall mean turf grass used for sports, play, recreation, or other activities that require a functional turf surface, as defined by applicable California law. Turf enclosed by fencing or other barriers to permanently preclude human access for recreation or assembly is not functional turf.

INSTITUTIONAL USE – "Institutional Use" shall mean a water User dedicated to public service. This type of User includes, among other users, higher education institutions, schools, courts, churches, hospitals, government facilities, and nonprofit research institutions.

IRRIGATION – "Irrigation" means the application of water to landscape areas through irrigation systems, manual watering, or other means.

NON-FUNCTIONAL TURF – "Non-Functional Turf" shall mean turf grass that is not regularly used for sports, play, recreation, or other activities that require a functional turf surface, as defined by applicable California law. Non-Functional Turf includes turf located within street rights-of-way and parking lots.

B. The text found in **Exhibit A-1** shall be added as Rule 142.2, Prohibition on Irrigation of Non-Functional Turf with Potable Water.

C. Rule 162-B shall be amended as shown in **Exhibit A-2** to include irrigation of non-functional turf with potable water as Water Waste.

Section Five: **Renumbering of Tables in the Rules and Regulations**

Tables in the Rules and Regulations shall be numbered using the regulation number, followed by a hyphen and the table number in consecutive order. For example, the Residential Fixture Unit Count, currently identified as Rule 24, Table 1, shall be renumbered Table II-1, and the Non-Residential Water Use Factors, currently identified as Table 2, shall be renumbered Table II-2.

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

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Rule 23 shall be amended as shown in **Exhibit B-1**, the redlined version of the rule, and **Exhibit C-1**, the clean version of the rule reflecting the accepted redlines. The primary amendments include:

1. Deleting Conditional Water Permits now that Jurisdictions have water Allocations;

2. Implementing June 4, 2026, direction from the Water Demand Committee regarding multiple High Efficiency Dishwashers in a Dwelling Unit;

3. Adding a requirement for a Limitation for Use of Water deed restriction as a condition of a Water Permit; and

4. Clarifying that Water Meters are required as a condition of a Water Permit for all Users, including Users served by Wells.

Section Seven: **Amendments to Rule 24, Calculation of Water Use Capacity and Capacity Fees**

Rule 24 shall be amended as shown in **Exhibit B-2**, the redlined version of the rule, and **Exhibit C-2**, the clean version of the rule reflecting the accepted redlines. The primary amendments include:

1. Clarifying the calculation of Water Use Capacity for Common Laundry Rooms; and

2. Amending Table II-1, Residential Fixture Unit Count Values, to reflect the Water Demand Committee's direction regarding multiple High-Efficiency Dishwashers provided on June 4, 2026.

Section Eight: **Amendments to Rule 25.5, Water Use Credits and Water Credits**

Rule 25.5 shall be amended as shown in **Exhibit B-3**, the redlined version of the rule, and **Exhibit C-3**, the clean version of the rule reflecting the accepted redlines. The amendments are primarily for clarification, including clarifying that receipt of a rebate for an appliance makes that appliance ineligible for a Water Use Credit.

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

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Rule 141 shall be amended as shown in **Exhibit B-4**, the redlined version of the rule, and **Exhibit C-4**, the clean version of the rule reflecting the accepted redlines. The amendments include:

1. Adding a provision to allow rebates for the replacement of mandatory appliances through special District programs when the appliances would otherwise be ineligible for a rebate.

2. Clarifying that behind-the-wall toilets do not qualify as Ultra-High-Efficiency Toilets;

3. Clarifying that receipt of a rebate for an appliance makes that appliance ineligible for a Water Use Credit; and

4. Changing the deed restriction for Lawn removal from 15 years to a permanent requirement unless a Landscape Water Permit is issued to replace Lawn, subject to the water efficiency requirements of Rule 142.1.

Section Ten: Amendments to Rule 142.1, Water Efficient Landscape Requirements

Rule 142.1 shall be amended as shown in **Exhibit B-5**, the redlined version of the rule, and **Exhibit C-5**, the clean version of the rule reflecting the accepted redlines. The amendments include:

1. Adding references to the prohibition on irrigation of Non-Functional Turf; and

2. Restoring language that was inadvertently deleted and provides direction for sites that use rainwater storage as part of an irrigation system; and

3. Clarifying requirements for Prescriptive Compliance.

Section Eleven: Effective Date

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

Section Twelve: Severability

If any section, 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

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the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted independently irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

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

AYES:
NAYS:
ABSENT:

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

Dated:

_____
David J. Stoldt,
Secretary to the Board

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RULE 142.2 – PROHIBITION ON IRRIGATION OF NON-FUNCTIONAL TURF WITH POTABLE WATER

A. The use of Potable water for the irrigation of Non-Functional Turf located on Non-Residential properties, other than a cemetery, and on properties of homeowners' associations, Common Interest Developments, and community service organizations or similar entities is prohibited and can be cited as Water Waste pursuant to Rule 162 as of the following dates:

1. All properties owned by the Department of General Services, beginning January 1, 2027.

2. All properties owned by local governments, local or regional public agencies, and Public Water Systems, except those specified in paragraph (5), beginning January 1, 2027.

3. All other Institutional Use Sites and all Commercial Use and Industrial Use Sites, beginning January 1, 2028.

4. All Common Areas on Sites owned by homeowners' associations, Common Interest Developments, and community service organizations or similar entities, beginning January 1, 2029.

5. All properties owned by local governments, local public agencies, and Public Water Systems in a Disadvantaged Community, beginning January 1, 2031, or the date upon which a state or local funding source is made available to fund conversion of Non-Functional Turf on these properties to climate-appropriate landscapes, whichever is later.

B. The use of Potable water is not prohibited by this rule to the extent necessary to ensure the health of trees and other perennial non-turf plantings, or to the extent necessary to address an immediate health and safety need.

C. The Board of Directors may, upon a showing of good cause for reasons including economic hardship, critical business need, and potential impacts to human health or safety, postpone a compliance deadline in Rule 142.2-A by up to three (3) years for certain persons, institutions, and businesses, and may create a form to be used for compliance certification to the District by property owners.

D. Public Water Systems shall, by no later than January 1, 2027, revise their regulations, ordinances, or policies governing water service to include the requirements of Rules 142.2-A and 142.2-B, and any extensions approved by the Board of Directors pursuant to Rule 142.2-C, and shall communicate the requirements to their customers on or before that date.

E. An owner of Commercial, Industrial, or Institutional Use Sites with more than

5,000 square feet of irrigated area other than a cemetery shall certify to the board, commencing June 30, 2030, and every three years through 2039, that their property is in compliance with the requirements of this rule.

F. An owner of a property with more than 5,000 square feet of irrigated Common Area that is a homeowners' association, Common Interest Development, or community service organization or similar entity shall certify to the board, commencing June 30, 2031, and every three years thereafter through 2040, that their property is in compliance with the requirements of this rule.

G. Noncompliance by a person or entity with this rule or regulations adopted thereunder shall be subject to civil liability and penalties set forth in Section 1846, or to civil liability and penalties imposed by an urban retail water supplier pursuant to a locally adopted ordinance or policy.

1. To avoid duplication of enforcement, the District shall notify the retail Public Water System thirty (30) days prior to enforcement of the provisions of this rule against a property served by such system.

2. Nothing in paragraph (1) shall preclude enforcement once adequate notice is given.

H. The District shall, when using funds appropriated for water conservation for turf replacement, prioritize financial assistance for Non-Functional Turf replacement to Public Water Systems serving Disadvantaged Communities and to owners of affordable housing.

Rule added by Ordinance No. 203 (X/XX/XX)

RULE 162 - STAGE 1 WATER CONSERVATION: PROHIBITION ON WATER WASTE

A. Trigger. Stage 1 shall remain in effect at all times and shall apply to all Water Users subject to modification by the Board.

B. Water Waste Prohibitions. Water Waste shall mean the indiscriminate, unreasonable, or excessive running or dissipation of water. Water Waste shall include, but not be limited, to the following:

1. Waste caused by correctable leaks, breaks or malfunctions. All leaks, breaks, or other malfunctions in a Water User's plumbing or distribution system must be repaired within 72 hours of notification that a leak exists. Exceptions may be granted by the General Manager for corrections which are not feasible or practical.

2. Indiscriminate or excessive water use which allows excess to run to waste.

3. Washing driveways, patios, parking lots, tennis courts, or other hard surfaced areas with Potable water, except in cases where health or safety are at risk and the surface is cleaned with a Water Broom or other water efficient device or method. Water should be used only when traditional brooms are not able to clean the surface in a satisfactory manner.

4. Power or pressure washing buildings and structures with Potable water, except when preparing surfaces for paint or other necessary treatments or when abating a health or safety hazard.

5. Irrigation between 9 a.m. and 5 p.m. on any day, and irrigation on any day other than Saturdays and Wednesdays, except for irrigation overseen by a professional gardener or landscaper who is available on Site and that is not exceeding a maximum two watering days per week. This prohibition applies to hand watering with a hose, and irrigation systems whether spray, drip, or managed by a Smart Controller. Limited hand watering of plants or bushes with a small container or a bucket is permitted on any day at any time. Subsurface Graywater Irrigation Systems may also be operated at any time. An exemption may be given to a Non-Residential establishment whose business requires water in the course of its business practice (e.g. golf courses, nurseries, recreational space, among others) with notification by the business owner to the District, and subject to the approval of the General Manager.

   Irrigation using water from a Well is exempt from the watering day restriction if irrigation is done in an efficient manner. Well irrigators located in urban areas are encouraged to display signage that indicates the water used for irrigation is from a Well or other Source of Supply on the Site.

6. Hand watering by a hose, during permitted hours, without a quick acting Positive Action Shut-Off Nozzle.

7. Irrigating during rainfall and for 48 hours after Measurable Precipitation.

8. Use of water for irrigation or outdoor purposes in a manner inconsistent with California's Model Water Efficient Landscape Ordinance (Code of Regulations, Title 23, Water, Division 2, Department of Water Resources, Chapter 2.7, and any successor regulations) where applicable, or in a manner inconsistent with local regulations.

9. Operation of fountains, ponds, lakes or other ornamental use of Potable water without recycling, and except to the extent needed to sustain aquatic life, provided such animals are of significant value and have been actively managed.

10. Individual private washing of cars with a hose except with the use of a Positive Action Shut-Off Nozzle.

11. Washing commercial aircraft, cars, buses, boats, trailers or other commercial vehicles with Potable water, except at water efficient commercial or fleet vehicle or boat washing facilities where equipment is properly maintained to avoid wasteful use.

12. In-Bay or Conveyor Car Washes permitted and constructed prior to January 1, 2014, that do not recycle and reuse at least 50 percent of the wash and rinse water. In-Bay or Conveyor Car Washes that were permitted and constructed after January 1, 2014, that do not either: (1) use and maintain a water recycling system that recycles and reuses at least 60 percent of the wash and rinse water; or (2) use Recycled Water provided by a water supplier for at least 60 percent of its wash and rinse water.

13. Charity car washes.

14. Use of Potable water for street cleaning.

15. Failure to meet MPWMD Regulation XIV water efficiency standards for an existing Non-Residential User after having been given a reasonable amount of time to comply.

16. Serving drinking water to any customer unless expressly requested, by a restaurant, hotel, café, cafeteria or other public place where food is sold, served or offered for sale.

17. Visitor-Serving Facilities that fail to adopt and promote towel and linen reuse programs and provide written notice in the rooms, whereby towels

and linens are changed every three days or as requested by action of the guest.

18. Washing of livestock with a hose except with the use of a Positive Action Shut-Off Nozzle.

19. Transportation of water from the Monterey Peninsula Water Resource System without prior written authorization from the MPWMD.

20. Delivery, receipt, and/or use of water from an unpermitted Mobile Water Distribution System.

21. Unreasonable or excessive use of Potable water for dust control or earth compaction without prior written approval of the General Manager where Non-Potable Water or other alternatives are available or satisfactory.

22. Use of unmetered fire hydrant water by individuals other than for fire suppression or utility system maintenance purposes, except upon prior approval of the General Manager.

23. Water use in excess of a Water Ration.

24. Non-compliance with Regulations XIV and ~~XV~~XVI.

25. Non-compliance with Rule 142.2, Prohibition on Irrigation of Non-Functional Turf with Potable Water.

C. The following activities shall not be cited as Water Waste:

1. Flow resulting from firefighting or essential inspection of fire hydrants;

2. Water applied to abate spills of flammable or otherwise hazardous materials, where water application is the appropriate methodology;

3. Water applied to prevent or abate health, safety, or accident hazards when alternate methods are not available;

4. Storm run-off;

5. Flow from fire training activities during Stage 1 Water Conservation through Stage 3 Water Conservation;

6. Reasonable quantities of water applied as dust control as required by the Monterey Bay Air Resources District, except when prohibited;

7. When a Mobile Water Distribution System Permit is not obtained by a

State licensed Potable water handler by reason of an emergency or health related situation, authorization for the Mobile Water Distribution System Permit shall be sought from the District by submittal of a complete application compliant with Rule 21, within five working days following commencement of the emergency or health related event.

D. Prohibitions against Water Waste and Non-Essential Water Use shall be enforced by the District and its designated agents, unless indicated otherwise. All notices and assessments of Water Waste and/or excess water use charges made by a Water Distribution System Operator shall be reported to the District within thirty (30) days.

E. Each occurrence of Water Waste or Non-Essential Water Use that continues after the Water User has had reasonable notice to cease and desist that type of water use shall constitute a Flagrant Violation.

F. Repeated occurrences of Water Waste or Non-Essential Water Use, which continue or occur after the Water User has had a reasonable notice to cease and desist that type of water use, or which continues or occurs after the Water User has had a reasonable opportunity to cure any defect causing that type of water use, shall provide cause for the placement of a Flow Restrictor with a maximum flow rate of six (6) CCF/month within the water line or Water Meter. Exemptions to the installation of a Flow Restrictor as a means to enforce the Water Ration shall occur when there are provable risks to the health, safety and/or welfare of the Water User. An exemption shall be made for Master Meters serving three or more Multi-Family Households or Master Meters serving both Residential and Non-Residential Users by substituting an excess water use charge equivalent to the appropriate Water Meter size, Rationing stage, and 4th offense amount times the number of Dwelling Units located on the Water Meter during each month in which a violation of the Water Ration occurs. The Responsible Party shall be liable for payment of all excess water use charges.

G. Water Waste Fines shall be assessed as shown in Table XVI-6~~5~~. Table XVI-6~~5~~ may be amended by Resolution of the Board. Amendments to this table shall be concurrently made to the Fees and Charges Table found in Rule 60.

H. In addition to Water Waste fines and fees described in this Rule 162, enforcement of all District Rules and Regulations is subject to District Regulation XI and may include an Administrative Compliance Order, a Cease & Desist Order, or other remedy available to the District under its Regulation XI.

Rule added by Ordinance No. 92 (1/28/99); amended by Ordinance No. 119 (3/21/05); Ordinance No. 125 (9/18/2006); Ordinance No. 134 (8/18/2008); Ordinance No. 135 (9/22/2008); Ordinance No. 137 (12/8/2008); Resolution No. 2009-17 (12/14/2009); Ordinance No. 142 (1/28/2010); deleted by Ordinance No. 169 (2/17/2016); Rule added by Ordinance No. 169 (2/7/2016); Ordinance No. 177 (9/18/2017); Ordinance No. 179 (8/20/2018); Ordinance No. 203 (X/XX/XX)

Table XVI-65
Water Waste Fines

First offense	No fee: Written notice and opportunity to correct the situation
Fine for first Flagrant Violation	$100*
Fine for second Flagrant Violation within two (2) months	$250*
Fine for third and subsequent Flagrant Violations within twelve (12) months	$500*
Fine for Administrative Compliance Order or Cease & Desist Order	Up to $2,500 per day* for each ongoing violation, except that the total administrative penalty shall not exceed one hundred thousand dollars ($100,000.00) exclusive of administrative costs, interest and restitution for compliance re-inspections, for any related series of violations
Late payment charges	Half of one percent of the amount owed per month
*Fines triple for customers using over 500,000 gallons/year	

Table XVI-56 added by Ordinance No. 169 (2/17/2016); amended by Ordinance No. 203 (X/XX/XX)

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

A. PROCESS

1. New and Amended Water Permit

   a. The General Manager shall review the application and determine whether the Applicant has met the criteria for a Water Permit. If additional information is required to complete the application, the Applicant shall be notified in writing within thirty (30) days of the initial application. Applications are subject to the rules in effect at the time the application is deemed complete.

   b. The General Manager shall determine if the District has temporarily delayed the issuance of new Water Permits pursuant to Regulation XV. If a temporary delay is in place that affects the application, no Water Permit shall be processed and the application shall be returned to the Applicant.

   c. The General Manager shall not process a Water Permit when any portion of the Site lies outside of the affected Water Distribution System Service Area. Annexation of the Site must be pursued.

   d. The General Manager shall not process a Water Permit when there is a previously issued Permit for a completed Project on the application Site and a final inspection by the District has not been conducted, or where the property is not in compliance with District Rules and Regulations or is non-compliant with conditions attached to previous District Permits.

   e. The General Manager shall calculate the appropriate Capacity Fee for the Project using Rule 24, Calculation of Water Use Capacity and Capacity Fees. Estimation of past and future water use should be done according to the Rule 24 methodology.

   f. When the application involves an Intensification of Use, the General Manager shall ensure that the total quantity of water permitted for all projects, including the current application, within a Jurisdiction shall not exceed that Jurisdiction's total Allocation. Similarly, for Projects not

subject to a Jurisdiction's Allocation, the General Manager shall ensure that the total quantity of water permitted for all Projects, including the current application, does not exceed the production limit, the Connection limit, or the total Water Entitlement available of the Water Distribution System serving the Project Site.

g. When the Adjusted Water Use Capacity as determined in Rule 24 is a positive number, that amount of water shall be deducted from the Jurisdiction's Allocation or Water Entitlement as authorized on the Water Release Form. If additional water is required to meet the Adjusted Water Use Capacity of the Project and the Applicant is unable to reduce the Adjusted Water Use Capacity, the application shall be denied and returned to the Applicant to secure additional water resources.

h. Intensification of Use allowed by a Water Permit shall result in a deduction from a Jurisdiction's Allocation (for Projects served by the Main California American Water System), from a Water Entitlement available to the property, or from the total available production limit for that Water Distribution System. Each Project which allows new, modified, or Intensified Water Use, shall require a Water Permit.

i. When the application involves recordation of notices on the title of the property, all notices shall be recorded by the District prior to final issuance of a Water Permit. Additional information (e.g. trust documents, Articles of Incorporation) may be requested to verify ownership and to facilitate preparation of District notices.

j. The General Manager shall collect payment of the appropriate Capacity Fee and processing fees and shall issue a receipt prior to final issuance of a Water Permit.

k. When the application requests a Permit to install a new water meter for a fire suppression system, to extend a water main within the boundaries of the Water Distribution System, or to individually meter uses previously metered by one water meter (i.e. Meter Split), there shall be no processing fee.

l. A digital copy of the District-approved Construction Plans and the Landscape Design Plan shall be retained by the District.

m. The General Manager shall review the final Water Permit with the Applicant or his agent prior to securing a signature on the Water Permit and releasing the permit.

n. Following Project completion, a final inspection of the Project shall be conducted by the District. Major Landscape Projects shall be audited by a Certified Landscape Irrigation Auditor and corrections noted in the audit shall be made prior to District inspection. If the completed Project varies from the permitted Project, application for an amended Water Permit is required. When the completed Project has fewer fixture units than the number permitted (Residential Water Permits), or has a smaller Water Use Capacity than permitted (Non-Residential and landscape Water Permits), the Applicant shall not be required to secure the signature of the authorized official of the applicable Jurisdiction on the Water Release Form.

o. Notice by the District to correct any discrepancy shall be provided on the inspection report to the Person contacted at the Site and by regular mail or email to the owner of record. Notice of violations that may result in a debit to a Jurisdiction's Allocation shall also be mailed, faxed or emailed to the Jurisdiction. Such notice shall include a date by which any corrections and amendments shall be made.

~~o.~~p. Following the notice period referenced above, if no action is taken to correct the violation~~Thereafter,~~ the General Manager may adjust the charge and debit the water from a Jurisdiction's Allocation or cause a refund of Capacity Fees paid and water previously debited from an Allocation to reflect the Project as built rather than the Project as permitted.

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

2. Temporary Water Permits.

a. The General Manager may issue a Water Permit for temporary water use when the Applicant has submitted a written request for a Temporary Water Permit, including an explanation of the type of use and quantity of water requested and a signed Water Release Form authorizing a temporary water debit from the Jurisdiction.

b. The Applicant for a Temporary Water Permit shall acknowledge in writing that the Temporary Water Permit does not confer a property interest to obtain or use water after expiration and/or Revocation of the Permit. The terms and conditions of the Temporary Water Permit shall be recorded on the title of the property for the duration of the Temporary Water Permit.

c. The term of a Temporary Water Permit shall not exceed twenty-four (24) months.

d. The General Manager shall process a Temporary Water Permit pursuant to the process in Rule 23-A-1.

e. Following removal of the temporary use and verification by the District, water temporarily debited from the Jurisdiction's Allocation will be returned to the Jurisdiction and the Capacity Fee paid for the temporary use will be refunded to the current property owner.

f. A Notice of Removal of Deed Restriction shall be recorded by the District at the conclusion of the Temporary Water Permit process.

~~3. Conditional Water Permits.~~

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

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

(1) Large Projects - Commercial Projects with a projected water demand of over one Acre-Foot annually.

(2) Government Projects - Projects owned and operated or financed by a Governmental agency.

(3) Projects with Complex Financial Underwriting - Determined at the discretion of the Board of Directors.

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

(1) There is no Water Supply Emergency;

(2) There is sufficient water supply in the Jurisdiction's Allocation;

(3) The governing body of a Jurisdiction submits a written request that a Conditional Water Permit be issued to a Project;

(4) A completed Water Release Form for the Project is submitted which includes the authorizing signature of the Jurisdiction to debit its Allocation;

(5) Payment of all Capacity Fees and fees has been received by the District.

c. A Conditional Water Permit shall be numbered with the next sequential alpha and numeric number beginning with C-001, C-002, etc. A Water Permit bearing the Permit number referenced in the Conditional Water Permit shall be maintained unsigned in the District's file.

d. The Applicant's notarized signature is required on the Conditional Water Permit form before the General Manager's approval.

e. A Conditional Water Permit shall be valid after the General Manager has signed the Permit.

f. An amount of water approved for use by the Jurisdiction for the Project will be debited from the Jurisdiction's Allocation at the time the Conditional Water Permit is issued.

~~g. A Conditional Water Permit does not allow the setting of any Water Meter or the start of any new or expanded water use until the conditions of the Permit have been met and a Water Permit has been issued pursuant to Rules 21, 23 and 24.~~

~~h. Each Conditional Water Permit is time limited. The Conditional Water Permit shall expire on December 31st of the year following issuance.~~

~~i. A written request for extension of the Conditional Water Permit may be requested and shall require Board authorization for extension. Requests for extension must be received no earlier than ninety (90) days and no later than forty-five (45) days prior to expiration and must include an explanation for the request and the Jurisdiction's agreement that the Board should grant an extension.~~

~~4.~~3. Water Permit Waiver

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

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

1. Construction Affecting the Interior or Exterior of an Existing Structure. All Projects that require a Water Permit shall be subject to the following conditions:

a. The project Site must meet all applicable water conservation requirements of Regulations XIV and XV.

b. Other conditions may be placed upon approval as indicated in the applicable rule governing the Water Permit process.

~~b.~~c. The installation of more than one Dishwasher in a Dwelling Unit shall

require that all Dishwashers meet the definition of High Efficiency Dishwasher.

~~c.~~d. The Applicant shall arrange for a final inspection by the District upon Project completion. District staff shall review the Project, water fixtures, and Landscaping for compliance with the Water Permit.

~~d.~~e. Permit amendments or other actions required as a result of a final inspection shall be completed within thirty (30) days of the date of the final inspection.

~~e.~~f. All Water Permits shall include ~~a~~ Notice and Deed Restrictions titled "Provide Public Access to Water Use Data~~.~~" and "Limitation on Use of Water on a Site." There shall be no ~~additional~~ charge for ~~this~~ the public access deed restriction.

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

2. Construction of a New Structure.

a. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User except as allowed in Rule 23-B-3.

b. All Non-Residential New Structures that include irrigated landscapes of 1,000 square-feet or greater shall utilize a separate Water Meter supplied by the Water Distribution System to measure all exterior water uses. All Residential irrigated landscapes of 5,000 square-feet or greater shall install a sub-meter to measure outdoor water use.

c. All New Structures receiving a Water Permit after January 1, 2009, shall have separate water supply lines that tee off in the meter box after the Water Meter to supply fire suppression service and domestic service as demonstrated in **Figure 23-1**, (found at the end of this rule) unless the User has separate Water Meters maintained by the Water Distribution System Operator for fire and domestic services. This configuration shall facilitate installation of a Flow Restrictor in the domestic service without interfering with the fire suppression service. The General Manager shall

have authority to make exceptions to this requirement for Undue Hardship. Exceptions shall be recorded on the property title with notice that rationing enforcement could result in a Flow Restrictor.

d. Other conditions may be placed upon approval as indicated in the applicable rule governing the Water Permit process.

e. The Applicant shall arrange for a final inspection by the District upon Project completion. District staff shall review the Project, water fixtures, and Landscaping for compliance with the Water Permit.

f. Permit amendments or other actions required as a result of a final inspection shall be completed within sixty (60) days of the date of the final inspection.

g. All Water Permits shall include a Notice and Deed Restrictions titled "Provide Public Access to Water Use Data" and "No There shall be no additional charge for this deed restriction.

3. Water Meter Requirements

a. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User, including Wells, with exceptions listed below.

b. Accessory Dwelling Unit. Permanent submetering of all water use into ~~one~~ Accessory Dwelling Units that comply with local Accessory Dwelling Unit laws shall be allowed when the Jurisdiction confirms there is no potential that the submetered User could be located on a separate Site through subdivision or transfer of ownership of a portion of the Site. An Accessory Dwelling Unit contained within the existing space of a single-family residence or accessory structure (e.g., studio, pool house, or other similar structure) shall be exempt from the submetering requirement. Submetering is, however, encouraged as a conservation tool that promotes the efficient use of water.

~~b.~~c. Transfer of Title to an Accessory Dwelling Unit shall require installation of a Water Meter for that Dwelling Unit.

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

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

(1) When requested, the Responsible Party shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the submeter (e.g. apartment or condo number) and the number of residents in each Dwelling Unit and information about common area uses;

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

~~d.~~e. A Non-Residential User may extend incidental water use to another Non- Residential User within an existing structure ~~unless the Remodel or Addition requires a Water Permit for a Change of Use~~. For example, incidental water use would include the addition of a Bathroom for use by the tenant, but would not include the addition of a commercial kitchen or manufacturing facilities.

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

~~f.~~g. Multiple structures on a Site occupied by one Non-Residential User may submeter with a meter per building. A landscape Water Meter may be required by Rule 142.1.

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

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

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

(2) When requested, the Responsible Party shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the submeter (e.g. apartment or condo number) and the number of residents in each Dwelling Unit and requested information about common area uses;

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

4. Sleepy Hollow Subdivision in Carmel Valley.

a. All Landscape Area water use shall be supplied by the Sleepy Hollow Non-Potable Water system or by an On-Site Well.

b. Potable water use shall be supplied by California-American Water Company (also known as the Sleepy Hollow Mutual Potable Water Distribution System) by a Master Meter at the subdivision boundary. See Rule 23-A-1 or Rule 23-A-1-c for restrictions that require annexation of the subdivision by California American Water prior to issuance of Water Permits.

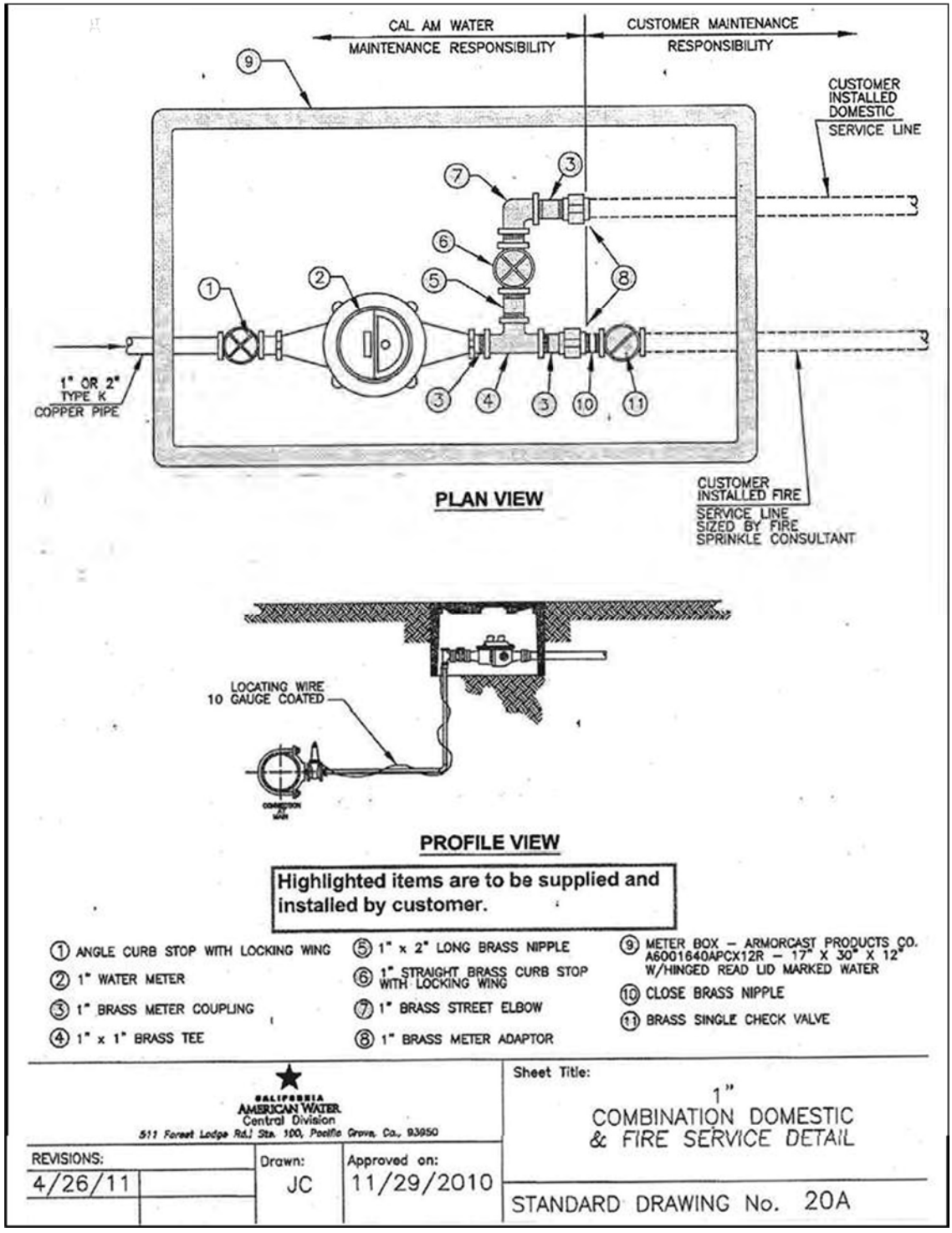
c. Both Potable water uses and Landscape Areas shall be metered by individual Water Meters.

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

1. Any permitted Water Use Capacity which is not used because of an abandoned, expired, Revoked, returned, or amended Water Permit shall be returned to the applicable Allocation or Water Use Permit.

2. The Owner of any Benefited Property shall be entitled to receive additional Water Permit(s) until the Water Use Permit has been used in full.

Figure 23-1


CAL AM WATER
MAINTENANCE RESPONSIBILITY
CUSTOMER MAINTENANCE
RESPONSIBILITY
CUSTOMER INSTALLED DOMESTIC SERVICE LINE
1" OR 2" TYPE K COPPER PIPE
CUSTOMER INSTALLED FIRE SERVICE LINE SIZED BY FIRE SPRINKLE CONSULTANT
PLAN VIEW
LOCATING WIRE 10 GAUGE COATED
PROFILE VIEW
Highlighted items are to be supplied and installed by customer.
① ANGLE CURB STOP WITH LOCKING WING
② 1" WATER METER
③ 1" BRASS METER COUPLING
④ 1" x 1" BRASS TEE
⑤ 1" x 2" LONG BRASS NIPPLE
⑥ 1" STRAIGHT BRASS CURB STOP WITH LOCKING WING
⑦ 1" BRASS STREET ELBOW
⑧ 1" BRASS METER ADAPTOR
⑨ METER BOX – ARMORCAST PRODUCTS CO. A6001640APCX12R – 17" X 30" X 12" W/HINGED READ LID MARKED WATER
⑩ CLOSE BRASS NIPPLE
⑪ BRASS SINGLE CHECK VALVE
CALIFORNIA AMERICAN WATER
Central Division
511 Forest Lodge Rd., Ste. 100, Pacific Grove, Ca., 93950
Sheet Title:
1"
COMBINATION DOMESTIC & FIRE SERVICE DETAIL
REVISIONS:
4/26/11
Drawn:
JC
Approved on:
11/29/2010
STANDARD DRAWING No. 20A

Rule added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 2 (3/11/80); Ordinance No. 3 (7/11/80); Ordinance No. 5 (4/13/81); Ordinance No. 6 (5/11/81); Ordinance No. 7 (7/13/81); Ordinance No. 8 (1/14/81); Ordinance No. 9 (2/14/83); Ordinance No. 11 (11/14/83); Ordinance No. 16 (8/13/84); Ordinance No. 26 (9/8/86); Ordinance No. 40 (4/10/89); Ordinance No. 44 (10/9/89); Ordinance No. 60 (6/15/92); Ordinance No. 64 (10/5/92); Ordinance No. 71 (12/20/93); Ordinance No. 77 (8/21/95); Ordinance No. 115 (05/17/2004); Ordinance No. 125 (9/18/2006); Ordinance No. 128 (6/18/2007); Ordinance No. 137 (12/8/2008); Ordinance No. 145 (9/20/2010); Ordinance No. 156 (11/18/2013); Ordinance No. 157 (12/9/2013); Ordinance No. 161 (7/21/2014); Ordinance No. 165 (8/17/2015); Ordinance No. 170 (5/16/2016); Ordinance No.172 (8/15/2016); Ordinance No. 177 (/18/2017); Ordinance No. 178 (11/13/2017); Ordinance No. 179 (8/20/2018); Ordinance No. 182 (5/20/2019); Ordinance No. 184 (8/19/2019); Ordinance No. 185 (5/18/2020); Ordinance No. 189 (12/13/2021); Ordinance No. 198 (7/21/2025); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

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

A. PROCESS

1. New and Amended Water Permit

   a. The General Manager shall review the application and determine whether the Applicant has met the criteria for a Water Permit. If additional information is required to complete the application, the Applicant shall be notified in writing within thirty (30) days of the initial application. Applications are subject to the rules in effect at the time the application is deemed complete.

   b. The General Manager shall determine if the District has temporarily delayed the issuance of new Water Permits pursuant to Regulation XV. If a temporary delay is in place that affects the application, no Water Permit shall be processed and the application shall be returned to the Applicant.

   c. The General Manager shall not process a Water Permit when any portion of the Site lies outside of the affected Water Distribution System Service Area. Annexation of the Site must be pursued.

   d. The General Manager shall not process a Water Permit when there is a previously issued Permit for a completed Project on the application Site and a final inspection by the District has not been conducted, or where the property is not in compliance with District Rules and Regulations or is non-compliant with conditions attached to previous District Permits.

   e. The General Manager shall calculate the appropriate Capacity Fee for the Project using Rule 24, Calculation of Water Use Capacity and Capacity Fees. Estimation of past and future water use should be done according to the Rule 24 methodology.

   f. When the application involves an Intensification of Use, the General Manager shall ensure that the total quantity of water permitted for all projects, including the current application, within a Jurisdiction shall not exceed that Jurisdiction's total Allocation. Similarly, for Projects not

subject to a Jurisdiction's Allocation, the General Manager shall ensure that the total quantity of water permitted for all Projects, including the current application, does not exceed the production limit, the Connection limit, or the total Water Entitlement available of the Water Distribution System serving the Project Site.

g. When the Adjusted Water Use Capacity as determined in Rule 24 is a positive number, that amount of water shall be deducted from the Jurisdiction's Allocation or Water Entitlement as authorized on the Water Release Form. If additional water is required to meet the Adjusted Water Use Capacity of the Project and the Applicant is unable to reduce the Adjusted Water Use Capacity, the application shall be denied and returned to the Applicant to secure additional water resources.

h. Intensification of Use allowed by a Water Permit shall result in a deduction from a Jurisdiction's Allocation (for Projects served by the Main California American Water System), from a Water Entitlement available to the property, or from the total available production limit for that Water Distribution System. Each Project which allows new, modified, or Intensified Water Use, shall require a Water Permit.

i. When the application involves recordation of notices on the title of the property, all notices shall be recorded by the District prior to final issuance of a Water Permit. Additional information (e.g. trust documents, Articles of Incorporation) may be requested to verify ownership and to facilitate preparation of District notices.

j. The General Manager shall collect payment of the appropriate Capacity Fee and processing fees and shall issue a receipt prior to final issuance of a Water Permit.

k. When the application requests a Permit to install a new water meter for a fire suppression system, to extend a water main within the boundaries of the Water Distribution System, or to individually meter uses previously metered by one water meter (i.e. Meter Split), there shall be no processing fee.

l. A digital copy of the District-approved Construction Plans and the Landscape Design Plan shall be retained by the District.

m. The General Manager shall review the final Water Permit with the Applicant or his agent prior to securing a signature on the Water Permit and releasing the permit.

n. Following Project completion, a final inspection of the Project shall be conducted by the District. Major Landscape Projects shall be audited by a Certified Landscape Irrigation Auditor and corrections noted in the audit shall be made prior to District inspection. If the completed Project varies from the permitted Project, application for an amended Water Permit is required. When the completed Project has fewer fixture units than the number permitted (Residential Water Permits), or has a smaller Water Use Capacity than permitted (Non-Residential and landscape Water Permits), the Applicant shall not be required to secure the signature of the authorized official of the applicable Jurisdiction on the Water Release Form.

o. Notice by the District to correct any discrepancy shall be provided on the inspection report to the Person contacted at the Site and by regular mail or email to the owner of record. Notice of violations that may result in a debit to a Jurisdiction's Allocation shall also be mailed, faxed or emailed to the Jurisdiction. Such notice shall include a date by which any corrections and amendments shall be made.

p. Following the notice period referenced above, if no action is taken to correct the violation the General Manager may adjust the charge and debit the water from a Jurisdiction's Allocation or cause a refund of Capacity Fees paid and water previously debited from an Allocation to reflect the Project as built rather than the Project as permitted.

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

2. Temporary Water Permits.

a. The General Manager may issue a Water Permit for temporary water use when the Applicant has submitted a written request for a Temporary Water

Permit, including an explanation of the type of use and quantity of water requested and a signed Water Release Form authorizing a temporary water debit from the Jurisdiction.

b. The Applicant for a Temporary Water Permit shall acknowledge in writing that the Temporary Water Permit does not confer a property interest to obtain or use water after expiration and/or Revocation of the Permit. The terms and conditions of the Temporary Water Permit shall be recorded on the title of the property for the duration of the Temporary Water Permit.

c. The term of a Temporary Water Permit shall not exceed twenty-four (24) months.

d. The General Manager shall process a Temporary Water Permit pursuant to the process in Rule 23-A-1.

e. Following removal of the temporary use and verification by the District, water temporarily debited from the Jurisdiction's Allocation will be returned to the Jurisdiction and the Capacity Fee paid for the temporary use will be refunded to the current property owner.

f. A Notice of Removal of Deed Restriction shall be recorded by the District at the conclusion of the Temporary Water Permit process.

3. Water Permit Waiver

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

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

1. Construction Affecting the Interior or Exterior of an Existing Structure. All Projects that require a Water Permit shall be subject to the following conditions:

a. The project Site must meet all applicable water conservation requirements of Regulations XIV and XV.

b. Other conditions may be placed upon approval as indicated in the applicable rule governing the Water Permit process.

c. The installation of more than one Dishwasher in a Dwelling Unit shall require that all Dishwashers meet the definition of High Efficiency Dishwasher.

d. The Applicant shall arrange for a final inspection by the District upon Project completion. District staff shall review the Project, water fixtures, and Landscaping for compliance with the Water Permit.

e. Permit amendments or other actions required as a result of a final inspection shall be completed within thirty (30) days of the date of the final inspection.

f. All Water Permits shall include Notice and Deed Restrictions titled "Provide Public Access to Water Use Data" and "Limitation on Use of Water on a Site." There shall be no charge for the public access deed restriction.

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

2. Construction of a New Structure.

a. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User except as allowed in Rule 23-B-3.

b. All Non-Residential New Structures that include irrigated landscapes of 1,000 square-feet or greater shall utilize a separate Water Meter supplied by the Water Distribution System to measure all exterior water uses. All Residential irrigated landscapes of 5,000 square-feet or greater shall install a sub-meter to measure outdoor water use.

c. All New Structures receiving a Water Permit after January 1, 2009, shall

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

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3. Water Meter Requirements

a. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User, including Wells, with exceptions listed below.

b. Accessory Dwelling Unit. Permanent submetering of all water use into one Accessory Dwelling Unit shall be allowed when the Jurisdiction confirms there is no potential that the submetered User could be located on a separate Site through subdivision or transfer of ownership of a portion of the Site. An Accessory Dwelling Unit contained within the existing space of a single-family residence or accessory structure (e.g., studio, pool house, or other similar structure) shall be exempt from the submetering

requirement. Submetering is, however, encouraged as a conservation tool that promotes the efficient use of water.

c. Transfer of Title to an Accessory Dwelling Unit shall require installation of a Water Meter for that Dwelling Unit.

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

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

(1) When requested, the Responsible Party shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the submeter (e.g. apartment or condo number) and the number of residents in each Dwelling Unit and information about common area uses;

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

e. A Non-Residential User may extend incidental water use to another Non- Residential User within an existing structure. For example, incidental water use would include the addition of a Bathroom for use by the tenant, but would not include the addition of a commercial kitchen or manufacturing facilities.

f. A Change of Use shall trigger the requirement for a separate Water Meter if the User uses water as a component of their business (i.e.,

restaurant, Group II uses, manufacturing, etc.).

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

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

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Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the submeter (e.g. apartment or condo number) and the number of residents in each Dwelling Unit and requested information about common area uses;

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

4. Sleepy Hollow Subdivision in Carmel Valley.

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b. Potable water use shall be supplied by California-American Water Company (also known as the Sleepy Hollow Mutual Potable Water Distribution System) by a Master Meter at the subdivision boundary. See Rule 23-A-1 or Rule 23-A-1-c for restrictions that require annexation of the subdivision by California American Water prior to issuance of Water Permits.

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

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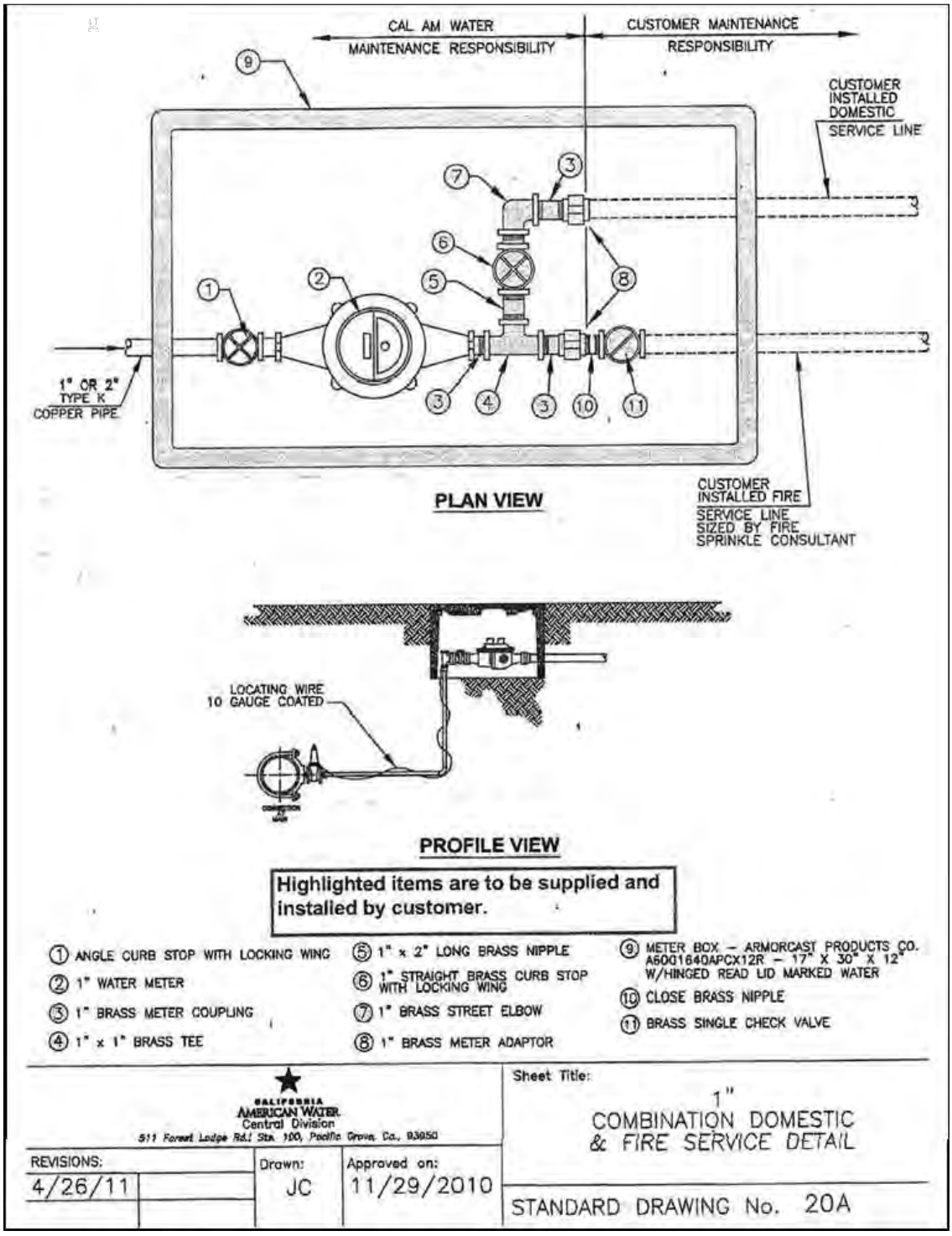
2. The Owner of any Benefited Property shall be entitled to receive additional Water Permit(s) until the Water Use Permit has been used in full.

Figure 23-1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⑩ CLOSE BRASS NIPPLE
⑪ BRASS SINGLE CHECK VALVE
CALIFORNIA AMERICAN WATER
Central Division
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Rule added by Ordinance No. 1 (2/11/80); amended by Ordinance No. 2 (3/11/80); Ordinance No. 3 (7/11/80); Ordinance No. 5 (4/13/81); Ordinance No. 6 (5/11/81); Ordinance No. 7 (7/13/81); Ordinance No. 8 (1/14/81); Ordinance No. 9 (2/14/83); Ordinance No. 11 (11/14/83); Ordinance No. 16 (8/13/84); Ordinance No. 26 (9/8/86); Ordinance No. 40 (4/10/89); Ordinance No. 44 (10/9/89); Ordinance No. 60 (6/15/92); Ordinance No. 64 (10/5/92); Ordinance No. 71 (12/20/93); Ordinance No. 77 (8/21/95); Ordinance No. 115 (05/17/2004); Ordinance No. 125 (9/18/2006); Ordinance No. 128 (6/18/2007); Ordinance No. 137 (12/8/2008); Ordinance No. 145 (9/20/2010); Ordinance No. 156 (11/18/2013); Ordinance No. 157 (12/9/2013); Ordinance No. 161 (7/21/2014); Ordinance No. 165 (8/17/2015); Ordinance No. 170 (5/16/2016); Ordinance No.172 (8/15/2016); Ordinance No. 177 (/18/2017); Ordinance No. 178 (11/13/2017); Ordinance No. 179 (8/20/2018); Ordinance No. 182 (5/20/2019); Ordinance No. 184 (8/19/2019); Ordinance No. 185 (5/18/2020); Ordinance No. 189 (12/13/2021); Ordinance No. 198 (7/21/2025); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

RULE 24 - CALCULATION OF WATER USE CAPACITY AND CAPACITY FEES

A. RESIDENTIAL CALCULATION OF WATER USE CAPACITY

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

1. Methodology for Determining Water Use Capacity

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

a. The General Manager shall estimate Water Use Capacity of the proposed Project using the fixture unit values and outdoor water uses calculation from Table II-1: Residential Fixture Unit Count Values.

b. If the application includes a Residential water fixture that is not specifically exempt from the Residential Permit requirements, and no factor is shown on ~~Table 1~~Table II-1: Residential Fixture Unit Count Values, for a proposed water fixture, the General Manager shall research the projected annual consumption of the fixture and shall recommend a fixture unit count value to the Board that corresponds to the Estimated Annual Water Use Capacity of the fixture. ~~Table 1~~Table II-1 shall subsequently be amended by Resolution of the Board of Directors to assign a value to the new fixture.

c. Using ~~Table 1~~Table II-1: Residential Fixture Unit Count Values, the General Manager shall compare the pre-Project fixture unit count against the fixture unit count shown on the Construction Plans submitted with the Water Release Form and Water Permit application. Pre-Project Estimated Annual Water Use Capacity shall be verified by inspection.

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

e. Based upon the review conducted in Rule 24-A-1, the General Manager shall determine if Project will result in a positive, neutral or reduced Water Use Capacity on the Site.

(1) An increase in Capacity (Intensification of Use) shall cause the calculation and collection of a Capacity Fee prior to issuance of a Water Permit.

(2) No Capacity Fee shall be assessed when there is no increase in Water Use Capacity.

(3) A reduction in Water Use Capacity shall result in a Water Use Credit upon verification that the former use has been permanently abandoned. This credit shall be established in conformance with Rule 25.5.

2. Exempt Residential Water Fixtures

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

3. Second Bathroom Addition

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

a. The second Bathroom protocol shall be limited and shall apply only to the following water appliances if they are installed in a second Bathroom as an expansion or remodel of an existing Dwelling Unit: (a) a single toilet, and (b) a single Standard Bathtub, or single Shower Stall, or a single standard tub-shower combination, and (c) one or two Washbasins.

b. The second Bathroom protocol shall further apply to a Residential

application that proposes to add one or more of the water fixtures referenced above to a second Bathroom which lacks that fixture(s) within a Dwelling Unit that has less than two full Bathrooms.

c. The second Bathroom protocol shall apply only to a Dwelling Unit that has less than two full Bathrooms and that has not removed basic Bathroom water fixtures (i.e., a toilet, a Standard Bathtub or Shower Stall or a Washbasin) to enable the addition of water fixtures elsewhere on the Site.

d. The second Bathroom protocol shall not apply to any Multi-Family Dwelling or Multi-Family Residential Site with four or more units. Water fixtures installed pursuant to this provision shall be installed within the Dwelling Unit. The second Bathroom protocol shall not be used to create a new Accessory Dwelling Unit. This includes the addition of a second Bathroom elsewhere in the Dwelling Unit that would allow a Bathroom to be used by an Accessory Dwelling Unit or Junior Accessory Dwelling Unit. The protocol was adopted to recognize that a second Bathroom is for convenience. It is not intended to support a new User.

e. Under this second Bathroom protocol, the General Manager shall not debit the Jurisdiction's Allocation for the installation of the water fixtures in the second Bathroom.

f. Capacity Fees shall nonetheless be collected for the addition of fixture units in the second Bathroom.

g. No credit shall be granted for removal or retrofit of any fixture added pursuant to this second Bathroom protocol.

h. Use of the second Bathroom protocol is voluntary. Any Dwelling Unit installing a second Bathroom pursuant to this provision shall be limited to two Bathrooms unless the fixtures permitted by this protocol in the second Bathroom are permitted by debit to a Jurisdiction's Allocation, an Entitlement, or offset by a credit. A Notice and Deed Restriction Regarding Limitation on Use of Water on a Property shall be recorded on the real property as a condition of the Water Permit.

i. All Water Permits issued pursuant to this Rule shall include a Notice and Deed Restriction titled "Provide Public Access to Water Use Data"

pursuant to Rule 23. In addition, permits utilizing the second Bathroom protocol shall authorize access to water records for the sixty (60) months prior to the date the Water Permit is issued.

j. The provisions of this second Bathroom protocol shall take precedence and supersede any contrary provision of the Water Management District Rules and Regulations.

4. Master Bathroom Fixture Unit Accounting

a. All fixtures utilizing a Master Bathroom fixture unit value as shown in ~~Table 1~~Table II-1: Residential Fixture Unit Count Values shall occur in the same Bathroom, and that Bathroom shall be designated as the "Master Bathroom." Each Dwelling Unit shall have no more than one Master Bathroom.

b. The Master Bathroom fixture unit value shall not apply to second Bathrooms utilizing the second Bathroom protocol.

5. Exterior Residential Water Demand Calculations

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

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

6. Swimming Pools Filled ~~By~~ by a Mobile Water Distribution System.

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

7. Calculating Adjusted Water Use Capacity

a. Each fixture unit shall have a value of 0.01 Acre-Foot of water.

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

8. Multi-Family Dwelling Clothes Washers

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

When a Common Laundry Room is provided, Water Use Capacity shall be calculated based on the number of Dwelling Units with access to the laundry room. For example, if ten Dwelling Units have access to one or more Common Laundry Rooms, the Water Use Capacity shall be based on ten Dwelling Units, multiplied by the applicable fixture unit value. The number of Clothes Washers in the Common Laundry Room shall not be used to determine Water Use Capacity.

B. NON-RESIDENTIAL CALCULATION OF WATER USE CAPACITY

Non-Residential Water Use Capacity shall be calculated using ~~Table 2~~Table II-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~~Table II-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~~Table II-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~~Table II-2: Non-Residential Water Use Factors.

(1) New Construction: When the Non-Residential Water Use Factor is

based on a square-footage factor, the gross square-footage shall be applied to the factor for construction of a new building.

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

b. When a Non-Residential Project proposes two or more of the uses set forth in ~~Table 2~~Table II-2, each proposed use shall be subject to a separate calculation. By way of example, a hotel with a restaurant would be subject to both the hotel use by unit and the restaurant use by seat calculation. Where a proposed use can be placed in more than one group, the group which most accurately depicts overall projected water use shall be selected or the uses shall be calculated based on the square-footage or other factor for each area in which the use occurs. When the proposed use appears to fall into more than one group or use, the higher factor shall be used.

c. If the application includes a Non-Residential use that is not identical to or similar to those uses shown on ~~Table 2~~Table II-2: Non-Residential Water Use Factors, the General Manager shall research the projected annual consumption of the use and shall recommend a value to the Board that corresponds to the Estimated Annual Water Use Capacity.

d. The General Manager shall compare the pre-Project Estimated Annual Water Use Capacity against the Estimated Annual Water Use Capacity shown on the Construction Plans submitted with the Water Release Form and Water Permit application. Pre-Project Estimated Annual Water Use Capacity may be verified by inspection.

e. The General Manager may reduce the Estimated Annual Water Use Capacity for the permanent installation and use of known and validated technology that results in a quantifiable reduction in Water Use Capacity above that anticipated with Best Management Practices.

f. The General Manager shall reduce the Estimated Annual Water Use Capacity by any verified Water Use Credit or On-Site Water Credit

applicable to the application as shown on the Water Release Form and Water Permit application and shall determine the Adjusted Water Use Capacity of the proposed project.

g. Based upon the review conducted in 24-B-1-f, the General Manager shall determine if the Project will result in a positive, neutral or reduced Water Use Capacity on the Site.

(1) An increase in Capacity (Intensification of Use) shall cause the calculation and collection of a Capacity Fee prior to issuance of a Water Permit.

(2) No Capacity Fee shall be assessed when there is no increase in Water Use Capacity.

(3) A reduction in Water Use Capacity shall result in a Water Credit upon verification that the former use has been abandoned. This credit shall be established in conformance with Rule 25.5.

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

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

2. Exterior Water Demand

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

~~*Deleted by Ordinance No. 201 (4/20/2026)*~~

~~2.~~3. Calculating Adjusted Water Use Capacity

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

C. WATER SUPPLY COST COMPONENT

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

D. CALCULATION OF CAPACITY FEES

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

1. Projects served by the California American Water Company System and Seaside Municipal Water System shall pay 100 percent of the final calculation.

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

E. ADJUSTMENT OF CALCULATIONS WHERE SPECIAL CIRCUMSTANCES EXIST

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

   a. After project completion and verification that Sub-potable Water or

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

b. Projects that utilize water in conjunction with a manufacturing process.

c. Non-Residential projects owned by a Public entity.

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

3. The General Manager shall be granted authority to factor Adjusted Water Use Capacity and Capacity Fees for Industrial and Public Projects based upon the actual average annual water use record following 60 months of occupancy and use without the necessity of a hearing before the Board of Directors. The process shall require payment of an estimated Capacity Fee and corresponding Allocation or Water Entitlement debit. The final Capacity Fee and corresponding Allocation or Water Entitlement debit shall be adjusted upon the actual annual water use record for that Connection.

4. For all situations where the General Manager finds Special Circumstances with Substantial Uncertainty exist regarding the Estimated Annual Water Use Capacity proposed by the permit Applicant, the Board shall consider approving a Water Permit upon payment of an estimated Capacity Fee and corresponding Allocation or Water Entitlement debit. The final Capacity Fee and corresponding Allocation or Water Entitlement debit shall be adjusted upon the actual average annual water use record for that Connection.

5. This Rule shall not apply where a single meter supplies more than one water User.

6. All Water Permits issued with a finding of Special Circumstances shall be subject to the following conditions:

   a. A deed restriction listing the conditions of the Permit shall be recorded on the property prior to issuance of a Water Permit.

   b. By written communication, the Jurisdiction shall authorize the District to issue a Water Permit based on a finding of Special Circumstances consistent with CEQA compliance for the approved Project.

   c. The Jurisdiction shall acknowledge in writing to the District that annual average water use above the preliminary Estimated Annual Water Use Capacity shall either result in a debit to its Allocation or shall require additional action to reduce or offset water use as authorized by the District Board.

   d. Approval of Special Circumstances with Substantial Uncertainty is valid for thirty-six (36) months. The project shall be completed within thirty six (36) months of District approval. One extension of time for twelve (12) months will be granted by the General Manager upon evidence of due diligence by the Applicant.

   e. The Project shall be exclusively equipped with all reasonable conservation measures as determined by the General Manager.

   f. The property owner shall agree to allow public access to water consumption records for the life of the Project. Access shall be authorized by recordation of the appropriate deed restriction.

   g. A Landscape Documentation Package, shall be included with the Water Permit application.

   h. Prior to issuance of a Water Permit, the Water Permit Applicant shall submit Capacity Fees and processing fees as outlined in Rule 24 and Rule 60.

   i. A water meter shall be installed to monitor exterior water use, apart from any interior use. District staff shall have access to the water meters and consumption reports upon reasonable request.

j. The property owner or his agent shall annually complete and submit a Special Circumstances Review Form and applicable attachments to the District by February 1. The Special Circumstances Review Form shall require the property owner to provide information about the Project's annual water use and practices, copies of the past year's water bills, information about the performance of any special appliances, and other information useful in reviewing Project-related water demand. The Special Circumstances Review Form shall be submitted each year during construction and for ten years following full occupancy after completion of the Project.

k. Water use will be reviewed annually after occupancy. If actual water use exceeds the preliminary Water Use Capacity estimate during any annual review, the District will debit the Jurisdiction's Allocation for the difference. At the end of the monitoring period, if the average annual water use exceeds the preliminary Water Use Capacity estimate, the District will determine whether the Jurisdiction shall transfer some of its Allocation to the Project, or whether the Applicant shall pay the cost of District-approved water conservation projects within the District or on the Project Site to establish Water Use Credits to offset the increased increment of water needed by the Project.

l. The Applicant and any successor in interest to the Water Permit shall enter into an indemnification agreement with the District, whereby the Applicant agrees to indemnify, defend and hold harmless the District from any and all legal and financial responsibility that may arise in connection with approval of the application, including but not limited to attorney's fees and costs that the District may incur.

7. The Board shall specify the appropriate number of years to monitor actual annual water use when it finds Special Circumstances with Substantial Uncertainty exist.

8. In all applications where evidence does not support the finding that Special Circumstances with Substantial Uncertainty exist regarding a Project's Water Use Capacity, it shall be presumed that the Non-Residential Water Use Factors as shown on ~~Table 2~~Table II-2 apply to the Permit.

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

F. CAPACITY FEE REFUNDS

1. The Capacity Fee paid for a Water Permit under these Rules and Regulations shall be a fee retained by the District in consideration of, and as reimbursement for the costs and expenses incurred by the District in planning for, acquiring, reserving, and maintaining capacity in the water distribution facilities existing or to be constructed within the District.

2. If a Project, as built, eliminates all or a portion of the Adjusted Water Use Capacity upon which the Water Permit was originally calculated, a refund of that portion of the Capacity Fee may occur.

3. Refunds of Capacity Fees shall occur if the Permit is abandoned prior to construction.

4. Refunds will only occur if a reduction in the Water Use Capacity is documented, or for abandoned Projects, if the Applicant has permanently removed the Water Meter and canceled the building permit.

5. Requests for refunds shall be in writing, and shall include the Water Permit number and the reason a refund is requested. Refunds are subject to fees under Rule 60.

6. All refunds shall be made to the then-current titleholder of the real property to which the Water Permit was issued.

7. Refunds requested for Capacity Fees paid for a Conditional Water Permit shall be processed under the following time lines:

    a. Refunds of less than fifty thousand dollars ($50,000) shall be processed within thirty (30) days;

    b. Refunds between fifty thousand dollars ($50,000) and one hundred thousand dollars ($100,000) shall be processed within forty-five (45) days;

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

G. CAPACITY FEE FUND ACCOUNTING

1. The District shall maintain separate accounts in its general fund for Capacity Fees received. Those separate fund accounts shall be maintained and designated as Capacity Fee accounts "A" and "B". Account "A" shall receive 18.67% of all Capacity Fees collected. Account "B" shall receive 81.33% of all Capacity Fees collected. The proceeds of any connection surcharge shall be transferred to the District's general fund, without restriction.

2. Capacity Fee funds shall be expended from Capacity Fee accounts "A" and "B" for the sole purpose of planning for, acquiring and/or reserving augmented water supply capacity for District water distribution facilities. It is recognized that such purposes include engineering, hydrologic, geologic, fishery, appraisal, financial, and property acquisition endeavors. Capacity Fee funds may further be used to acquire, maintain, and/or reserve capacity in existing water distribution facilities existing within the District.

H. PERMIT FEE PAYMENT PLANS

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

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

present assessment of the full fees and charges due for the issuance of a Water Permit.

Rule added by Ordinance No. 8 (1/14/81); amended by Ordinance No. 9 (2/14/83); Ordinance No. 17 (9/24/84); Ordinance No. 18 (11/12/84); Ordinance No. 20 (12/10/84); Ordinance No. 21 (3/11/85); Ordinance No. 26 (9/8/86); Ordinance No. 33 (3/14/88); Ordinance 34 (5/9/88); Ordinance No. 40 (4/10/89); Ordinance No. 60 (6/15/92); Ordinance No. 71 (12/20/93); Ordinance No. 76 (5/15/95); Ordinance No. 80 (11/20/95); Ordinance No. 98 (4/16/2001); Ordinance No. 111 (1/29/2004); Ordinance No. 114 (5/17/2004); Ordinance No. 125 (9/18/2006); Ordinance No. 145 (9/20/2010); Ordinance No. 157 (12/9/2013); Ordinance No. 162 (8/18/2014); Ordinance No. 164 (4/20/2015); Ordinance No. 170 (5/16/2016); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 182 (5/20/2019); Ordinance No. 185 (5/18/2020); Ordinance No. 189 (12/13/2021); Ordinance No. 193 (8/21/2023); Ordinance No. 198 (7/21/2025); Ordinance No. 199 (11/17/2025); Ordinance No. 203 (X/XX/XX)

~~TABLE 1~~TABLE II-1: RESIDENTIAL FIXTURE UNIT COUNT VALUES

	Water Fixture Description	Fixture Unit Value
1	Washbasin, each	1
2	Two Washbasins in the Master Bathroom	1
3	Toilet	1.3
4	Toilet, Ultra High Efficiency w/Deed Restriction (UHET) (0.8 gallon maximum)	0.8
5	Urinal, (Pint (0.125 gallon maximum)	0.1
6	Urinal, Zero Water Consumption	0
7	Bathtub, (may be Large Bathtub) & Separate Shower located in the Master Bathroom	3
8	Bathtub, Large (may have Showerhead above)	3
9	Bathtub, Standard (may have Showerhead above) or Shower Stall (one Showerhead)	2
10	Shower, each additional fixture (including additional Showerheads, Body Spray Nozzles, etc.)	2
11	Shower System, Rain Bars, or Custom Shower (varies according to specifications)	Inquire
12	Kitchen Sink (including optional adjacent non-High Efficiency Dishwasher)	2
13	Kitchen Sink with adjacent High Efficiency Dishwasher[1]	1.5
14	Dishwasher, High Efficiency, each additional when all Dishwashers are High Efficiency Dishwashers~~(including optional adjacent sink)~~ in a Dwelling Unit	~~1.5~~0
15	Dishwasher, High Efficiency, each additional, when one or more Dishwashers are NOT High Efficiency Dishwashers (including optional adjacent sink)	0.5
~~15~~1	Laundry Sink/Utility Sink (debit/Capacity Fee applies to only one Laundry/Utility Sink per Residential Site)	2
~~16~~1	Clothes Washer (existing non-High Efficiency Clothes Washer)	2
~~17~~1	Clothes Washer, Common Laundry Room (per Dwelling Unit with access to the CLR)	1
~~18~~1	Clothes Washer, High Efficiency (HEW)	1
~~19~~2	Bidet	1
~~20~~2	Bar Sink	1
~~21~~2	Entertainment Sink	1
~~22~~2	Vegetable Sink	1
~~23~~2	Swimming Pool (each 100 square-feet of pool surface area)	1

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

Table Amended by Resolution 2009-11 (8/17/2009); Ordinance No. 140 (11/16/2009); Resolution 2009-13 (12/14/2009); Resolution 2010-15 (12/13/2010); Ordinance No. 151 (11/19/2012); Ordinance No. 156 (11/18/2013); Resolution 2016-04 (2/17/2016); Resolution 2021-14 (11/15/2021); Resolution 2022-22 (7/18/2022); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

~~24~~2	For all new Connections -- Refer to Rule 24-A-5, Exterior Residential Water Demand Calculations.

~~TABLE 2~~TABLE II-2: NON-RESIDENTIAL WATER USE FACTORS

Group I 0.00007 AF/SF

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

Group II 0.0002 AF/SF

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

Group III

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

[1] ABC Licensed Premises Diagram area shall be used for calculation of square-footage.
[2] Assisted living Dwelling Units shall be permitted as Residential uses per ~~Table 1~~Table II-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~~Table II-2.
[4] See Rule 24-B-1 and Rule 25.5 for information about the "Standard Exterior Seat Allowance".

Group IV – MODIFIED NON-RESIDENTIAL USES

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

Group V – INDUSTRIAL USES

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

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

Notes: Any Non-Residential water use which cannot be characterized by one of the use categories set forth in ~~Table 2~~Table II-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~~Table II-2, each proposed use shall be subject to a separate calculation. When the proposed use appears to fall into more than one group or use, the higher factor shall be used.

Table amended by Ordinance No. 125 (9/29/2006); Resolution 2008-01 (1/24/2008); Resolution 2010-15 (12/13/2010); Resolution 2013-16 (9/16/2013); Resolution 2014-04 (3/17/2014); Resolution 2014-12 (7/21/2014); Ordinance No. 164 (4/20/2015); Resolution 2016-06 (3/21/2016); Ordinance No. 176 (1/25/2017); Resolution 2017-14 (7/21/2017); Resolution 2017-16 (12/11/2017); Resolution 2018-21 (11/19/2018); Ordinance No. 182 (5/20/2019); Resolution 2019-10 (7/15/2019); Resolution 2019-15 (9/16/2019); Resolution 2021-15 (11/15/2021); Resolution 2022-27 (9/19/2022); Resolution 2022-33 (11/14/2022); Resolution 2024-14 (12/16/2024); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

~~TABLE 3~~TABLE II-3: CAPACITY FEE HISTORY

YEAR	CAPACITY FEE	YEAR	CAPACITY FEE
1985	$10,623.20	2021-22	$32,008.00
1985-86	$11,133.00	2022-23	$33,608.00
1986-87	$11,433.59	2023-24	$35,019.00
1987-88	$11,890.93	2024-25	$36,350.00
1988-89	$12,295.22	2025-26	$36,823.00
1989-90	$12,983.75	2026-27	$38,222.00
1990-91	$13,529.07		
1991-92	$14,056.70		
1992-93	$14,661.00		
1993-94	$15,202.00		
1994-95	$15,325.00		
1995-96	$15,692.00		
1996-97	$15,960.00		
1997-98	$16,551.00		
1998-99	$17,048.00		
1999-00	$17,832.00		
2000-01	$18,492.00		
2001-02	$19,565.00		
2002-03	$19,976.00		
2003-04	$20,415.00		
2004-05	$20,517.00		
2005-06	$20,948.00		
2006-07	$21,618.00		
2007-08	$22,331.00		
2008-09	$22,979.00		
2009-10	$23,163.00		
2010-11	$23,567.00		
2011-12	$24,227.00		
2012-13	$24,735.00		
2013-14	$25,328.00		
2014-15	$26,037.00		
2015-16	$26,661,00		
2016-17	$27,380.00		
2017-18	$28,420.00		
2018-19	$29,329.00		
2019-20	$30,502.00		
2020-21	$30,837.00		

Table added by Ordinance No. 125 (9/18/2006); amended by Ordinance No. 145 (9/20/2010); Resolution 2014-19 (12/15/2014); Resolution No. 2015-20 (11/16/2015); Resolution 2016-13 (7/18/2016); Resolution 2017-11 (6/19/2017); Resolution 2018-14 (6/18/2018); 2019-08 (6/17/2019); Resolution 2020--11 (6/15/2020); Resolution 2021-08 (6/21/2021); Resolution 2022-20 (6/20/2022); Resolution No. 2023-11 (6/20/2023); Resolution No. 2024-10 (6/17/2024); Resolution 2025-06 (6/16/2025); Ordinance No. 201 (4/20/2026); Resolution No. 2026-07 (6/15/2026); Ordinance No. 203 (X/XX/XX)

RULE 24 - CALCULATION OF WATER USE CAPACITY AND CAPACITY FEES

A. RESIDENTIAL CALCULATION OF WATER USE CAPACITY

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

1. Methodology for Determining Water Use Capacity

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

a. The General Manager shall estimate Water Use Capacity of the proposed Project using the fixture unit values and outdoor water uses calculation from Table II-1: Residential Fixture Unit Count Values.

b. If the application includes a Residential water fixture that is not specifically exempt from the Residential Permit requirements, and no factor is shown on Table II-1: Residential Fixture Unit Count Values, for a proposed water fixture, the General Manager shall research the projected annual consumption of the fixture and shall recommend a fixture unit count value to the Board that corresponds to the Estimated Annual Water Use Capacity of the fixture. Table II-1 shall subsequently be amended by Resolution of the Board of Directors to assign a value to the new fixture.

c. Using Table II-1: Residential Fixture Unit Count Values, the General Manager shall compare the pre-Project fixture unit count against the fixture unit count shown on the Construction Plans submitted with the Water Release Form and Water Permit application. Pre-Project Estimated Annual Water Use Capacity shall be verified by inspection.

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

e. Based upon the review conducted in Rule 24-A-1, the General Manager shall determine if Project will result in a positive, neutral or reduced Water Use Capacity on the Site.

(1) An increase in Capacity (Intensification of Use) shall cause the calculation and collection of a Capacity Fee prior to issuance of a Water Permit.

(2) No Capacity Fee shall be assessed when there is no increase in Water Use Capacity.

(3) A reduction in Water Use Capacity shall result in a Water Use Credit upon verification that the former use has been permanently abandoned. This credit shall be established in conformance with Rule 25.5.

2. Exempt Residential Water Fixtures

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

3. Second Bathroom Addition

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

a. The second Bathroom protocol shall be limited and shall apply only to the following water appliances if they are installed in a second Bathroom as an expansion or remodel of an existing Dwelling Unit: (a) a single toilet, and (b) a single Standard Bathtub, or single Shower Stall, or a single standard tub-shower combination, and (c) one or two Washbasins.

b. The second Bathroom protocol shall further apply to a Residential application that proposes to add one or more of the water fixtures referenced above to a second Bathroom which lacks that fixture(s) within a Dwelling Unit that has less than two full Bathrooms.

c. The second Bathroom protocol shall apply only to a Dwelling Unit that has less than two full Bathrooms and that has not removed basic Bathroom water fixtures (i.e., a toilet, a Standard Bathtub or Shower Stall or a Washbasin) to enable the addition of water fixtures elsewhere on the Site.

d. The second Bathroom protocol shall not apply to any Multi-Family Dwelling or Multi-Family Residential Site with four or more units. Water fixtures installed pursuant to this provision shall be installed within the Dwelling Unit. The second Bathroom protocol shall not be used to create a new Accessory Dwelling Unit. This includes the addition of a second

Bathroom elsewhere in the Dwelling Unit that would allow a Bathroom to be used by an Accessory Dwelling Unit or Junior Accessory Dwelling Unit. The protocol was adopted to recognize that a second Bathroom is for convenience. It is not intended to support a new User.

e. Under this second Bathroom protocol, the General Manager shall not debit the Jurisdiction's Allocation for the installation of the water fixtures in the second Bathroom.

f. Capacity Fees shall nonetheless be collected for the addition of fixture units in the second Bathroom.

g. No credit shall be granted for removal or retrofit of any fixture added pursuant to this second Bathroom protocol.

h. Use of the second Bathroom protocol is voluntary. Any Dwelling Unit installing a second Bathroom pursuant to this provision shall be limited to two Bathrooms unless the fixtures permitted by this protocol in the second Bathroom are permitted by debit to a Jurisdiction's Allocation, an Entitlement, or offset by a credit. A Notice and Deed Restriction Regarding Limitation on Use of Water on a Property shall be recorded on the real property as a condition of the Water Permit.

i. All Water Permits issued pursuant to this Rule shall include a Notice and Deed Restriction titled "Provide Public Access to Water Use Data" pursuant to Rule 23. In addition, permits utilizing the second Bathroom protocol shall authorize access to water records for the sixty (60) months prior to the date the Water Permit is issued.

j. The provisions of this second Bathroom protocol shall take precedence and supersede any contrary provision of the Water Management District Rules and Regulations.

4. Master Bathroom Fixture Unit Accounting

a. All fixtures utilizing a Master Bathroom fixture unit value as shown in Table II-1: Residential Fixture Unit Count Values shall occur in the same Bathroom, and that Bathroom shall be designated as the "Master Bathroom." Each Dwelling Unit shall have no more than one Master Bathroom.

b. The Master Bathroom fixture unit value shall not apply to second Bathrooms utilizing the second Bathroom protocol.

5. Exterior Residential Water Demand Calculations

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

6. Swimming Pools Filled by a Mobile Water Distribution System.

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

7. Calculating Adjusted Water Use Capacity

a. Each fixture unit shall have a value of 0.01 Acre-Foot of water.

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

8. Multi-Family Dwelling Clothes Washers

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

When a Common Laundry Room is provided, Water Use Capacity shall be calculated based on the number of Dwelling Units with access to the laundry room. For example, if ten Dwelling Units have access to one or more Common Laundry Rooms, the Water Use Capacity shall be based on ten Dwelling Units, multiplied by the applicable fixture unit value. The number of Clothes Washers in the Common Laundry Room shall not be used to determine Water Use Capacity.

B. NON-RESIDENTIAL CALCULATION OF WATER USE CAPACITY

Non-Residential Water Use Capacity shall be calculated using Table II-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 II-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 II-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 II-2: Non-Residential Water Use Factors.

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

b. When a Non-Residential Project proposes two or more of the uses set forth in Table II-2, each proposed use shall be subject to a separate calculation. By way of example, a hotel with a restaurant would be subject to both the hotel use by unit and the restaurant use by seat calculation. Where a proposed use can be placed in more than one group, the group which most accurately depicts overall projected water use shall be selected or the uses shall be calculated based on the square-footage or other factor for each area in which the use occurs. When the proposed use appears to fall into more than one group or use, the higher factor shall be used.

c. If the application includes a Non-Residential use that is not identical to or similar to those uses shown on Table II-2: Non-Residential Water Use Factors, the General Manager shall research the projected annual consumption of the use and shall recommend a value to the Board that corresponds to the Estimated Annual Water Use Capacity.

d. The General Manager shall compare the pre-Project Estimated Annual Water Use Capacity against the Estimated Annual Water Use Capacity shown on the Construction Plans submitted with the Water Release Form and Water Permit application. Pre-Project Estimated Annual Water Use Capacity may be verified by inspection.

e. The General Manager may reduce the Estimated Annual Water Use Capacity for the permanent installation and use of known and validated technology that results in a quantifiable reduction in Water Use Capacity above that anticipated with Best Management Practices.

f. The General Manager shall reduce the Estimated Annual Water Use

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

g. Based upon the review conducted in 24-B-1-f, the General Manager shall determine if the Project will result in a positive, neutral or reduced Water Use Capacity on the Site.

(1) An increase in Capacity (Intensification of Use) shall cause the calculation and collection of a Capacity Fee prior to issuance of a Water Permit.

(2) No Capacity Fee shall be assessed when there is no increase in Water Use Capacity.

(3) A reduction in Water Use Capacity shall result in a Water Credit upon verification that the former use has been abandoned. This credit shall be established in conformance with Rule 25.5.

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

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

2. Exterior Water Demand

Exterior Water Use Capacity shall be calculated according to Rule 142.1.

3. Calculating Adjusted Water Use Capacity

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

C. WATER SUPPLY COST COMPONENT

The water supply cost component used as a monetary multiplier in each Capacity Fee calculation required by this rule shall be $10,623.20. This water supply cost component shall be adjusted on July 1st of each year beginning in July, 1985, to include the annual

increase or decrease of the April Consumer Price Index (CPI), all items, for San Francisco/Oakland, as promulgated by the U.S. Department of Labor Bureau of Statistics. The adjusted multiplier shall apply to each Water Permit application received on or after July 1st of each year. Table II-3: Capacity Fee History shall be updated annually by Resolution of the Board to reflect the current year's Capacity Fee.

D. CALCULATION OF CAPACITY FEES

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

1. Projects served by the California American Water Company System and Seaside Municipal Water System shall pay 100 percent of the final calculation.

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

E. ADJUSTMENT OF CALCULATIONS WHERE SPECIAL CIRCUMSTANCES EXIST

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

    a. After project completion and verification that Sub-potable Water or untreated Well water is the exclusive supply for all exterior uses, the General Manager may make a proportional adjustment for the final Adjusted Water Use Capacity and shall refund that portion of the Capacity Fee and the portion of water debited from an Allocation or Water Entitlement.

    b. Projects that utilize water in conjunction with a manufacturing process.

    c. Non-Residential projects owned by a Public entity.

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

3. The General Manager shall be granted authority to factor Adjusted Water Use

Capacity and Capacity Fees for Industrial and Public Projects based upon the actual average annual water use record following 60 months of occupancy and use without the necessity of a hearing before the Board of Directors. The process shall require payment of an estimated Capacity Fee and corresponding Allocation or Water Entitlement debit. The final Capacity Fee and corresponding Allocation or Water Entitlement debit shall be adjusted upon the actual annual water use record for that Connection.

4. For all situations where the General Manager finds Special Circumstances with Substantial Uncertainty exist regarding the Estimated Annual Water Use Capacity proposed by the permit Applicant, the Board shall consider approving a Water Permit upon payment of an estimated Capacity Fee and corresponding Allocation or Water Entitlement debit. The final Capacity Fee and corresponding Allocation or Water Entitlement debit shall be adjusted upon the actual average annual water use record for that Connection.

5. This Rule shall not apply where a single meter supplies more than one water User.

6. All Water Permits issued with a finding of Special Circumstances shall be subject to the following conditions:

    a. A deed restriction listing the conditions of the Permit shall be recorded on the property prior to issuance of a Water Permit.

    b. By written communication, the Jurisdiction shall authorize the District to issue a Water Permit based on a finding of Special Circumstances consistent with CEQA compliance for the approved Project.

    c. The Jurisdiction shall acknowledge in writing to the District that annual average water use above the preliminary Estimated Annual Water Use Capacity shall either result in a debit to its Allocation or shall require additional action to reduce or offset water use as authorized by the District Board.

    d. Approval of Special Circumstances with Substantial Uncertainty is valid for thirty-six (36) months. The project shall be completed within thirty six (36) months of District approval. One extension of time for twelve (12) months will be granted by the General Manager upon evidence of due diligence by the Applicant.

    e. The Project shall be exclusively equipped with all reasonable conservation measures as determined by the General Manager.

    f. The property owner shall agree to allow public access to water consumption records for the life of the Project. Access shall be authorized by recordation of the appropriate deed restriction.

g. A Landscape Documentation Package, shall be included with the Water Permit application.

h. Prior to issuance of a Water Permit, the Water Permit Applicant shall submit Capacity Fees and processing fees as outlined in Rule 24 and Rule 60.

i. A water meter shall be installed to monitor exterior water use, apart from any interior use. District staff shall have access to the water meters and consumption reports upon reasonable request.

j. The property owner or his agent shall annually complete and submit a Special Circumstances Review Form and applicable attachments to the District by February 1. The Special Circumstances Review Form shall require the property owner to provide information about the Project's annual water use and practices, copies of the past year's water bills, information about the performance of any special appliances, and other information useful in reviewing Project-related water demand. The Special Circumstances Review Form shall be submitted each year during construction and for ten years following full occupancy after completion of the Project.

k. Water use will be reviewed annually after occupancy. If actual water use exceeds the preliminary Water Use Capacity estimate during any annual review, the District will debit the Jurisdiction's Allocation for the difference. At the end of the monitoring period, if the average annual water use exceeds the preliminary Water Use Capacity estimate, the District will determine whether the Jurisdiction shall transfer some of its Allocation to the Project, or whether the Applicant shall pay the cost of District-approved water conservation projects within the District or on the Project Site to establish Water Use Credits to offset the increased increment of water needed by the Project.

l. The Applicant and any successor in interest to the Water Permit shall enter into an indemnification agreement with the District, whereby the Applicant agrees to indemnify, defend and hold harmless the District from any and all legal and financial responsibility that may arise in connection with approval of the application, including but not limited to attorney's fees and costs that the District may incur.

7. The Board shall specify the appropriate number of years to monitor actual annual water use when it finds Special Circumstances with Substantial Uncertainty exist.

8. In all applications where evidence does not support the finding that Special Circumstances with Substantial Uncertainty exist regarding a Project's Water Use

Capacity, it shall be presumed that the Non-Residential Water Use Factors as shown on Table II-2 apply to the Permit.

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

F. CAPACITY FEE REFUNDS

1. The Capacity Fee paid for a Water Permit under these Rules and Regulations shall be a fee retained by the District in consideration of, and as reimbursement for the costs and expenses incurred by the District in planning for, acquiring, reserving, and maintaining capacity in the water distribution facilities existing or to be constructed within the District.

2. If a Project, as built, eliminates all or a portion of the Adjusted Water Use Capacity upon which the Water Permit was originally calculated, a refund of that portion of the Capacity Fee may occur.

3. Refunds of Capacity Fees shall occur if the Permit is abandoned prior to construction.

4. Refunds will only occur if a reduction in the Water Use Capacity is documented, or for abandoned Projects, if the Applicant has permanently removed the Water Meter and canceled the building permit.

5. Requests for refunds shall be in writing, and shall include the Water Permit number and the reason a refund is requested. Refunds are subject to fees under Rule 60.

6. All refunds shall be made to the then-current titleholder of the real property to which the Water Permit was issued.

7. Refunds requested for Capacity Fees paid for a Conditional Water Permit shall be processed under the following time lines:

   a. Refunds of less than fifty thousand dollars ($50,000) shall be processed within thirty (30) days;

   b. Refunds between fifty thousand dollars ($50,000) and one hundred thousand dollars ($100,000) shall be processed within forty-five (45) days;

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

G. CAPACITY FEE FUND ACCOUNTING

1. The District shall maintain separate accounts in its general fund for Capacity Fees received. Those separate fund accounts shall be maintained and designated as Capacity Fee accounts "A" and "B". Account "A" shall receive 18.67% of all Capacity Fees collected. Account "B" shall receive 81.33% of all Capacity Fees collected. The proceeds of any connection surcharge shall be transferred to the District's general fund, without restriction.

2. Capacity Fee funds shall be expended from Capacity Fee accounts "A" and "B" for the sole purpose of planning for, acquiring and/or reserving augmented water supply capacity for District water distribution facilities. It is recognized that such purposes include engineering, hydrologic, geologic, fishery, appraisal, financial, and property acquisition endeavors. Capacity Fee funds may further be used to acquire, maintain, and/or reserve capacity in existing water distribution facilities existing within the District.

H. PERMIT FEE PAYMENT PLANS

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

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

Rule added by Ordinance No. 8 (1/14/81); amended by Ordinance No. 9 (2/14/83); Ordinance No. 17 (9/24/84); Ordinance No. 18 (11/12/84); Ordinance No. 20 (12/10/84); Ordinance No. 21 (3/11/85); Ordinance No. 26 (9/8/86); Ordinance No. 33 (3/14/88); Ordinance 34 (5/9/88); Ordinance No. 40 (4/10/89); Ordinance No. 60 (6/15/92); Ordinance No. 71 (12/20/93); Ordinance No. 76 (5/15/95); Ordinance No. 80 (11/20/95); Ordinance No. 98 (4/16/2001); Ordinance No. 111 (1/29/2004); Ordinance No. 114 (5/17/2004); Ordinance No. 125 (9/18/2006); Ordinance No. 145 (9/20/2010); Ordinance No. 157 (12/9/2013); Ordinance No. 162 (8/18/2014); Ordinance No. 164 (4/20/2015);

Ordinance No. 170 (5/16/2016); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 182 (5/20/2019); Ordinance No. 185 (5/18/2020); Ordinance No. 189 (12/13/2021); Ordinance No. 193 (8/21/2023); Ordinance No. 198 (7/21/2025); Ordinance No. 199 (11/17/2025); Ordinance No. 203 (X/XX/XX)

TABLE II-1: RESIDENTIAL FIXTURE UNIT COUNT VALUES

	Water Fixture Description	Fixture Unit Value
1	Washbasin, each	1
2	Two Washbasins in the Master Bathroom	1
3	Toilet	1.3
4	Toilet, Ultra High Efficiency w/Deed Restriction (UHET) (0.8 gallon maximum)	0.8
5	Urinal, (Pint (0.125 gallon maximum)	0.1
6	Urinal, Zero Water Consumption	0
7	Bathtub, (may be Large Bathtub) & Separate Shower located in the Master Bathroom	3
8	Bathtub, Large (may have Showerhead above)	3
9	Bathtub, Standard (may have Showerhead above) or Shower Stall (one Showerhead)	2
10	Shower, each additional fixture (including additional Showerheads, Body Spray Nozzles, etc.)	2
11	Shower System, Rain Bars, or Custom Shower (varies according to specifications)	Inquire
12	Kitchen Sink (including optional adjacent non-High Efficiency Dishwasher)	2
13	Kitchen Sink with adjacent High Efficiency Dishwasher[1]	1.5
14	Dishwasher, High Efficiency, each additional when all Dishwashers are High Efficiency Dishwashers	0
15	Dishwasher, High Efficiency, each additional when one or more Dishwashers are NOT High Efficiency Dishwashers (including optional adjacent sink)	1.5
16	Laundry Sink/Utility Sink (debit/Capacity Fee applies to only one Laundry/Utility Sink per Residential Site)	2
17	Clothes Washer (existing non-High Efficiency Clothes Washer)	2
18	Clothes Washer, Common Laundry Room (per Dwelling Unit with access to the CLR)	1
19	Clothes Washer, High Efficiency (HEW)	1
20	Bidet	1
21	Bar Sink	1
22	Entertainment Sink	1
23	Vegetable Sink	1
24	Swimming Pool (each 100 square-feet of pool surface area)	1

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

Table Amended by Resolution 2009-11 (8/17/2009); Ordinance No. 140 (11/16/2009); Resolution 2009-13 (12/14/2009); Resolution 2010-15 (12/13/2010); Ordinance No. 151 (11/19/2012); Ordinance No. 156 (11/18/2013); Resolution 2016-04 (2/17/2016); Resolution 2021-14 (11/15/2021); Resolution 2022-22 (7/18/2022); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

25	For all new Connections -- Refer to Rule 24-A-5, Exterior Residential Water Demand Calculations.

TABLE II-2: NON-RESIDENTIAL WATER USE FACTORS

Group I 0.00007 AF/SF

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

Group II 0.0002 AF/SF

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

Group III

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

[1] ABC Licensed Premises Diagram area shall be used for calculation of square-footage.
[2] Assisted living Dwelling Units shall be permitted as Residential uses per Table II-1, Residential Fixture Unit Count Values.
[3] Dormitory water use at educational facilities is a Residential use, although the factor is shown on Table II-2.
[4] See Rule 24-B-1 and Rule 25.5 for information about the "Standard Exterior Seat Allowance".

Group IV – MODIFIED NON-RESIDENTIAL USES

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

Group V – INDUSTRIAL USES

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

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

Notes: Any Non-Residential water use which cannot be characterized by one of the use categories set forth in Table II-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 II-2, each proposed use shall be subject to a separate calculation. When the proposed use appears to fall into more than one group or use, the higher factor shall be used.

Table amended by Ordinance No. 125 (9/29/2006); Resolution 2008-01 (1/24/2008); Resolution 2010-15 (12/13/2010); Resolution 2013-16 (9/16/2013); Resolution 2014-04 (3/17/2014); Resolution 2014-12 (7/21/2014); Ordinance No. 164 (4/20/2015); Resolution 2016-06 (3/21/2016); Ordinance No. 176 (1/25/2017); Resolution 2017-14 (7/21/2017); Resolution 2017-16 (12/11/2017); Resolution 2018-21 (11/19/2018); Ordinance No. 182 (5/20/2019); Resolution 2019-10 (7/15/2019); Resolution 2019-15 (9/16/2019); Resolution 2021-15 (11/15/2021); Resolution 2022-27 (9/19/2022); Resolution 2022-33 (11/14/2022); Resolution 2024-14 (12/16/2024); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

TABLE II-3: CAPACITY FEE HISTORY

YEAR	CAPACITY FEE	YEAR	CAPACITY FEE
1985	$10,623.20	2021-22	$32,008.00
1985-86	$11,133.00	2022-23	$33,608.00
1986-87	$11,433.59	2023-24	$35,019.00
1987-88	$11,890.93	2024-25	$36,350.00
1988-89	$12,295.22	2025-26	$36,823.00
1989-90	$12,983.75	2026-27	$38,222.00
1990-91	$13,529.07		
1991-92	$14,056.70		
1992-93	$14,661.00		
1993-94	$15,202.00		
1994-95	$15,325.00		
1995-96	$15,692.00		
1996-97	$15,960.00		
1997-98	$16,551.00		
1998-99	$17,048.00		
1999-00	$17,832.00		
2000-01	$18,492.00		
2001-02	$19,565.00		
2002-03	$19,976.00		
2003-04	$20,415.00		
2004-05	$20,517.00		
2005-06	$20,948.00		
2006-07	$21,618.00		
2007-08	$22,331.00		
2008-09	$22,979.00		
2009-10	$23,163.00		
2010-11	$23,567.00		
2011-12	$24,227.00		
2012-13	$24,735.00		
2013-14	$25,328.00		
2014-15	$26,037.00		
2015-16	$26,661,00		
2016-17	$27,380.00		
2017-18	$28,420.00		
2018-19	$29,329.00		
2019-20	$30,502.00		
2020-21	$30,837.00		

Table added by Ordinance No. 125 (9/18/2006); amended by Ordinance No. 145 (9/20/2010); Resolution 2014-19 (12/15/2014); Resolution No. 2015-20 (11/16/2015); Resolution 2016-13 (7/18/2016); Resolution 2017-11 (6/19/2017); Resolution 2018-14 (6/18/2018); 2019-08 (6/17/2019); Resolution 2020--11 (6/15/2020); Resolution 2021-08 (6/21/2021); Resolution 2022-20 (6/20/2022); Resolution No. 2023-11 (6/20/2023); Resolution No. 2024-10 (6/17/2024); Resolution 2025-06 (6/16/2025); Ordinance No. 201 (4/20/2026); Resolution No. 2026-07 (6/15/2026); Ordinance No. 203 (X/XX/XX)

RULE 25.5 - WATER USE CREDITS AND WATER CREDITS

A. Except where a Water Permit has been abandoned, expired, Revoked, Suspended, or canceled under these Rules, a Person may apply to receive a documented Water Use Credit for ~~the~~ a P~~p~~ermanent A~~a~~bandonment of ~~some or all prior water~~ U~~u~~se on that Site by one of the methods set forth in this Rule. Water Use Credits pursuant to this Rule shall be documented by written correspondence between the District and the property owner and shall remain valid unless expired or prohibited by the provisions of Rule 25.5. Documented Water Use Credits shall not be recorded by notice on a property title, except as specified in Rule 25.5-H. Except as allowed by Rule 28, Water Use Credits shall not be transferable to any other Site. When applicable, a Water Use Credit shall reference the factor shown in Rule 24 Table II-1 or Table II-2, at the time it was ~~as~~established, as the basis for the credit. A District correspondence documented Water Use Credit shall not be affected by any future change to that factor, although it is subject to the time limitation(s) specified in Rule 25.5.

B. Water savings resulting from mandatory compliance with Regulation XIV, Water Conservation, shall not result in a Water Use Credit other than those credits specifically available in Table II-4. Water Use Credits for required retrofits shall expire upon the date mandated by any District, State, or Federal law unless otherwise stated in these rules. Such savings shall be set aside as permanent water conservation savings.

C. A Water Use Credit may be applied to and shall allow future water use on that Site at any time within a period of ~~ten~~ five years following the Permanent Abandonment of Use documented by a demolition permit or other credible evidence of removal. In the absence of documentation, the date of the last MPWMD inspection documenting the existence of the fixture shall be used as the date of Permanent Abandonment. A one-year extension of time may be granted by the General Manager for justifiable cause. Subsequently, any remaining unused Water Use Credit shall expire.

~~C.~~D. A Water Use Credit shall expire or retire based upon the date of installation or purchase, or the date the fixture becomes mandated by any District, State, or Federal conservation program. This rule shall apply to all Water Use Credits, including Water Use Credits tolled by a California Public Utilities Commission moratorium or by State 4 Water Rationing, unless otherwise exempted or modified by Rule 25.5. Credits documented in writing with an expiration date shall be honored by the District.

~~D.~~E. A Water Use Credit at a Department of Defense Site shall expire after twenty (20) years.

~~E.~~F. The following types of Permanent Abandonment of Capacity shall qualify for a Water Use Credit under this Rule:

1. Demolition of a building or use that has been recognized by the District as being a lawful water use;

2. Demolition or permanent removal of Exterior Restaurant Seats specifically permitted by debiting Water Use Capacity from an Allocation or Entitlement, Water

Credit or Water Use Credit;

3. Permanent disconnection of a lawful water use from a Water Distribution System;

4. Permanent removal of ~~Residential removal of~~ District-documented and lawful water fixtures listed in Rule 24, Table II-1: Residential Fixture Unit Count Values and the associated plumbing for those fixtures so there is no evidence of the removed water fixture;

5. Permanent installation of water fixtures or appliances that are designed to achieve greater water efficiency than mandated in ~~District Rule 142 and Rule 143~~Regulations XIV and XVI. When newer appliances become more water efficient, no further credit shall be available, and upgrading to the newer standard may be required as a condition of a Water Permit.

6. Removal of established Lawn on sports fields at a Public School District Site that pre-dates the District's permit requirements or that was permitted with a debit to an Allocation.

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

1. Verify that the reduction is one which is permanent (i.e. Permanent Abandonment of Use) and the date that Permanent Abandonment of Use occurred.

2. Quantify the Water Use Capacity of the Site using the water use factors from Rule 24, Tables II-1 and/or II-2. If no factor is available on Table II-2 or if the use is substantially different than any of the uses shown on Table II-2, the General Manager may make an estimate based upon water records showing the average use over a minimum of eight (8) years.

3. Grant a Residential Water Use Credit for the permanent removal of water using fixtures if the fixture was properly and lawfully installed.

   a. Water Use Credits for multiple Showerheads shall be limited to a maximum of four (4) fixture units per Separate Stall Shower or Bathtub unless permitted using a Water Entitlement documented on an Assignment Document. A Shower System shall be considered a component of a Separate Stall Shower or Bathtub for purposes of this Rule.

   b. Credit shall not be given for any reduction which occurs as the result of the removal of landscaping installed without a Water Permit or installed pursuant to a Water Permit for New Construction. An exception to this limitation shall be made for Non-Residential landscaping that was specifically identified, quantified, and permitted by the District. Any Water Use Credit granted under this subdivision shall be determined using the Estimated Applied Water for the increment of landscaping being

permanently abandoned.

c. A 0.5 fixture unit credit for non-HET toilets that was available on Table II-4 prior to adoption of Ordinance No. 201 shall continue to be allowed until January 1, 2027. At that time, the Water Use Credit shall expire.

4. Quantify the water use reduction (the abandoned Capacity) using the following methods:

a. Residential Water Use Credit for demolitions, permanent disconnection of water service, and permanent removal of water fixtures shall be determined using the current Fixture Unit Values from Rule 24, Table II -1 ~~1: -~~ Residential Fixture Unit Count Values.

b. Residential Water Use Credits shall only be granted for installation of the ultra-low consumption appliances listed in Table II-4: High Efficiency Appliance Credits and for Permanent Abondonment of Use. This table may be amended by Resolution of the Board of Directors. A Water Use Credit shall not be issued for a fixture for which an MPWMD rebate has been issued, or for which an MPWMD rebate has previously been claimed.

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

d. Non-Residential Water Use Credit for retrofits with advanced Ultra-Low Consumption Technology ~~shall~~may be ~~documented under the following circumstances and shall be~~ granted by the Board of Directors for the increment of water savings beyond the water savings anticipated from the installation of ~~Low Water Use Plumbing Fixtures and other District mandates~~,mandatory District requirements:

(1) Application for Water Use Credit Post-Retrofit. The Applicant shall submit clear and convincing evidence of water savings. This shall be accomplished by providing the District with a minimum of eight (8) years of documented pre-retrofit water history for the use from the Water Distribution System (i.e. bills or correspondence from the Water Distribution System Operator) along with two or more years of post-retrofit water history for the use (i.e. bills or correspondence from the Water Distribution System Operator). When eight (8) years of water history for a use is unavailable or when less than two years of post-retrofit water history is available, the Applicant shall obtain an independent third party's review of the projected water savings, subject to review and acceptance by the District. The District shall verify the installation of Ultra-Low Consumption Technology by conducting an inspection.

(2) Application for Water Use Credit Pre-Retrofit. The Applicant shall submit clear and convincing evidence of water savings. This shall be accomplished by providing the District with a minimum of eight (8) years of documented pre-retrofit water history for the use from the Water Distribution System (i.e. bills or correspondence from the Water Distribution System Operator) to establish a baseline consumption level and documentation of the dates of previous retrofits done pursuant to Regulation XIV. When eight (8) years of pre-retrofit water history for a use is unavailable, the factor from Rule 24, Table II-2: Non-Residential Water Use Factors shall be used as the historic use baseline. To substantiate projected water savings resulting from the proposed retrofit(s), the Applicant shall submit additional documentation to support the estimated water savings. When District staff is not able to verify the estimated water savings, the Applicant may be required to reimburse the District for costs to obtain an independent third party's review of the projected water savings. The District shall verify the installation of Ultra-Low Consumption Technology by conducting an inspection.

(3) When a Non-Residential Water Use Credit is requested for a Site that cannot demonstrate that the Site was equipped with Low Water Use Plumbing Fixtures for the full period of the water records used, there shall be a 15 percent reduction of the final calculated Water Use Credit.

(4) In the event that the General Manager disagrees with the amount of water savings resulting from the installation of Ultra-Low Consumption Technology, the complete Water Use Credit application shall be presented to the Board for further consideration.

5. Written notification of the quantity and expiration of a Water Use Credit shall be provided to ~~the Applicant and to~~ the property owner.

6. No Water Use Credit or reduced Water Use Capacity shall be granted for the removal of a Non-Residential associated use to an out-of-District location or to another Water Distribution System. For example: No reduction in Water Use Capacity or Water Use Credit shall be granted for laundering hotel textiles at another location.

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

1. There shall be no Capacity Fee assessed for any Water Use Credit. Capacity Fees, however, shall apply to the Capacity for water use which exceeds the Water Use Credit, or for any Expansion of Use following the expiration of the Water Use Credit.

2. No Capacity Fee refund shall accrue by reason of a water use reduction or abandonment of Capacity, whether or not reflected by a Water Use Credit.

3. Issuance of a Water Use Credit shall not result in any change to a Jurisdiction's Allocation or to any Water Entitlement. Use of any Water Use Credit shall similarly not result in a change to a Jurisdiction's Allocation or any Water Entitlement.

~~H.~~I. When a Water Use Credit on a Site results from demolition of a building that straddled a lot line, the property owner shall specify in writing the quantity of Water Use Credit assigned to each of the lots formerly occupied by that building. Such designation may be recorded upon the title of each Parcel and shall specify the date the credit expires.

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

1. Water Use Credits may be moved between one or more structures on the same Site or may be used to construct new uses on the same Site.

2. The District shall not require an additional increment of water for exterior water usage on a vacant lot or lot containing an uninhabitable structure when the owner of the Site has submitted clear and convincing evidence of continuous landscaping and irrigation that was installed by and has been consistently maintained since March 11, 1985. Examples of acceptable evidence are dated photographs, official documents, permits or correspondence of the Jurisdiction, receipts or invoices for gardening services or purchases related to landscaping and maintaining landscaping on the Site. Credit shall only apply to the portion of the Site for which evidence has been provided.

3. A Water Use Credit for disconnection from a Potable Water Distribution System shall be granted by the General Manager only upon the removal of the Connection and written confirmation of such removal by the Water Distribution System Owner or Operator.

4. Water Use Credits shall remain on the Department of Defense Site where the credit originated unless there is agreement between the parties to allow use of a Water use Credit at a different Department of Defense Site.

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

Rule added by Ordinance No. 60 (6/15/92); amended by Ordinance No. 64 (10/05/92); Ordinance No. 71 (12/20/93); Ordinance No. 110 (9/30/2003); Ordinance No. 115 (05/17/2004); Ordinance No. 121 (8/15/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 128 (6/18/2007); Ordinance No. 139 (5/12/2009); Ordinance No. 145 (9/20/2010); Ordinance No. 155 (3/18/2013); Ordinance No. 156 (11/18/2013); Ordinance No. 157 (12/9/2013); Ordinance No. 162 (8/18/2014); Ordinance No. 164 (4/20/2015); Ordinance No. 170 (5/16/2016); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 182 (5/20/2019); Ordinance No. 187 (6/21/2021); Ordinance No. 189 (12/13/2021); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

TABLE II-4: HIGH EFFICIENCY APPLIANCE CREDITS[1]		
Appliance	Description	Water Use Credit in Fixture Units (FU)
High Efficiency Toilets	A toilet designed to have an average maximum flush of 1.28 gallons and that is labeled by the U.S. Environmental Protection Agency's WaterSense program. This credit is only available until January 1, 2027, at which time it shall be deleted from Table II-4.	0.5 FU
Ultra High Efficiency Toilet	A toilet designed and manufactured to flush with a maximum of 0.8 gallon of water and that is labeled by the U.S. Environmental Protection Agency's WaterSense program. This credit is available until January 1, 2027, when it shall be adjusted to 0.5 FU.	1 FU
Instant-Access Hot Water System	A recirculating hot water system or other device(s) that results in hot water contact at every point of access throughout the Dwelling Unit within ten (10) seconds. Instant-Access Hot Water Systems shall be installed in each auxiliary building plumbed with hot water on a Single Family Residential Site. There shall be no Water Use Credit for installation of Instant-Access Hot Water Systems for New Structures.	0.5 FU
High Efficiency Dishwasher	See Rules 11, 23, and Table II-1, Residential Fixture Unit Count Values. A High Efficiency Dishwasher (HEDW) shall have Energy Star certification. Granted for one HEDW per Dwelling Unit.	0.5 FU
High Efficiency Clothes Washer	See Rule 11. A High Efficiency Clothes Washer shall have Energy Star certification.	1 FU

Table II-4 amended by Resolution 2008-03 (2/28/2008); Resolution 2009-10 (7/20/2009); Ordinance No. 140 (11/16/2009); Resolution 2009-14 (12/14/2009); Ordinance

[1] A Water Use Credit shall not be issued for a fixture for which an MPWMD rebate has been issued, or for which an MPWMD rebate has previously been claimed.

No. 156 (11/18/2013); Resolution 2019-09 (7/15/2019); Resolution 2020-01 (1/23/2020); Resolution 2022-08 (3/21/2022); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

RULE 25.5 - WATER USE CREDITS AND WATER CREDITS

A. Except where a Water Permit has been abandoned, expired, Revoked, Suspended, or canceled under these Rules, a Person may apply to receive a documented Water Use Credit for a Permanent Abandonment of Use on that Site by one of the methods set forth in this Rule. Water Use Credits pursuant to this Rule shall be documented by written correspondence between the District and the property owner and shall remain valid unless expired or prohibited by the provisions of Rule 25.5. Documented Water Use Credits shall not be recorded by notice on a property title, except as specified in Rule 25.5-H. Except as allowed by Rule 28, Water Use Credits shall not be transferable to any other Site. When applicable, a Water Use Credit shall reference the factor shown in Rule 24 Table II-1 or Table II-2, at the time it was established, as the basis for the credit. A District correspondence documented Water Use Credit shall not be affected by any future change to that factor, although it is subject to the time limitation(s) specified in Rule 25.5.

B. Water savings resulting from mandatory compliance with Regulation XIV, Water Conservation, shall not result in a Water Use Credit other than those credits specifically available in Table II-4. Water Use Credits for required retrofits shall expire upon the date mandated by any District, State, or Federal law unless otherwise stated in these rules. Such savings shall be set aside as permanent water conservation savings.

C. A Water Use Credit may be applied to and shall allow future water use on that Site at any time within a period of five years following the Permanent Abandonment of Use documented by a demolition permit or other credible evidence of removal. In the absence of documentation, the date of the last MPWMD inspection documenting the existence of the fixture shall be used as the date of Permanent Abandonment. A one-year extension of time may be granted by the General Manager for justifiable cause. Subsequently, any remaining unused Water Use Credit shall expire.

D. A Water Use Credit shall expire or retire based upon the date of installation or purchase, or the date the fixture becomes mandated by any District, State, or Federal conservation program. This rule shall apply to all Water Use Credits, including Water Use Credits tolled by a California Public Utilities Commission moratorium or by State 4 Water Rationing, unless otherwise exempted or modified by Rule 25.5. Credits documented in writing with an expiration date shall be honored by the District.

E. A Water Use Credit at a Department of Defense Site shall expire after twenty (20) years.

F. The following types of Permanent Abandonment of Capacity shall qualify for a Water Use Credit under this Rule:

1. Demolition of a building or use that has been recognized by the District as being a lawful water use;

2. Demolition or permanent removal of Exterior Restaurant Seats specifically permitted by debiting Water Use Capacity from an Allocation or Entitlement, Water

Credit or Water Use Credit;

3. Permanent disconnection of a lawful water use from a Water Distribution System;

4. Permanent removal of District-documented and lawful water fixtures listed in Rule 24, Table II-1: Residential Fixture Unit Count Values and the associated plumbing for those fixtures so there is no evidence of the removed water fixture;

5. Permanent installation of water fixtures or appliances that are designed to achieve greater water efficiency than mandated in Regulations XIV and XVI. When newer appliances become more water efficient, no further credit shall be available, and upgrading to the newer standard may be required as a condition of a Water Permit.

6. Removal of established Lawn on sports fields at a Public School District Site that pre-dates the District's permit requirements or that was permitted with a debit to an Allocation.

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

1. Verify that the reduction is one which is permanent (i.e. Permanent Abandonment of Use) and the date that Permanent Abandonment of Use occurred.

2. Quantify the Water Use Capacity of the Site using the water use factors from Rule 24, Tables II-1 and/or II-2. If no factor is available on Table II-2 or if the use is substantially different than any of the uses shown on Table II-2, the General Manager may make an estimate based upon water records showing the average use over a minimum of eight (8) years.

3. Grant a Residential Water Use Credit for the permanent removal of water using fixtures if the fixture was properly and lawfully installed.

   a. Water Use Credits for multiple Showerheads shall be limited to a maximum of four (4) fixture units per Separate Stall Shower or Bathtub unless permitted using a Water Entitlement documented on an Assignment Document. A Shower System shall be considered a component of a Separate Stall Shower or Bathtub for purposes of this Rule.

   b. Credit shall not be given for any reduction which occurs as the result of the removal of landscaping installed without a Water Permit or installed pursuant to a Water Permit for New Construction. An exception to this limitation shall be made for Non-Residential landscaping that was specifically identified, quantified, and permitted by the District. Any Water Use Credit granted under this subdivision shall be determined using the Estimated Applied Water for the increment of landscaping being permanently abandoned.

c. A 0.5 fixture unit credit for non-HET toilets that was available on Table II-4 prior to adoption of Ordinance No. 201 shall continue to be allowed until January 1, 2027. At that time, the Water Use Credit shall expire.

4. Quantify the water use reduction (the abandoned Capacity) using the following methods:

a. Residential Water Use Credit for demolitions, permanent disconnection of water service, and permanent removal of water fixtures shall be determined using the current Fixture Unit Values from Rule 24, Table II -1 -Residential Fixture Unit Count Values.

b. Residential Water Use Credits shall only be granted for installation of the ultra-low consumption appliances listed in Table II-4: High Efficiency Appliance Credits and for Permanent Abondonment of Use. This table may be amended by Resolution of the Board of Directors. A Water Use Credit shall not be issued for a fixture for which an MPWMD rebate has been issued, or for which an MPWMD rebate has previously been claimed.

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

d. Non-Residential Water Use Credit for retrofits with advanced Ultra-Low Consumption Technology may be granted by the Board of Directors for the increment of water savings beyond the water savings anticipated from the installation of ,mandatory District requirements:

(1) Application for Water Use Credit Post-Retrofit. The Applicant shall submit clear and convincing evidence of water savings. This shall be accomplished by providing the District with a minimum of eight (8) years of documented pre-retrofit water history for the use from the Water Distribution System (i.e. bills or correspondence from the Water Distribution System Operator) along with two or more years of post-retrofit water history for the use (i.e. bills or correspondence from the Water Distribution System Operator). When eight (8) years of water history for a use is unavailable or when less than two years of post-retrofit water history is available, the Applicant shall obtain an independent third party's review of the projected water savings, subject to review and acceptance by the District. The District shall verify the installation of Ultra-Low Consumption Technology by conducting an inspection.

(2) Application for Water Use Credit Pre-Retrofit. The Applicant shall submit clear and convincing evidence of water savings. This shall be accomplished by providing the District with a minimum of eight (8) years of documented pre-retrofit water history for the use from

the Water Distribution System (i.e. bills or correspondence from the Water Distribution System Operator) to establish a baseline consumption level and documentation of the dates of previous retrofits done pursuant to Regulation XIV. When eight (8) years of pre-retrofit water history for a use is unavailable, the factor from Rule 24, Table II-2: Non-Residential Water Use Factors shall be used as the historic use baseline. To substantiate projected water savings resulting from the proposed retrofit(s), the Applicant shall submit additional documentation to support the estimated water savings. When District staff is not able to verify the estimated water savings, the Applicant may be required to reimburse the District for costs to obtain an independent third party's review of the projected water savings. The District shall verify the installation of Ultra-Low Consumption Technology by conducting an inspection.

(3) When a Non-Residential Water Use Credit is requested for a Site that cannot demonstrate that the Site was equipped with Low Water Use Plumbing Fixtures for the full period of the water records used, there shall be a 15 percent reduction of the final calculated Water Use Credit.

(4) In the event that the General Manager disagrees with the amount of water savings resulting from the installation of Ultra-Low Consumption Technology, the complete Water Use Credit application shall be presented to the Board for further consideration.

5. Written notification of the quantity and expiration of a Water Use Credit shall be provided to the property owner.

6. No Water Use Credit or reduced Water Use Capacity shall be granted for the removal of a Non-Residential associated use to an ou-of-District location or to another Water Distribution System. For example: No reduction in Water Use Capacity or Water Use Credit shall be granted for laundering hotel textiles at another location.

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

1. There shall be no Capacity Fee assessed for any Water Use Credit. Capacity Fees, however, shall apply to the Capacity for water use which exceeds the Water Use Credit, or for any Expansion of Use following the expiration of the Water Use Credit.
2. No Capacity Fee refund shall accrue by reason of a water use reduction or abandonment of Capacity, whether or not reflected by a Water Use Credit.

3. Issuance of a Water Use Credit shall not result in any change to a Jurisdiction's

Allocation or to any Water Entitlement. Use of any Water Use Credit shall similarly not result in a change to a Jurisdiction's Allocation or any Water Entitlement.

I. When a Water Use Credit on a Site results from demolition of a building that straddled a lot line, the property owner shall specify in writing the quantity of Water Use Credit assigned to each of the lots formerly occupied by that building. Such designation may be recorded upon the title of each Parcel and shall specify the date the credit expires.

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

1. Water Use Credits may be moved between one or more structures on the same Site or may be used to construct new uses on the same Site.

2. The District shall not require an additional increment of water for exterior water usage on a vacant lot or lot containing an uninhabitable structure when the owner of the Site has submitted clear and convincing evidence of continuous landscaping and irrigation that was installed by and has been consistently maintained since March 11, 1985. Examples of acceptable evidence are dated photographs, official documents, permits or correspondence of the Jurisdiction, receipts or invoices for gardening services or purchases related to landscaping and maintaining landscaping on the Site. Credit shall only apply to the portion of the Site for which evidence has been provided.

3. A Water Use Credit for disconnection from a Potable Water Distribution System shall be granted by the General Manager only upon the removal of the Connection and written confirmation of such removal by the Water Distribution System Owner or Operator.

4. Water Use Credits shall remain on the Department of Defense Site where the credit originated unless there is agreement between the parties to allow use of a Water use Credit at a different Department of Defense Site.

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

Rule added by Ordinance No. 60 (6/15/92); amended by Ordinance No. 64 (10/05/92); Ordinance No. 71 (12/20/93); Ordinance No. 110 (9/30/2003); Ordinance No. 115 (05/17/2004); Ordinance No. 121 (8/15/2005); Ordinance No. 125 (9/18/2006); Ordinance No. 128 (6/18/2007); Ordinance No. 139 (5/12/2009); Ordinance No. 145 (9/20/2010); Ordinance No. 155 (3/18/2013); Ordinance No. 156 (11/18/2013); Ordinance No. 157 (12/9/2013); Ordinance No. 162 (8/18/2014); Ordinance No. 164 (4/20/2015); Ordinance No. 170 (5/16/2016); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 182 (5/20/2019); Ordinance No. 187 (6/21/2021); Ordinance No. 189 (12/13/2021); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

TABLE II-4: HIGH EFFICIENCY APPLIANCE CREDITS[1]		
Appliance	Description	Water Use Credit in Fixture Units (FU)
High Efficiency Toilets	A toilet designed to have an average maximum flush of 1.28 gallons and that is labeled by the U.S. Environmental Protection Agency's WaterSense program. This credit is only available until January 1, 2027, at which time it shall be deleted from Table II-4.	0.5 FU
Ultra High Efficiency Toilet	A toilet designed and manufactured to flush with a maximum of 0.8 gallon of water and that is labeled by the U.S. Environmental Protection Agency's WaterSense program. This credit is available until January 1, 2027, when it shall be adjusted to 0.5 FU.	1 FU
Instant-Access Hot Water System	A recirculating hot water system or other device(s) that results in hot water contact at every point of access throughout the Dwelling Unit within ten (10) seconds. Instant-Access Hot Water Systems shall be installed in each auxiliary building plumbed with hot water on a Single Family Residential Site. There shall be no Water Use Credit for installation of Instant-Access Hot Water Systems for New Structures.	0.5 FU
High Efficiency Dishwasher	See Rules 11, 23, and Table II-1, Residential Fixture Unit Count Values. A High Efficiency Dishwasher (HEDW) shall have Energy Star certification. Granted for one HEDW per Dwelling Unit.	0.5 FU
High Efficiency Clothes Washer	See Rule 11. A High Efficiency Clothes Washer shall have Energy Star certification.	1 FU

Table II-4 amended by Resolution 2008-03 (2/28/2008); Resolution 2009-10 (7/20/2009); Ordinance No. 140 (11/16/2009); Resolution 2009-14 (12/14/2009); Ordinance No. 151 (11/19/2012); Ordinance

[1] A Water Use Credit shall not be issued for a fixture for which an MPWMD rebate has been issued, or for which an MPWMD rebate has previously been claimed.

No. 156 (11/18/2013); Resolution 2019-09 (7/15/2019); Resolution 2020-01 (1/23/2020); Resolution 2022-08 (3/21/2022); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

RULE 141 - WATER CONSERVATION REBATES

A. QUALIFYING DEVICES

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

B. REBATE AMOUNTS

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

Table XIV-1
Rebate Amounts
Updated April 20, 2026

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

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

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

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

Table added by Ordinance No. 163 (3/16/2015) and revised by Resolution 2015-04 (4/20/2015); Resolution 2015-25 (12/14/2015); Ordinance No. 176 (1/25/2017; Ordinance No. 177 (9/18/2017); Resolution 2021-09 (June 21, 2021); Resolution 2021-16 (12/13/2021); Resolution No. 2023-03 (2/13/2023); amended by Ordinance No. 201 (4/20/2026)

C. REBATE ELIGIBILITY

1. Rebates shall be issued for Qualifying Devices installed on Sites located within the District that are served by Water Distribution Systems regulated by the District. The Site shall be in compliance with District Rules prior to issuance of a Rebate.

2. No Rebate shall be issued for installation of Qualifying Devices that are required to be installed and maintained by Regulation II (Permits) or Regulation XIV (Water Conservation) of the District. No Rebate shall be issued for installation of Qualifying Devices that were required to obtain a Water Permit. Rebates shall be available until the date the retrofit becomes mandatory, such as the date a Change of Ownership or Change of Use occurs or a Water Permit is issued. Rebates shall not be available for Qualifying Devices that have been required to be installed and maintained by local, State, or Federal water conservation programs, including state requirements for the sale and installation of High Efficiency Toilets. Special programs undertaken by MPWMD may be exempt from this restriction by specific action of the Board.

3. Rebates shall be available only for the initial purchase of a Qualifying Device. Rebates shall not be issued for replacement of an existing Qualifying Device except for High Efficiency Clothes Washers that have been removed from the Qualifying Property by a previous owner/tenant or that are being replaced after eight or more years and High Efficiency Dishwashers and Ultra High Efficiency Toilets replaced after ten years. Applicants submitting an application for a High Efficiency Clothes Washer Rebate on a Site that has previously qualified for a High Efficiency Clothes Washer Rebate may be required to provide information to substantiate a subsequent Rebate.

4. Ultra High Efficiency Toilets shall meet or exceed the EPA WaterSense labeling criteria and shall bear the WaterSense Label and be listed on the WaterSense website. No behind-the-wall mounted toilets (e.g. Durivet and Gerberit) shall qualify as Ultra High Efficiency Toilets.

~~4.~~5. No Water Use Credit (Rule 25.5) shall be available for a Qualifying Device that has received a Rebate.

~~5.~~6. Rebates shall be available for a maximum of twenty (20) toilets at one Site~~.~~.

~~6.~~7. Outdoor Water Use Rebates

a. Rebates for Cisterns shall be limited to 25,000 gallons of rainwater storage capacity on a Qualifying Property. All Cistern Rebate Sites shall have sufficient roof area to fill the capacity of the Cistern(s) after first flush during a "normal" Water Year and may require verification of usable roof area by Site inspection.

b. Rebates for Lawn removal shall be available only to Qualifying Properties irrigated with water from the Monterey Peninsula Water Resource System.

c. To be eligible for any Rebate for Lawn Removal, Lawns must be green, regularly maintained at a low even height, irrigated regularly, and be well cared for at the time of application for a Rebate. Dead Lawns or Lawns that have been removed prior to issuance of a Lawn Rebate prequalification statement from the District shall not be eligible for a Rebate.

d. A minimum of 250 square-feet of Lawn shall be removed to qualify for a Rebate.

e. Eligibility for any Lawn Removal Rebate shall be determined upon receipt of a complete application as described in Rule 141-E. The District will notify the Applicant by written prequalification documentation that the proposed Lawn removal and replacement proposal has been "prequalified."

~~7.~~8. Non-Residential Rebates

a. Rebates for Dry Vacuum Pumps shall be available only when the Qualifying Device is replacing a water (liquid) ring pump.

b. Rebates for retrofitting medical steam sterilizers with water tempering devices are limited to those sterilizers that use a continuous water flow to cool the steam discharge.

D. CONDITIONS OF APPROVAL

1. Applications for all Rebates with the exception of Lawn removal Rebates, shall be

submitted within 120 days of purchase of Qualifying Devices.

2. Applicant shall install the fixture and/or appliance at the property listed on the application form.

3. Applicant shall certify under the penalty of perjury that the information on the application is true and complete.

4. Rebates shall only be granted for Qualifying Devices that meet the definitions as provided in Rule 11.

5. Applicant agrees that the District may conduct an inspection of the Rebate Site to verify installation of Qualifying Devices.

6. Rebates for Weather Based Irrigation Controllers

   a. Rebates shall only be granted for Weather Based Irrigation Controllers that meet minimum quality and dependability requirements as determined by product testing conducted by the Irrigation Association.

   b. Irrigation System shall be a fully operational, and shall be efficiently designed, or modified if necessary, to include proper Distribution Uniformity, matched spray heads or emitters with similar precipitation rates, efficient Hydrozoning, and proper spacing.

   c. Site shall include at least 1,500 square-feet of automatically irrigated Landscaping.

7. Rebates for Lawn removal and replacement with low water use plants or permeable surfaces.

   a. Lawn removal and replacement at a Qualifying Property shall be subject to annual visual verification by the District.

   b. Determinations of eligibility for Lawn removal and replacement Rebates shall be at the discretion of the General Manager.

   c. Applications for Lawn removal Rebates shall require prequalification. The prequalification process is explained in Rule 141-F-2, Process.

d. Lawn must be replaced with low water use plants or permeable surfaces (e.g., mulch, decomposed granite, Synthetic Turf, permeable pavers). Concrete and grouted pavers do not qualify.

e. If converted area is irrigated, a Drip Irrigation System must be installed and maintained. Overhead irrigation shall not be installed.

f. Planted areas must be mulched to a minimum depth of three inches from the plant to the drip line of the plant.

g. Lawn shall not be relocated to another area on the Site. The total Lawn area shall be listed on the deed restriction that restricts the changed Landscaped Area ~~for fifteen (15) years~~.

h. Recipients of Rebates for Lawn removal shall agree to have a deed restriction recorded on the title of the property allowing public access to water use records prior to issuance of a Rebate. The application shall not be deemed complete until the deed restriction document has been notarized and returned to the District and has been successfully recorded. Rejected notarizations shall void the date of completion until the document has been recorded.

i. Lawn removal Rebates shall require recordation of a deed restriction on the title of the property prior to release of Rebate funds that specifies that the property is restricted to the changed Landscaped Area ~~for a period of fifteen (15) years~~. The deed restriction shall be rescinded upon repayment to the District of the full Rebate amount and any processing fee required pursuant to Regulation VI, Fees ~~.~~, and issuance of a Landscape Water Permit pursuant to Rule 142.1. The application shall not be deemed complete until the deed restriction document has been notarized and returned to the District and has been successfully recorded.

8. Graywater Irrigation System Rebates shall be granted when the following conditions have been met:

a. Applicant shall comply with the Monterey County Environmental Health Bureau Graywater Irrigation Systems Permitting Process and Design Criteria.

b. Any necessary building/plumbing permits have been completed and copies provided with the Rebate application.

c. MPWMD staff may verify Graywater Irrigation Systems by Site inspection or other means.

9. Multi-Family Dwelling Meter Split Rebates shall only be approved and processed after verification that a Water Meter has been installed by the Water Distribution System Operator.

10. Rebates for Smart Flowmeters. Qualifying Devices shall meet the following requirements:

a. Eligible Smart Flowmeters shall measure total water usage at least hourly and report water usage on a web portal or smartphone application.

b. Limit of one Smart Flowmeter Rebate per User on a Parcel.

c. An Applicant for a Smart Flowmeter shall obtain authorization from the Water Distribution System Operator when a flowmeter is attached to the Water Meter.

d. The Smart Flowmeter shall be designed for at least two years of continuous operation.

e. Property owner shall agree to keep the flowmeter installed and operational for a minimum of two years.

f. Applicant shall submit a photograph of the installed Smart Flowmeter with the Rebate application.

E. APPLICATION

1. A completed application for Rebate shall include the name and address of the Applicant, property owner's name, telephone numbers, address of property where the fixture and/or Qualifying Device is being installed, Assessor's Parcel Number, water company account number, date of retrofit, brand and model of Qualifying Device installed, name of installer and receipt for the purchase of the appliance.

The application shall also request information about how the Applicant learned of the Rebate program.

2. Lawn removal Rebate applications shall follow the process shown in Rule 141-F-2.

3. Applications for Rebate shall include either the original or a full copy of the receipt for purchase.

4. Written authorization of the current property owner or property manager shall be required for Applicants who are not the owners of the property for which a Rebate is requested. The authorization must indicate consent to the Applicant receiving a Rebate for installation of the Qualifying Devices. Applications submitted without approval will be denied.

F. PROCESS

1. Upon receipt of an application, the District shall verify completion and accuracy of information and shall verify the purchase of the Qualifying Device(s) by reviewing the purchase receipt(s).

2. Lawn removal Rebate application process.

   a. Prequalification: Applicants must complete and submit a Lawn Rebate application form that includes the following documents:

      (1) Water records (either copies of bills or a printout from the Water Distribution System) for the two most recent years;

      (2) A drawn Site plan showing a detailed description (including measured areas) of the Lawn replacement project, including square-footage of Lawn to be removed, names and numbers of plants or other surfaces to be installed, and the irrigation plan.

      (3) Two to three current photographs of the Lawn to be removed. A minimum of 250 square-feet of Lawn shall be removed to qualify for Rebate.

   b. The Lawn Rebate Application shall be reviewed for completeness. The Applicant may be contacted to arrange a Site inspection to verify the

Lawn.

c. When a determination has been made that removal of Lawn will result in permanent and quantifiable water savings, and when present funding is available in an amount sufficient to fund a Rebate for the Lawn removal, the District shall issue a Lawn Rebate prequalification letter. The Applicant shall have 120 days from the date of the prequalification letter to complete the project and submit receipts, arrange for a final inspection by the District, and successfully record deed restrictions. Applications not completed within 120 days of the date of the prequalification letter shall be denied.

d. Rebates shall be subject to availability of funding.

3. The District shall search its records and shall verify compliance with previous retrofit requirements. If no violation is found, a Rebate shall be processed if funds are available in the Rebate Account.

4. Information contained on the application shall be added to the District's records for future use in assessing water savings achieved through the Rebate Program.

5. When funds are available in the Rebate Account, a Rebate check shall be processed and mailed to the Applicant.

Added by Ordinance No. 129 (8/20/2007); amended by Ordinance No. 139 (5/21/2009); Ordinance No. 140 (11/16/2009); Ordinance No. 144 ((8/16/2010); Ordinance No. 148 (4/18/2011); Ordinance No. 149 (9/19/2011); Ordinance No. 153 (6/19/2012); Ordinance No. 156 (11/18/2013); Ordinance No. 159 (4/21/2014); Ordinance No. 163 (3/16/2015); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 179 (8/20/2018); Ordinance No. 182 (5/20/2019); Ordinance No. 189 (12/31/2021); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

RULE 141 - WATER CONSERVATION REBATES

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   e. Eligibility for any Lawn Removal Rebate shall be determined upon receipt of a complete application as described in Rule 141-E. The District will notify the Applicant by written prequalification documentation that the proposed Lawn removal and replacement proposal has been "prequalified."

8. Non-Residential Rebates

   a. Rebates for Dry Vacuum Pumps shall be available only when the Qualifying Device is replacing a water (liquid) ring pump.

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D. CONDITIONS OF APPROVAL

1. Applications for all Rebates with the exception of Lawn removal Rebates, shall be

submitted within 120 days of purchase of Qualifying Devices.

2. Applicant shall install the fixture and/or appliance at the property listed on the application form.

3. Applicant shall certify under the penalty of perjury that the information on the application is true and complete.

4. Rebates shall only be granted for Qualifying Devices that meet the definitions as provided in Rule 11.

5. Applicant agrees that the District may conduct an inspection of the Rebate Site to verify installation of Qualifying Devices.

6. Rebates for Weather Based Irrigation Controllers

   a. Rebates shall only be granted for Weather Based Irrigation Controllers that meet minimum quality and dependability requirements as determined by product testing conducted by the Irrigation Association.

   b. Irrigation System shall be a fully operational, and shall be efficiently designed, or modified if necessary, to include proper Distribution Uniformity, matched spray heads or emitters with similar precipitation rates, efficient Hydrozoning, and proper spacing.

   c. Site shall include at least 1,500 square-feet of automatically irrigated Landscaping.

7. Rebates for Lawn removal and replacement with low water use plants or permeable surfaces.

   a. Lawn removal and replacement at a Qualifying Property shall be subject to annual visual verification by the District.

   b. Determinations of eligibility for Lawn removal and replacement Rebates shall be at the discretion of the General Manager.

   c. Applications for Lawn removal Rebates shall require prequalification. The prequalification process is explained in Rule 141-F-2, Process.

d. Lawn must be replaced with low water use plants or permeable surfaces (e.g., mulch, decomposed granite, Synthetic Turf, permeable pavers). Concrete and grouted pavers do not qualify.

e. If converted area is irrigated, a Drip Irrigation System must be installed and maintained. Overhead irrigation shall not be installed.

f. Planted areas must be mulched to a minimum depth of three inches from the plant to the drip line of the plant.

g. Lawn shall not be relocated to another area on the Site. The total Lawn area shall be listed on the deed restriction that restricts the changed Landscaped Area.

h. Recipients of Rebates for Lawn removal shall agree to have a deed restriction recorded on the title of the property allowing public access to water use records prior to issuance of a Rebate. The application shall not be deemed complete until the deed restriction document has been notarized and returned to the District and has been successfully recorded. Rejected notarizations shall void the date of completion until the document has been recorded.

i. Lawn removal Rebates shall require recordation of a deed restriction on the title of the property prior to release of Rebate funds that specifies that the property is restricted to the changed Landscaped Area. The deed restriction shall be rescinded upon repayment to the District of the full Rebate amount and any processing fee required pursuant to Regulation VI, Fees, and issuance of a Landscape Water Permit pursuant to Rule 142.1. The application shall not be deemed complete until the deed restriction document has been notarized and returned to the District and has been successfully recorded.

8. Graywater Irrigation System Rebates shall be granted when the following conditions have been met:

a. Applicant shall comply with the Monterey County Environmental Health Bureau Graywater Irrigation Systems Permitting Process and Design Criteria.

b. Any necessary building/plumbing permits have been completed and copies provided with the Rebate application.

c. MPWMD staff may verify Graywater Irrigation Systems by Site inspection or other means.

9. Multi-Family Dwelling Meter Split Rebates shall only be approved and processed after verification that a Water Meter has been installed by the Water Distribution System Operator.

10. Rebates for Smart Flowmeters. Qualifying Devices shall meet the following requirements:

a. Eligible Smart Flowmeters shall measure total water usage at least hourly and report water usage on a web portal or smartphone application.

b. Limit of one Smart Flowmeter Rebate per User on a Parcel.

c. An Applicant for a Smart Flowmeter shall obtain authorization from the Water Distribution System Operator when a flowmeter is attached to the Water Meter.

d. The Smart Flowmeter shall be designed for at least two years of continuous operation.

e. Property owner shall agree to keep the flowmeter installed and operational for a minimum of two years.

f. Applicant shall submit a photograph of the installed Smart Flowmeter with the Rebate application.

E. APPLICATION

1. A completed application for Rebate shall include the name and address of the Applicant, property owner's name, telephone numbers, address of property where the fixture and/or Qualifying Device is being installed, Assessor's Parcel Number, water company account number, date of retrofit, brand and model of Qualifying Device installed, name of installer and receipt for the purchase of the appliance. The application shall also request information about how the Applicant learned of

the Rebate program.

2. Lawn removal Rebate applications shall follow the process shown in Rule 141-F-2.

3. Applications for Rebate shall include either the original or a full copy of the receipt for purchase.

4. Written authorization of the current property owner or property manager shall be required for Applicants who are not the owners of the property for which a Rebate is requested. The authorization must indicate consent to the Applicant receiving a Rebate for installation of the Qualifying Devices. Applications submitted without approval will be denied.

F. PROCESS

1. Upon receipt of an application, the District shall verify completion and accuracy of information and shall verify the purchase of the Qualifying Device(s) by reviewing the purchase receipt(s).

2. Lawn removal Rebate application process.

   a. Prequalification: Applicants must complete and submit a Lawn Rebate application form that includes the following documents:

      (1) Water records (either copies of bills or a printout from the Water Distribution System) for the two most recent years;

      (2) A drawn Site plan showing a detailed description (including measured areas) of the Lawn replacement project, including square-footage of Lawn to be removed, names and numbers of plants or other surfaces to be installed, and the irrigation plan.

      (3) Two to three current photographs of the Lawn to be removed. A minimum of 250 square-feet of Lawn shall be removed to qualify for Rebate.

   b. The Lawn Rebate Application shall be reviewed for completeness. The Applicant may be contacted to arrange a Site inspection to verify the Lawn.

c. When a determination has been made that removal of Lawn will result in permanent and quantifiable water savings, and when present funding is available in an amount sufficient to fund a Rebate for the Lawn removal, the District shall issue a Lawn Rebate prequalification letter. The Applicant shall have 120 days from the date of the prequalification letter to complete the project and submit receipts, arrange for a final inspection by the District, and successfully record deed restrictions. Applications not completed within 120 days of the date of the prequalification letter shall be denied.

d. Rebates shall be subject to availability of funding.

3. The District shall search its records and shall verify compliance with previous retrofit requirements. If no violation is found, a Rebate shall be processed if funds are available in the Rebate Account.

4. Information contained on the application shall be added to the District's records for future use in assessing water savings achieved through the Rebate Program.

5. When funds are available in the Rebate Account, a Rebate check shall be processed and mailed to the Applicant.

Added by Ordinance No. 129 (8/20/2007); amended by Ordinance No. 139 (5/21/2009); Ordinance No. 140 (11/16/2009); Ordinance No. 144 ((8/16/2010); Ordinance No. 148 (4/18/2011); Ordinance No. 149 (9/19/2011); Ordinance No. 153 (6/19/2012); Ordinance No. 156 (11/18/2013); Ordinance No. 159 (4/21/2014); Ordinance No. 163 (3/16/2015); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Ordinance No. 179 (8/20/2018); Ordinance No. 182 (5/20/2019); Ordinance No. 189 (12/31/2021); Ordinance No. 201 (4/20/2026); Ordinance No. 203 (X/XX/XX)

RULE 142.1 - WATER EFFICIENT LANDSCAPE REQUIREMENTS

A. **Purpose.** The purpose of this Rule is to provide landscape standards that minimize water use, eliminate Water Waste, and reduce stormwater Runoff by requiring low water landscape plantings, design, and ~~i~~Irrigation methods. Pursuant to California Government Code Section 65595, this Rule is intended to be at least as effective in water conservation and efficiency as the State's Model Water Efficient Landscape Ordinance (MWELO).

B. **General Requirements**

1. Water Waste prohibitions remain in place according to MPWMD Rule 162, including prohibitions on Irrigation of Non-Functional Turf.

2. Recycled Water.

   a. All Recycled Water use is subject to applicable provisions of the California Code of Regulations (Cal. Code Regs.), Titles 17 and 22, the California Plumbing Code (Cal. Code Regs., Title 24, Part 5, Chapter 15), and all applicable local and State laws.

   b. Landscape Areas using Recycled Water are considered Special Landscape Areas.

3. Graywater Irrigation Systems. All Graywater Irrigation Systems are required to conform to the California Plumbing Code (Cal. Code Regs., Title 24, Part 5, Chapter 15) and any applicable local ordinance standards.

   a. Graywater Irrigation Systems promote the efficient use of water and are encouraged to assist in on-site landscape I~~i~~rrigation.

   b. For projects using treated or untreated Graywater, any Parcel within the project that has less than 2,500 square-feet of Landscape Area and meets the Parcel's landscape water requirement (Estimated Total Water Use or ETWU) entirely with Graywater is subject only to Rule 142.1-H-1-b.

4. Stormwater Management and Rainwater Retention.

   a. Project Applicants shall refer to the Jurisdiction or Regional Water Quality Control Board for information on any applicable stormwater technical requirements.

   b. All Non-Potable rainwater catchment systems are required to conform to the California Plumbing Code (Cal. Code Regs., Title 24, Part 5, Chapter 16).

c. All Landscape Areas are required to have Friable soil to maximize water retention and infiltration. Refer to Rule 142.1-I-1.

d. For projects using rainwater captured on site, any Parcel within the project that has less than 2,500 square-feet of Landscape Area and meets the Parcel's landscape water requirement (ETWU) entirely through stored rainwater captured on site is subject only to Rule 142.1-H-1-b.

e. It is strongly recommended that Landscape Areas be designed for capture and infiltration capacity that is sufficient to prevent Runoff from impervious surfaces (i.e., roof and paved areas) from either:

(1) the one inch, 24-hour rain event, or

(2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, state or federal regulation.

f. It is recommended that landscape projects incorporate any of the following elements to improve on-site storm water and dry weather Runoff capture and use:

(1) Grade impervious surfaces, such as driveways, during construction to drain to vegetated areas.

(2) Minimize the area of impervious surfaces such as paved areas, roofs, and concrete driveways.

(3) Incorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize Runoff.

(4) Direct Runoff from paved surfaces and roof areas into planting beds or Landscaped Areas to maximize site water capture and reuse.

(5) Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.

(6) Incorporate infiltration beds, swales, basins, and drywells to capture storm water and dry weather Runoff and increase percolation into the soil.

(7) Consider constructed wetlands and ponds that retain water,

equalize excess flow, and filter pollutants.

g. Sites utilizing rainwater storage as a component in an Irrigation System.

(1) For all new Connections on Sites where rainwater storage is included as a source of water supply for an Irrigation System, the Estimated Total Water Use as determined by the landscaping plan shall be reduced by the available Rainwater Harvesting Capacity. Any modification ot the landscaping that results in an Intensification of Use shall require a Water Permit.

(2) Sites utilizing rainwater storage as a component of an Irrigation System shall have landscape water use restricted by a recorded deed restriction enforceable by the District. The recorded 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 requires a Water Permit and may result in collection of additional Capacity Fees and a debit to a Jurisdiction's Allocation or Water Entitlement and/or other enforcement actions.

5. Fire Safe Landscaping.

a. A Landscape Design Plan for development and construction in Local Responsibility Areas designated as Very High Fire Hazard Severity Zones and areas designated by the Board of Forestry and Fire Protection as State Responsibility Areas are required to comply with the California Fire Code (Cal. Code Regs., Title 24, Part 9, Chapter 49) "Requirements for Wildland- Urban Interface Fire Areas."

b. Public Resources Code section 4291(a) and (b) describes the requirements for a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material to address fire safety and prevention by maintaining a defensible space or zone around a building or structure.

(1) Avoid fire-prone plant materials and highly flammable Mulches.

c. Local Fuel Modification Plan guidelines may prescribe additional requirements per Public Resources Code section 4291(a) and (b).

6. Plant Selection.

a. Any plant may be selected for the landscape project provided that the requirements of the selected compliance option are met.

b. Select trees based on applicable local tree ordinances or tree shading guidelines, and size at maturity as appropriate for the planting area.

c. The use of Invasive Plant Species, such as those listed by the California Invasive Plant Council, is strongly discouraged. Pursuant to Food and Agricultural Code section 52334, the declaration of a plant, seed, nursery stock, or crop as invasive is a power reserved for the Secretary of the California Department of Food and Agriculture.

7. The architectural guidelines of a Common Interest Development shall not prohibit or include conditions that have the effect of prohibiting the use of Low Water Use Plants as a group (Civil Code sections 4100 and 4735).

8. Environmental Review. The Jurisdiction must comply with the California Environmental Quality Act (CEQA), as appropriate.

9. Public Education. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management, and maintenance that save water is encouraged in the community.

10. Local agencies shall provide information to owners of permitted renovations and new Residential homes regarding the design, installation, management, and maintenance of water efficient landscapes based on a Water Budget.

11. Model Homes. All model homes that are landscaped shall display signs that provide information demonstrating the principles of water efficient landscapes described in this Rule.

a. Signs shall be used to identify the model home as an example of a water efficient landscape. Signage shall include:

(1) Fundamental water efficient landscape elements such as Hydrozones, Iirrigation equipment, native plants, Graywater systems, rainwater catchment systems, and other

elements as applicable that contribute to the overall water efficient theme.

(2) Information about the Site water use budget as designed per this Rule; specify who designed and installed the water efficient landscape.

b. Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

C. Applicability

This Rule shall apply to all of the following landscape projects:

1. New construction (including demolition projects) with a new Landscape Area or Rehabilitated Landscape Area as defined equal to or greater than 500 square feet requiring a building or landscape permit, plan check, or design review;

2. Rehabilitated Landscape projects with a Landscape Area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;

3. Landscape projects with a new Landscape Area equal to or greater than 500 square feet or a Rehabilitated Landscape Area equal to or greater than 2,500 square feet undertaken within one (1) year of completion of projects requiring a grading permit, building permit, or design review;

4. Landscape projects with a new Landscape Area equal to or greater than 500 square feet or a Rehabilitated Landscape Area equal to or greater than 2,500 square feet undertaken to repair unintended damage from a project requiring a grading permit, building permit, or design review;

5. Existing non-Rehabilitated Landscapes are limited to Rule 142.1-D; and

6. Any project with a Landscape Area of 2,500 square feet or less may comply with either the performance requirements described in Rule 142.1-I or conform to the prescriptive measures contained in Rule 142.1-H.

7. This rule does not apply to:

a. registered local, state, or federal historical Sites;

b. ecological restoration projects that do not require a permanent Irrigation System;

c. existing plant collections, as part of botanical gardens and arboretums open to the public.

D. Requirements for Existing Non-Rehabilitated Landscapes

~~This section shall apply to all existing non-Rehabilitated Landscapes that were installed before December 1, 2015, and are over one acre in size.~~

1. For all existing non-Rehabilitated Landscapes installed before December 1, 2015, that have a Water Meter, the District and the Water Distribution System Operator shall administer programs that may include, but not be limited to, I~~i~~rrigation water use analyses, Irrigation Surveys, and Irrigation Audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance (MAWA) for existing non-Rehabilitated Landscapes.

   a. The Maximum Applied Water Allowance for existing non-Rehabilitated Landscapes shall be calculated as: MAWA = (ETo) x (0.62) x (0.8 x RLA + 1.0 x SLA).

2. For all existing non-Rehabilitated Landscapes installed before December 1, 2015, that do not have a Water Meter, the District and the Water Distribution System Operator shall administer programs that may include, but not be limited to, Irrigation Surveys and Irrigation Audits to evaluate water use and provide recommendations as necessary in order to prevent Water Waste.

3. All landscape Irrigation Audits shall be conducted by a Certified Landscape Irrigation Auditor.

E. Requirements for New Construction or Rehabilitated Landscapes

There are two options for compliance with Rule 142.1:

1. Prescriptive compliance option as described in Rule 142.1-G-1, H, and J-1; or

2. Performance compliance option as described in Rule 142.1-G-2, H, and J-2.

3. An Applicant may comply with either the prescriptive or performance compliance option for any new construction project with a Landscape Area between 500 and 2,500 square feet.

4. An Applicant shall use the performance compliance option for any

landscape project with a Landscape Area of 2,500 square feet, or greater.

F. Compliance Responsibilities

1. Designation of Responsibility. The District may, by mutual agreement, designate another agency, such as a water purveyor, to implement some or all of the requirements contained in Rule 142.1.

2. The District is responsible for the enforcement of Rule 142.1 in coordination with the local land use agency, including but not limited to, approval of a Landscape Water Permit, plan check, and/or design review of a project. Prior to construction, the District or its agent shall:

    a. provide the project Applicant with the rule and procedures for permits, plan checks, or design reviews;

    b. review the Landscape Documentation Package submitted by the project Applicant;

    c. approve or deny the Landscape Documentation Package;

    d. issue a Landscape Water Permit.

3. Project Applicant.

    a. Prior to construction, the project Applicant shall submit a Landscape Documentation Package to the District.

    b. Upon approval of the Landscape Documentation Package by the District, the project Applicant shall:

        (1) receive a Landscape Water Permit and record the date of the permit in the Certificate of Completion;

        (2) submit a copy of the approved Landscape Documentation Package along with the Record Drawings, and any other information to the property owner or their designee unless the property owner is the project Applicant.

G. Elements of the Landscape Documentation Package

1. **Prescriptive Compliance.** The Landscape Documentation Package shall include:

    a. A project information sheet with the following elements:

(1) date the project information sheet is completed;

(2) name of the project Applicant;

(3) contact information for the project Applicant and property owner;

(4) project address and Parcel number;

(5) total Landscape Area (square feet);

(6) project type (e.g., I~~i~~nstitutional (i.e., public), private, cemetery, homeowner-installed);

(7) water supply type (e.g., Potable, ~~r~~Recycled, Well) and identify the local retail water purveyor if the Applicant is not served by a private Well; and,

(8) Applicant signature and date with statement: "*I agree to comply with the requirements of the prescriptive compliance option of the MPWMD Water Efficient Landscape Requirements.*"

b. A Landscape Design Plan that includes:

(1) Total Landscape Area (square feet); and

(2) A breakdown of Turfgrass and plant material (e.g., plant legend).

(3) Water Efficient Landscape Worksheet pursuant to Rule 142.1-I-5:

(a) Maximum Applied Water Allowance (MAWA);

(b) Estimated Water Use (EWU);

(c) Estimated Total Water Use (ETWU).

2. **Performance Compliance.** The Landscape Documentation Package shall include the following six (6) elements:

a. A project information sheet with the following elements:

(1) date the project information sheet is completed;

(2) name of the project Applicant;

(3) contact information for the project Applicant and property owner;

(4) project address and Parcel number;

(5) total Landscape Area (square feet);

(6) project type (e.g., institutional (i.e., public), private, cemetery, homeowner-installed);

(7) water supply type (e.g., Potable, recycled, Well) and identify the local retail water purveyor if the Applicant is not served by a private Well;

(8) checklist of all documents in Landscape Documentation Package; and,

(9) Applicant signature and date with statement: "*I agree to comply with the requirements for the performance compliance option of the MPWMD Water Efficient Landscape Requirements and submit a complete Landscape Documentation Package.*"

b. Soil Management Report pursuant to Rule 142.1-I-1;

c. Landscape Design Plan pursuant to Rule 142.1-I-2;

d. grading design plan pursuant to Rule 142.1-I-3;

e. Irrigation Design Plan pursuant to Rule 142.1-I-4; and

f. Water Efficient Landscape Worksheet pursuant to Rule 142.1-I-5:

(1) Maximum Applied Water Allowance (MAWA);

(2) Estimated Water Use (EWU); and

(3) Estimated Total Water Use (ETWU).

H. Prescriptive Compliance Option

This section contains prescriptive requirements, which may be used as a compliance option for new construction projects with a Landscape Area between 500 and 2,500 square feet. Compliance with the requirements of this section is

mandatory and must be documented in the Landscape Documentation Package pursuant to Rule 142.1-G-1 to use the prescriptive compliance option.

1. Landscape project requirements.

   a. Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into Landscape Area (unless contra-indicated by a soil test). Soils with greater than 6% organic matter in the top six inches of soil are exempt from adding compost and tilling.

   b. Irrigation Systems shall comply with the following:

      (1) For Non-Residential projects with Landscape Areas of 1,000 square feet or more, a dedicated Iirrigation Water Meter or private submeter(s) to measure landscape water use shall be installed.

      (2) Automatic Iirrigation controllers are required and must use either evapotranspiration (weather-based) or soil moisture (sensor- based) data and utilize a rain sensor.

      (3) Irrigation controllers shall use non-volatile memory.

      (4) Pressure Regulating Devices, which may include pressure boosters or reducers, shall be installed on the Irrigation System to ensure the dynamic pressure of the system is within the manufacturers' recommended pressure range.

      (5) Manual shut-off Valves (such as a gate Valve, ball Valve, or butterfly Valve) shall be installed as close as possible to the point of connection to the water supply.

      (6) All Iirrigation emission devices must meet the requirements set by ANSI in the 2020 ASABE/ICC 802 Landscape Irrigation Sprinkler and Emitter Standard, which is herein incorporated by reference. All sprinkler heads installed in the landscape must document a low-quarter Distribution Uniformity of 0.65 or higher using the protocol defined in 2020 ASABE/ICC 802 Standard.

      (7) Non-rotating spray sprinkler bodies are required to meet the standards described in the California Code of Regulations, Title 20, Division 4, Chapter 4, Section 1605.3(x).

      (8) Landscape Areas less than 10 feet in width in any direction

shall be irrigated with subsurface Iirrigation or other means that produces no Water Waste, Runoff or Overspray.

c. Plant material shall comply with all of the following:

(1) For Residential landscapes, install climate adapted plants that require occasional, little, or no summer water (average WUCOLS plant factor 0.3) for 75% of the Landscape Area excluding areas permanently and solely dedicated to edible plants, and areas using Recycled Water;

(2) For Non-Residential landscapes, install climate adapted plants that require occasional, little, or no summer water (average WUCOLS plant factor 0.3) for 100% of the Landscape Area excluding areas permanently and solely dedicated to edible plants, and areas using Recycled Water;

(3) Turfgrass shall comply with all of the following:

(a) Turfgrass shall not exceed 20% or a maximum of 1,500 square feet of the Landscape Area, whichever is less;

(b) There shall be no Turfgrass in Non-Residential landscapes; and

(c) Turfgrass shall not be planted on sloped areas which exceed a slope of one foot vertical elevation change for every four feet of horizontal length; and,

(d) Turfgrass is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any Turfgrass in parkways must be irrigated by subsurface Iirrigation or by other technology that creates no Water Waste, Overspray or Runoff.

d. A minimum three-inch (3″) layer of Mulch shall be applied on all exposed soil surfaces of planting areas except in Turfgrass areas, creeping or rooting groundcovers, or direct seeding applications where Mulch is contraindicated.

2. The designer of record shall make plants identifiable to an inspector during final inspection. Plants must be identifiable by botanical name, common name or cultivar as specified in Section 53481 of the Food and Agricultural Code.

3. At the time of final inspection, the Landscape Water Permit Applicant must provide the owner of the property and the District with a Certificate of Completion Package pursuant to Rule 142.1-J-1.

I. Performance Compliance Option

The performance compliance requirements shall be used as the compliance option for any landscape project with greater than 2,500 square feet of area and documented in the Landscape Documentation Package, as described in Rule 1421.1-G-2, and the Certificate of Completion Package, as described in Rule 142.1-J-2.

1. **Soil Management Report**
   A Soil Management Report shall be completed by the project Applicant, or their designee, as follows:

   a. Submit soil samples to a laboratory for analysis and recommendations. Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants. The soil analysis shall include:

      (1) soil texture;

      (2) infiltration rate determined by laboratory test or soil texture infiltration rate table;

      (3) pH;

      (4) total soluble salts;

      (5) sodium;

      (6) percent organic matter; and

      (7) recommendations.

   b. In landscape projects with multiple landscape installations (i.e., production home developments) a soil sampling rate of 1 in 7 lots or approximately 15% of the total number of lots will satisfy this requirement.

      (1) Large landscape projects shall sample at a rate equivalent to 1 in 7 lots.

c. The project Applicant, or their designee, shall comply with one of the following:

(1) If significant mass grading is not planned, the report shall be submitted to the District as part of the Landscape Documentation Package; or

(2) If significant mass grading is planned, the Soil Management Report shall be submitted to the District as part of the Certificate of Completion Package.

(3) The Soil Management Report shall be made available, in a timely manner, to the professionals preparing the Landscape Design Plans and Irrigation Design Plans to make any necessary adjustments to the design plans.

(4) The project Applicant, or their designee, shall submit documentation verifying implementation of Soil Management Report recommendations to the District with the Certificate of Completion Package.

2. **Landscape Design Plan.**

a. The Landscape Design Plan, at a minimum, shall:

(1) delineate and label each Hydrozone by number, letter, or other method;

(2) identify the Plant Water Use Factor for each Hydrozone as very low, low, moderate, high, or mixed water use.

(a) Temporarily irrigated Landscape Areas shall use the low water use plant factor range in the water budget calculation specified in Rule 142.1-5-b-(1).

(3) identify Special Landscape Areas, including:

(a) Recreational Areas;

(b) areas permanently and solely dedicated to edible plants; and,

(c) areas irrigated with or water features using Recycled Water;

(4) identify type of Mulch and application depth;

(5) identify type and quantity of soil amendments;

(6) identify type and surface areas of water features;

(7) identify hardscapes (pervious and non-pervious);

(8) identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Project Applicants shall refer to the Jurisdiction or Regional Water Quality Control Board for information on any applicable stormwater technical requirements. Stormwater best management practices are encouraged in the Landscape Design Plan and examples are provided in Rule 142.1-B-4 requirements;

(9) identify any applicable rain harvesting or catchment technologies and their 24-hour retention or infiltration capacity, if applicable;

(10) identify any applicable Graywater discharge piping, system components, and area(s) of distribution;

(11) identify designated insect habitat;

(12) make plants identifiable to an inspector during final inspection:

(a) Plants must be identifiable by botanical name, common name or cultivar as specified in Section 53481 of the Food and Agricultural Code.

(13) contain the following statement: "*I have complied with the performance compliance option criteria of the MPWMD Water Efficient Landscape Requirements and applied them for the efficient use of water in the Landscape Design Plan.*"; and

(14) bear the signature of the designer of record as defined.

b. Plant Selection.

~~Any plant may be selected for the landscape, providing the ETWU in the Landscape Area does not exceed the MAWA.~~

(1) For Residential landscapes, install climate adapted plants that require occasional, little, or no summer water (average WUCOLS plant factor 0.3) for 75% of the Landscape Area excluding areas permanently and solely dedicated to edible plants, and areas using Recycled Water;

~~(1)~~(2) For Non-Residential landscapes, install climate adapted plants that require occasional, little, or no summer water (average WUCOLS plant factor 0.3) for 100% of the Landscape Area excluding areas permanently and solely dedicated to edible plants, and areas using Recycled Water;

~~(2)~~(3) The architectural guidelines of Common Interest Developments shall not prohibit or include conditions that have the effect of prohibiting the use of Low Water Use Plants as a group.

~~(3)~~(4) Each Hydrozone shall have plant materials with similar water use.

(a) Exceptions are allowed for Hydrozones that use a mix of plant materials with low and moderate plant factors or moderate and high plant factors, as specified in Rule 142.1-I-4-c-(7).

~~(4)~~(5) High water use plants, characterized by a plant factor range of 0.7 to 1.0, are prohibited in street medians.

~~(5)~~(6) Turfgrass is not allowed on slopes greater than 25% where the toe of the slope is adjacent to a non-pervious hardscape and where 25% means one (1) foot of vertical elevation change for every four (4) feet of horizontal length (rise divided by run x 100 = slope percent).

~~(6)~~(7) Methods to achieve water efficiency shall include one or more of the following:

(a) protection and preservation of native species and natural vegetation;

(b) selection of plants based on local climate suitability, disease, and pest resistance;

(c) selection of water-conserving plant, tree, and Turfgrass species, especially local native plants;

(d) selection of trees based on applicable local tree ordinances or tree shading guidelines, and size at maturity as appropriate for the planting area;

(e) selection of plants from local and regional landscape program recommended plant lists; and

(f) selection of plants from local Fuel Modification Plan Guidelines.

~~(7)~~(8) Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. Methods to achieve water efficiency shall include one or more of the following:

(a) use the Sunset Western Climate Zone System, 2007, which is herein incorporated by reference, which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;

(b) recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure (e.g., buildings, sidewalks, power lines); allow for adequate soil volume for healthy root growth; and

(c) consider the solar orientation for plant placement to maximize summer shade and winter solar gain.

c. Water Features.

(1) Recirculating water systems shall be used for water features.

(2) Where available, Recycled Water shall be used for decorative water features.

(3) Surface area of a water feature shall use the high water use Hydrozone plant factor in the water budget calculation.

(4) Pool and spa covers are highly recommended pursuant to subdivision (d) of Section 115921 of the Health and Safety Code.

d. Soil Preparation, Mulch, and Amendments.

(1) Prior to the planting of any materials, compacted soils shall be transformed to a Friable condition. On engineered slopes, only amended planting holes need to meet this requirement.

(2) Soil amendments shall be incorporated according to recommendations of the Soil Management Report and what is appropriate for the plants selected (see Rule 142.1-I-1).

(3) For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of pervious area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top six inches of soil are exempt from adding compost and tilling.

(4) A minimum three-inch (3″) layer of Mulch shall be applied on all exposed soil surfaces of planting areas except in Turfgrass areas, creeping or rooting groundcovers, or direct seeding applications where Mulch is contraindicated.

(a) To provide habitat for beneficial insects and other wildlife, up to 5% of the Landscape Area may be left without Mulch and identified in the Landscape Design Plan (see Rule 142.1-I-2-a-(11)).

(5) The mulching portion of the seed/Mulch slurry in hydro-seeded applications shall meet the mulching requirement in Rule 142.1-I-d-(4).

(6) Stabilizing mulching products shall be used on slopes that meet current engineering standards.

(7) Organic Mulch made from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available.

(a) Organic Mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances. (Public Resources Code section 4291).

3. **Grading Design Plan.**

a. Grading of a project site shall be designed to minimize soil erosion, Runoff, and Water Waste. A grading plan shall be submitted by the project Applicant as part of the Landscape Documentation Package. A comprehensive grading plan approved by the Jurisdiction for other Jurisdictional permits satisfies this requirement.

(1) A landscape grading plan that indicates finished configurations and elevations of the Landscape Area, including:

(a) height of graded slopes;

(b) drainage patterns;

(c) pad elevations;

(d) finish grade; and

(e) stormwater retention improvements, if applicable.

(2) To prevent excessive erosion and Runoff, it is highly recommended that project Applicant(s):

(a) grade so that all Iirrigation and normal rainfall remains within property lines and does not drain on to non-pervious hardscapes;

(b) avoid disruption of natural drainage patterns and undisturbed soil; and

(c) avoid soil compaction in Landscape Areas.

(3) The grading design plan shall contain the following statement: "*I have complied with the performance compliance option criteria of the MPWMD Water Efficient Landscape Requirements and applied them accordingly for the efficient use of water in the grading design plan.*" and shall bear the signature of a licensed professional as authorized by law.

4. **Irrigation Design Plan.**

a. This section applies to Landscaped Areas requiring permanent Iirrigation, not areas that require temporary Iirrigation solely for the plant establishment period of three years or less. For the

efficient use of water, an Irrigation System shall meet all the requirements listed in this section and the manufacturers' recommendations. The Irrigation System and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An Irrigation Design Plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

b. Irrigation System Efficiency.

(1) The Irrigation System must be designed and installed to meet, at a minimum, the Irrigation Efficiency criteria described in Rule 142.1-I-5 regarding the MAWA.

(2) For the purpose of determining ETWU, average Irrigation Efficiency is assumed to be:

(a) 0.75 for overhead Irrigation Systems; and

(b) 0.81 for Drip Irrigation.

(3) Sprinkler head spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations. Head-to-head coverage is recommended.

c. The Irrigation Design Plan, at a minimum, shall contain the following:

(1) location and size of separate water meters and submeters;

(2) location, type, and size of all components of the Irrigation System, including Controllers, main and lateral lines, Valves, emission devices, moisture sensing devices, Rain Sensors, quick couplers, Pressure Regulating Devices, and Backflow Prevention Devices;

(3) static water pressure at the point of connection to the public water supply;

(4) Flow Rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for the emission devices controlled by each station;

(5) identification of Special Landscape Areas irrigated with and water features using Recycled Water as specified in Rule

142.1-B-2;

(6) identification of any applicable Graywater discharge piping, system components, and Landscape Areas where Graywater is distributed;

(7) identification of Hydrozone areas shall be designated by number, letter, or other designation as identified on the Landscape Design Plan. Designate the areas irrigated by each Valve and assign a number to each Valve using the Water Efficient Landscape Worksheet (see Appendix A). This table can also assist with the Irrigation Audit and programming the Controller.

(a) Each Valve shall irrigate a Hydrozone, or part of a Hydrozone, with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

(8) the following statement: "*I have complied with the performance compliance option criteria of the MPWMD Water Efficient Landscape Requirements and applied them accordingly for the efficient use of water in the Irrigation Design Plan.*"; and

(9) the signature of the designer of record. (See Division 3, Chapter 3.5, Article 3 of the Business and Professions Code).

d. General Design Criteria.

(1) Backflow Prevention Devices shall be required to protect the water supply from contamination by the Irrigation System as specified in the California Plumbing Code (Cal. Code Regs., Title 24, Part 5, Chapter 6).

(2) The design of the Irrigation System shall conform to the Hydrozones of the Landscape Design Plan.

(3) Emission devices shall be selected based on what is appropriate for the plant type within that Hydrozone.

(4) Where feasible, trees shall be placed on separate stations from Hydrozones that include shrubs, groundcovers, and Turfgrass to facilitate the appropriate Iirrigation of trees. The mature size and extent of the root zone shall be

considered when designing Iirrigation for the tree.

(5) In Mulched planting areas, the use of low-pressure and low volume Irrigation Systems is required to maximize water infiltration into the root zone.

(6) Areas less than 10 feet in width in any direction shall be irrigated with subsurface Iirrigation or other means that produces no Water Waste, Runoff, or Overspray.

(7) Individual Hydrozones that use a mix of plants with low and moderate plant factors, or moderate and high plant factors, may be allowed if the plant factor used in the calculation of the EWU is either:

(a) plant factor calculation is based on the proportions of the respective plant factors; or

(b) the highest plant factor is used.

(8) Individual Hydrozones that use a mix of plants with high and low plant factors shall not be permitted.

(9) Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing Irrigation Systems.

(10) Overhead Iirrigation shall not be permitted within 24 inches of any non-pervious surface. Allowable Iirrigation within the setback from non-permeable surfaces may include Drip Irrigation, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be Mulch, gravel, or other porous material. These restrictions may be modified if:

(a) no Runoff occurs; or

(b) the adjacent non-pervious surfaces are designed and constructed to drain entirely to landscaping; or

(c) the Iirrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates strict adherence to the prevention of Water Waste. Prevention of Overspray and Runoff must be confirmed during the Irrigation Audit.

(11) Restrictions regarding Overspray and Runoff in any Irrigation System may be modified if:

(a) the Landscape Area is adjacent to pervious surfaces and no Runoff occurs; or

(b) the adjacent non-pervious surfaces are designed and constructed to drain entirely to the landscaping.

(12) Slopes greater than 25% shall not be irrigated with an Irrigation System using an application rate exceeding 0.75 inches per hour.

(a) This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no Runoff or erosion will occur. Prevention of Runoff and erosion must be confirmed during the Irrigation Audit.

(13) It is highly recommended that the project Applicant inquire with the local water purveyor about water restrictions that may impact the effectiveness of the Irrigation System.

e. Irrigation System Components.

(1) Meters.

(a) Pursuant to California Water Code section 535, a water purveyor with 15 or more service Connections shall install a dedicated I~~i~~rrigation Water Meter(s) for new retail water service to a property with more than 5,000 square feet of irrigated landscape, excluding Single-Family Residential Connections and Connections for the commercial production of agricultural crops or livestock.

(b) For the purposes of this rule, a submeter or dedicated Irrigation Meter shall be installed and may be used to assist with leak detection and water management for:

(i) Non-Residential landscapes with an irrigated landscape of 1,000 square feet but not more

than 5,000 square feet.

(ii) Residential landscapes with an irrigated landscape of 5,000 square feet or more.

(2) Water Pressure.

(a) Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

(b) If the static pressure is above or below the required dynamic pressure of the Irrigation System, Pressure Regulating Devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the Irrigation System.

(c) If the water pressure is below or exceeds the recommended pressure range of the specified emission devices, the installation of a Pressure-Regulating Device is required to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

(3) Water Waste Prevention Equipment.

(a) The Irrigation System shall be designed to prevent Water Waste.

(b) Master shut-off Valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.

(c) Manual shut-off Valves (such as a gate Valve, ball Valve, or butterfly Valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a break in the pressurized pipeline that delivers water from the water source to

the Valve or outlet) or routine repair.

(d) Check Valves or anti-drain Valves are required on all sprinkler heads where low point drainage could occur.

(e) Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of Turfgrass.

(f) Flow Sensors that detect high flow conditions created by system damage or malfunction are required for all Non-Residential and Residential landscapes of 5,000 square feet or larger.

(4) Emission Devices.

(a) Emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.

(b) All I~~i~~rrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2020 "Landscape Irrigation Sprinkler and Emitter Standard," which is incorporated herein by reference.

(i) All overhead Irrigation Systems installed in the landscape must document a low quarter distribution uniformity of 0.65 or higher using the protocol defined in ASABE/ICC 802-2020.

(c) Non-rotating spray sprinkler bodies are required to meet standards described in California Code of Regulations, Title 20, Division 2, Chapter 4, Section 1605.3(x).

(5) System Controls.

(a) Automatic I~~i~~rrigation Controllers utilizing either Evapotranspiration or Soil Moisture Sensing Device

data utilizing non-volatile memory shall be required for scheduling Iirrigation events.

(b) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter Iirrigation operation during unfavorable weather conditions shall be required on all Irrigation Systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.

5. **Water Efficient Landscape Worksheet.**

a. A project Applicant shall complete the Water Efficient Landscape Worksheet in Appendix A, which compares the landscape project's ETWU with the MAWA. ETWU must be equal to or below the MAWA.

(1) The MAWA is calculated based on the maximum ETAF allowed for the landscape project and is expressed as annual gallons allowed. The maximum ETAF allowed is:

(a) 0.55 for Residential Regular Landscape Areas,

(b) 0.45 for Non-Residential Regular Landscape Areas,

(c) 1.0 for new and existing (non-rehabilitated) Special Landscape Areas.

(2) ETWU is the sum of EWU for each Hydrozone. The evapotranspiration adjustment factor (ETAF) for each Hydrozone is based on the Plant Water Use Factor and the average Irrigation System Efficiency. EWU is calculated using the ETAF, Regular Landscape Areas, and the Special Landscape Areas.

(3) In calculating the MAWA and ETWU, a project Applicant shall use the ETo values from the Reference Evapotranspiration Table (Table 142.1-1).

b. Water budget calculations shall adhere to the following requirements:

(1) The Plant Water Use Factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California

Department of Water Resources. The plant factor ranges are:

(a) less than 0.1 for very Low Water Use Plants,

(b) 0.1 to 0.3 for Low Water Use Plants,

(c) 0.4 to 0.6 for moderate water use plants,

(d) 0.7 to 1.0 for high water use plants.

(2) All Water Features shall use the high water use plant factor in the Water Budget calculations.

(3) Temporarily irrigated areas shall use the Low Water Use Plant factor in the Water Budget calculations.

(4) All Special Landscape Areas (SLA) shall be identified in the Landscape Design Plan (Rule 142.1-2) and the Irrigation Design Plan (Rule 142.1-4) and their water use calculated as shown in Rule 142.1-L.

(5) Effective Precipitation (Eppt) (25% of annual precipitation) may be considered in tracking water use and may use the following equation to calculate MAWA:

(a) Residential landscapes:

MAWA = (ETo - Eppt) x (0.62) x [0.55 x RLA + 1.0 x SLA].

(b) Non-Residential landscapes:

MAWA = (ETo - Eppt) x (0.62) x [0.45 x RLA + 1.0 x SLA].

6. **Irrigation Scheduling.**

a. All I~~i~~rrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health and prevent Water Waste. Irrigation schedules shall meet the following criteria:

(1) Irrigation scheduling shall be regulated by automatic I~~i~~rrigation Controllers.

(2) Parameters used to set the automatic Ii~~r~~rrigation Controller shall be developed and submitted with the Certificate of Completion for each of the following:

(a) the plant establishment period;

(b) the established landscape; and

(c) temporarily irrigated areas.

(3) Each Ii~~r~~rrigation schedule shall consider for each station all of the following parameters that apply:

(a) Ii~~r~~rrigation interval (days between Ii~~r~~rrigation events);

(b) Ii~~r~~rrigation run times (hours or minutes per Ii~~r~~rrigation event to avoid Runoff and prevent Water Waste);

(c) number of cycle starts required for each Ii~~r~~rrigation event to avoid Runoff and prevent Water Waste;

(d) amount of applied water scheduled to be applied on a monthly basis;

(e) application rate setting;

(f) root depth setting;

(g) plant type setting;

(h) soil type;

(i) slope factor setting;

(j) shade factor setting; and

(k) ~~d~~Distribution ~~u~~Uniformity or Ii~~r~~rrigation efficiency setting.

(4) Irrigation Systems shall be scheduled between ~~8:00~~5:00 p.m. and 9:00 a.m. on Saturdays and Wednesdays only, unless weather conditions prevent it, except for ~~i~~Irrigation overseen by a professional gardener or landscaper who is available on Site and that is not exceeding a maximum two watering days per week. Operation of the Irrigation System

outside the normal watering window is allowed for auditing and system maintenance.

(5) Total annual applied water shall be less than or equal to MAWA.

(a) Actual I~~i~~rrigation schedules shall be regulated by automatic I~~i~~rrigation Controllers using current Reference Evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.

(b) For implementation of the I~~i~~rrigation schedule, carefully consider the I~~i~~rrigation run times, emission device, flow rate, and current Reference Evapotranspiration, so that applied water does not exceed the ETWU.

7. **Landscape and Irrigation Maintenance Schedule.**

a. Landscapes shall be maintained to ensure water use efficiency. A regular Landscape and Irrigation Maintenance Schedule shall be submitted with the Certificate of Completion Package.

b. A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing, adjustment, and repair of the Irrigation System and its components; aerating and dethatching Turfgrass areas; topdressing with compost, replenishing Mulch; fertilizing; pruning; weeding in all Landscape Areas; and removing obstructions to emission devices.

(1) Operation of the Irrigation System outside the normal watering window is allowed for auditing and system maintenance.

c. Repair of all I~~i~~rrigation equipment shall be done with replacement parts for the originally installed components or their equivalents, or with components that improve the average Irrigation Efficiency.

d. A project Applicant is encouraged to implement established landscape industry sustainable Best Management Practices for all landscape maintenance activities.

8. **Irrigation Audit.**

a. All landscape Irrigation Audits shall be conducted by a Certified Landscape Irrigation Auditor. Landscape Irrigation Audits shall not

be conducted by the person who designed the landscape or installed the landscape.

b. In large landscape projects or landscape projects with multiple landscape installations (i.e., production home developments) an auditing rate of 1 in 7 individual lots or approximately 15% of the total number of individual lots will satisfy this requirement.

c. For new construction and Rehabilitated Landscape projects installed after December 1, 2015, as described in Rule 142.1-I:

(1) the project Applicant shall submit an Irrigation Audit report with the Certificate of Completion Package to MPWMD that may include, but is not limited to, inspection, system tune-up, system test with distribution uniformity, and reporting Overspray or Runoff that causes overland flow; and

(2) MPWMD shall administer programs that may include, but not be limited to, Irrigation Water Use Analysis, Irrigation Audits, and Irrigation Surveys for compliance with the MAWA.

J. Certificate of Completion Package

The Certificate of Completion Package is completed by the project Applicant or their designee to certify that the landscape project has been installed in accordance with the MPWMD Water Efficient Landscape Requirements.

1. Prescriptive Compliance Option. The Certificate of Completion Package (see Rule 142.1-M for a sample certificate) shall include a Certificate of Completion limited to:

a. Project Information Sheet (Rule 142.1-M – Element 1);

b. according to the Landscape Documentation Package (Rule 142.1-M – Element 2);

c. addressing applicable parameters as described in Rule 142.1-I-6-a-(3) (Rule 142.1-M – Element 4); and

d. Landscape and Irrigation Maintenance Schedule (Rule 142.1-M – Element 5).

2. Performance Compliance Option. The Certificate of Completion Package (see Rule 142.1-M for a sample certificate) shall include the project

information sheet that contains the following elements:

a. date the project information sheet is completed;

b. project name;

c. project Applicant name, telephone, and mailing and email address;

d. project address and location; and

e. property owner name, telephone, and mailing and email address.

f. certification by the designer of record that the landscape project has been installed per the approved Landscape Documentation Package (see Rule 142.1-G):

(1) Where there have been significant changes made in the field during construction, the As-Built Drawings or Record Drawings shall be included with the certification.

(2) A diagram of the I~~i~~rrigation plan showing Hydrozones shall be kept with the Automatic Irrigation Controller for subsequent management purposes.

g. Soil Management Report, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations (see Rule 142.1-I-1);

h. I~~i~~rrigation scheduling parameters used to set the Automatic Irrigation Controller (see Rule 142.1-I-6);

i. Landscape and Irrigation Maintenance Schedule (see Rule 142.1-I-7);

j. Irrigation Audit report (see Rule 142.1-I-8); and

3. The project Applicant shall:

a. submit the signed Certificate of Completion Package to the District for review; and

b. ensure that copies of the approved Certificate of Completion Package are submitted to the District and the property owner or their designee, unless the property owner is the project Applicant.

4. The District shall:

   a. receive the signed Certificate of Completion Package from the project Applicant; and

   b. approve or deny the Certificate of Completion Package. If the Certificate of Completion Package is denied, the District shall provide information to the project Applicant regarding reapplication, appeal, or other assistance.

K. Reporting

The District or its agent shall submit annual reports to the Department of Water Resources by January 31st for the previous calendar year (January 1 to December 31) using the WUEdata portal for submission.

L. Sample Water Efficient Landscape Worksheet

Rule 142.1-L
Sample Water Efficient Landscape Worksheet

When the performance compliance option is selected, this worksheet is to be filled out by the project applicant or their designee and is required to be submitted with the Landscape Documentation Package. Additional rows or multiple sheets should be used if there are more than 10 Hydrozones. The ETWU (gallons per year) must be equal to or less than the MAWA (annual gallons allowed) to comply with the MPWMD Water Efficient Landscape Requirements (Rule 142.1).

Project Applicant: _____ **Phone Number:** _____
Email Address: _____ **Date:** _____
Project address: _____ **APN:** _____ **(ETo a)** (in./year):
_____

Maximum Applied Water Allowance (MAWA):
MAWA = ETo a x 0.62 x [ETAF x RLA + 1.0 x SLA] = (Annual Gallons Allowed) The maximum ETAF allowed in the MAWA equation must be equal to or below:
0.55 -- for Residential Regular Landscape Areas (RLA)
0.45 -- for Non-Residential Regular Landscape Areas (RLA)
1.0 -- for Special Landscape Areas (SLA)

Estimated Total Water Use (ETWU) Table: (see instructions)

A	*B*	*C*	*D*	*E*	*F*
Hydrozone (Number, letter, or other designation)	***Plant Factor*** [b] ***"PF"***	***Irrigation Efficiency*** [c] ***"IE"***	***Evapotranspiration Adjustment Factor ETAF = PF / IE***	***Hydrozone Area (sq. ft.)***	***Estimated Water Use "EWU" = D x E x ETo*** [a] ***x 0.62 (gallons/ year)***
SLA -	NA	NA	1.0		
SLA -	NA	NA	1.0		
SLA -	NA	NA	1.0		
ETWU Total	NA	NA	NA	NA	
MAWA	NA	NA	NA	NA	

[a] Annual ETo for the nearest City	[b] Plant Factor (PF) from WUCOLS:	[c] Average Irrigation System
from Table 142.1-1	Very Low = less than 0.1	Efficiency (IE):
	Low = 0.1 - 0.3	Overhead Irrigation = 0.75
	Moderate = 0.4 - 0.6	Drip Irrigation = 0.81
	High = 0.7 - 1.0	

WATER EFFICIENT LANDSCAPE WORKSHEET INSTRUCTIONS

1. Reference Evapotranspiration

a. Look up the Annual ETo[a] value for the nearest City using the Reference Evapotranspiration (ETo) Table provided in Table 142.1-1 and use this value in the EWU and MAWA calculations.

2. Calculate the Maximum Applied Water Allowance (MAWA).

a. RLA is the total regular Landscape Area in square feet.

b. SLA is the total Special Landscape Area in square feet.

c. MAWA is calculated based on the maximum ETAF allowed for the type of Landscape Areas for the landscape project and is expressed as annual gallons allowed.

d. Effective Precipitation. The following equation may be used to calculate MAWA:

3. Residential landscapes:

MAWA = (ETo - Eppt) x (0.62) x [0.55 x RLA + 1.0 x SLA]

4. Non-Residential landscapes:

MAWA = (ETo - Eppt) x (0.62) x [0.45 x RLA + 1.0 x SLA]

5. Calculate the Estimated Total Water Use (ETWU).

a. Column A – List each Hydrozone using the label corresponding to the Landscape Design Plan.

b. Columns B and C – Complete the ETWU table for each Hydrozone based on the Plant Water Use Factor (PF) and the average Irrigation Efficiency (IE). The PF is found in Water Use Classification of Landscape Species (WUCOLS).

c. Column D – calculate the ETAF for each Hydrozone by dividing the PF (Column B) by the IE (column C); write the result in column D.

d. Column E – for each Hydrozone measure and report:

i. Regular Landscape Area (RLA) as defined in MPWMD Rule 11.

ii. Special Landscape Areas (SLA), as defined in MPWMD Rule 11, are not included in RLA measurements.

e. Column F – calculate the Estimated Water Use (EWU) for each Hydrozone by multiplying columns D, E, ETo a and 0.62 (conversion factor) and write the result in column F.

f. ETWU – is the sum of EWU for each Hydrozone and is expressed as gallons per year.

6. Compare ETWU with MAWA.

The ETWU (gallons per year) must be equal to or less than the MAWA (annual gallons allowed) to comply with WELO.

M. Sample Certificate of Completion Package

Rule 142.1-M
Sample Certificate of Completion Package

This certificate is filled out by the project Applicant to certify that the landscape project has been installed in accordance with the MPWMD Water Efficient Landscape Requirements (Rule 142.1).

(a) Prescriptive Compliance Option is limited to elements 1, 2, and 4.
(b) Performance Compliance Option shall include all six (6) elements.

ELEMENT 1. PROJECT INFORMATION SHEET
Applicant Information:

Name of Project Applicant (or designee if applicable):	Project Name:
Name of Property Owner (if different):	Title:
Street Address:	Water Supply Type (Circle One):
City:	Potable / Recycled / Well / Other (specify)
Email:	Water Purveyor:
Company:	Phone No.:

Project Address and Location:

Street Address:	Parcel Number:
City:	Meter number(s) (if available):
Zip Code:	

ELEMENT 2. CERTIFICTION OF INSTALLATION ACCORDING TO THE LANDSCAPE DOCUMENTATION PACKAGE

Certification by the designer of record that the landscape project has been installed per the approved Landscape Documentation Package per Rule 142.1-G and the applicable documents:

(A) Where there have been significant changes made in the field during construction, these As-Built Drawings or Record Drawings shall be included.
(B) A diagram of the Iirrigation plan showing Hydrozones shall be kept with the Automatic Irrigation Controller for subsequent management processes.

"I/we certify that based upon periodic site observations, the work has been completed in accordance with MPWMD Water Efficient Landscape Requirements and that the landscape planting and Iirrigation installation conform with the criteria and specifications of the approved Landscape Documentation Package."

Primary Designer of Record Signature		Date
Secondary Designer of Record Signature		Date

ELEMENT 3. SOIL MANAGEMENT REPORT

Attach Soil Management Report, if not previously submitted with the Landscape Documentation Package per MPWMD Rule 142.1-I-1.

Attach documentation verifying implementation of recommendations from the soil analysis management report.

ELEMENT 4. IRRIGATION SCHEDULING PARAMETERS

Attach irrigation scheduling parameters used to set the Automatic Irrigation Controller per MPWMD Rule 142.1-I-6.

ELEMENT 5. LANDSCAPE AND IRRIGATION MAINTENANCE SCHEDULE

Attach landscape and I~~i~~rrigation maintenance schedule per MPWMD Rule 142.1-I-7.

ELEMENT 6. IRRIGATION AUDIT REPORT

Attach Irrigation Audit report per MPWMD Rule 142.1-I-8.

PROJECT APPLICANT SIGNATURE:

"I/we certify that I/we have received copies of all the documents within the Certificate of Completion Package and that it is our responsibility to see that the project is maintained in accordance with the Landscape and Irrigation Maintenance Schedule."

Project Applicant (or designee) Signature		Date

Please answer the questions below:

1. Date the Landscape Documentation Package was submitted to the local agency:

2. Date the Landscape Documentation Package was approved by the local agency:

3. Date that a copy of the Water Efficient Landscape Worksheet (including the Water Budget Calculation) was submitted to MPWMD:

N. Table 142.1 Reference Evapotranspiration

Table 142.1-1. Monterey County Reference Evapotranspiration (ETo) Table[1]
(All values shown in inches)

Monterey County[2]	*Jan*	*Feb*	*Mar*	*April*	*May*	*Jun*	*July*	*Aug*	*Sept*	*Oct*	*Nov*	*Dec*	*Annual*
													ETo
Bradley	1.7	2.3	3.7	4.8	6.3	7.1	7.5	6.8	5.5	3.9	2.3	1.6	53.6
Carmel Valley Village	1.7	2.0	3.0	3.7	4.4	4.9	4.9	4.6	3.9	3.1	2.0	1.4	39.7
Carmel-by-the-Sea	1.7	2.0	2.9	3.5	3.9	4.0	3.9	3.7	3.4	2.9	2.0	1.5	35.4
Castroville	1.6	2.0	3.1	3.9	4.6	5.0	4.8	4.5	4.0	3.1	1.9	1.4	39.8
King City	1.7	2.2	3.5	4.7	6.0	6.7	6.9	6.3	5.2	3.8	2.3	1.5	50.9
Marina	1.6	2.0	3.1	3.8	4.4	4.7	4.5	4.3	3.8	3.1	2.0	1.4	38.7
Monterey	1.7	2.0	2.9	3.6	4.0	4.3	4.2	4.0	3.6	3.0	2.0	1.4	36.7
Moss Landing	1.6	2.0	3.1	3.9	4.6	4.8	4.6	4.3	3.9	3.1	1.9	1.4	39.1
Pacific Grove	1.7	1.9	2.9	3.5	3.9	4.1	3.8	3.6	3.4	2.9	1.9	1.4	35.1
Salinas	1.6	2.0	3.2	4.1	4.9	5.4	5.5	5.1	4.3	3.3	2.0	1.4	42.8
Seaside	1.7	2.0	3.0	3.7	4.3	4.6	4.5	4.2	3.8	3.1	2.0	1.4	38.2
Soledad	1.6	2.1	3.4	4.4	5.6	6.3	6.4	5.9	4.9	3.6	2.2	1.5	47.8

[1] The defined boundaries of each city and place are from the California Open Data website. The shapefiles and description can be found at (https://data.ca.gov/dataset/ca-geographic-boundaries/resource/436fc714-831c-4070-b44b-b06dcde6bf18).

[2] The Eto values are monthly averages of Special California Irrigation Management Information System (CIMIS) for the 2004 to 2021 period. The Annual Eto is the sum of the monthly averages. Eto is expressed in inches.

O. Definitions Used In Regulation XV

The following Rule 11 Definitions are used in Regulation XV:

APPLICANT – "Applicant" shall mean the Person or Persons responsible for completing the requirements of an application. The "Applicant" is usually the property or business owner.

AS-BUILT DRAWINGS – "As-Built Drawings" shall mean landscape drawings prepared by the contractor that show, in red ink, on-site changes to the original landscape construction documents.

AUTOMATIC IRRIGATION CONTROLLER – "Automatic Irrigation Controller" shall mean a timing device used to remotely control valves that operate an Irrigation System. Automatic Irrigation Controllers are able to self-adjust and schedule Iirrigation events using either Evapotranspiration (weather-based) or soil moisture data.

BACKFLOW PREVENTION DEVICE – "Backflow Prevention Device" shall mean a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water.

BEST MANAGEMENT PRACTICES – "Best Management Practices (BMP)" or "BMP" shall mean a conservation measure or series of measures that is useful, proven, cost-effective, and generally accepted among conservation experts to reduce water consumption and protect water quality.

CERTIFICATE OF COMPLETION – "Certificate of Completion" shall mean the document with the required elements pursuant to Rule 142.1-J.

CERTIFICATE OF COMPLETION PACKAGE – "Certificate of Completion Package" shall mean the document with the required elements pursuant to Rule 142.1-J.

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

COMMON INTEREST DEVELOPMENT (CID) – "Common Interest Development" shall mean community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Article 2. Definitions [4075 - 4190] (Article 2 added by Stats. 2012, Ch. 180, Sec. 2.).

CONTROLLER – "Controller" shall mean an automatic timing device used to remotely control valves or heads to operate an Irrigation System. A weather-based Controller is a Controller that utilizes Evapotranspiration or weather data to make adjustments to Iirrigation schedules. A self-adjusting iIrrigation Controller is a Controller that uses sensor data (e.g., soil moisture) to adjust Iirrigation schedules.

DISTRIBUTION UNIFORMITY (DU) – "Distribution Uniformity (DU)" shall mean the

measure of the uniformity of Irrigation water over a defined area.

DRIP IRRIGATION – "Drip Irrigation" shall mean any non-spray Low Volume Irrigation System utilizing emission devices with a Flow Rate measured in gallons per hour. Low Volume Irrigation Systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants. The term "Drip Irrigation" shall have the same meaning as "Micro Irrigation" and "Trickle Irrigation."

EFFECTIVE PRECIPITATION (EPPT) – "Effective Precipitation" ("Eppt") shall mean the portion of total precipitation which becomes available for plant growth. Effective Precipitation is also known as "useable rainfall."

ESTIMATED TOTAL WATER USE (ETWU) – "Estimated Total Water Use" ("ETWU") shall mean the total water used for the landscape based on the plants used in the landscape design.

ESTIMATED WATER USE (EWU) – "Estimated Water Use" (EWU) is the calculated water used for each Hydrozone as described in Rule 142.1-L. Estimated Water Use equals the Evapotranspiration Adjustment Factor times the Hydrozone area in square-feet times the appropriate Evapotranspiration Adjustment Factor x 0.62.

EVAPOTRANSPIRATION ADJUSTMENT FACTOR or ET ADJUSTMENT FACTOR – "Evapotranspiration Adjustment Factor" or "ET Adjustment Factor" ("ETAF") shall mean, except for Special Landscape Areas, a factor of 0.55 for Residential projects and 0.45 for Non-Residential projects that, when applied to Reference Evapotranspiration, adjusts for Plant Water Use Factors and Irrigation Efficiency.

FLOW RATE – "Flow Rate" shall mean the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

FRIABLE – "Friable" shall mean a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.

GRAYWATER – "Graywater" shall mean untreated waste water which has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes, but is not limited to; waste water from bathtubs, showers, Bathroom Washbasins, clothes washing machines and laundry tubs. It does not include waste water from Kitchen Sinks and Dishwashers Health and Safety Code Section 17922.12. "Graywater" shall have the same meaning as "Greywater."

GREENBELT – "Greenbelt" means cemeteries, Golf Courses, parks, highway Landscaping and shall include other broad expanses of Landscape area including housing and other Projects with common Landscape uses.

HYDROZONE – "Hydrozone" shall mean a portion of the Landscape Area having plants with similar water needs and rooting depths served by a valve or set of valves with the same schedule. A Hydrozone may be irrigated or non-irrigated.

INVASIVE PLANT SPECIES – "Invasive Plant Species" shall mean a species of plants not historically found in California that spreads outside cultivated areas and can damage environmental or economic resources and is listed as an Invasive Plant Species in either the California Invasive Plant Inventory; USDA invasive, noxious weeds database, or the Landscape Manual.

IRRIGATION AUDIT – "Irrigation Audit" shall mean an in-depth evaluation of the performance of an Irrigation System conducted by a Certified Landscape Irrigation Auditor. An Irrigation Audit shall include, but is not limited to: inspection, system tune-up, system test with Distribution Uniformity or emission uniformity, reporting Overspray or Runoff that causes overland flow, and preparation of an ~~i~~Irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association's Landscape Irrigation Auditor certification program or other U.S. Environmental Protection Agency "WaterSense" labeled auditing program.

IRRIGATION DESIGN PLAN – "Irrigation Design Plan" "IE" shall mean an I~~i~~rrigation plan and drawings designed and signed by a licensed Landscape Architect, Certified Irrigation Designer, licensed Landscape Contractor, or any other Person authorized to design an Irrigation System (see Sections 5615, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code).

IRRIGATION EFFICIENCY – "Irrigation Efficiency" shall mean the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation Efficiency is derived from measurements and estimates of Irrigation System characteristics and management practices. The Irrigation Efficiency is 0.75 for overhead spray devices and 0.81 for drip systems.

IRRIGATION SURVEY – "Irrigation Survey" shall mean an evaluation of an Irrigation System that is less detailed than an Irrigation Audit.

IRRIGATION SYSTEM – "Irrigation System" shall mean a device or combination of devices having a hose, pipe or other type of conduit installed in the Landscape which transmits water, and through which device or combination of devices, water is drawn and applied to Residential, industrial or commercial lawns, Landscapes or green space.

IRRIGATION WATER USE ANALYSIS – "Irrigation Water Use Analysis" shall mean an analysis of water use data based on meter readings and billing data.

JURISDICTION – "Jurisdiction" shall mean one of the following: (1) Carmel-by-the-Sea, (2) Del Rey Oaks, (3) Monterey City, (4) Monterey County, (5) Monterey Peninsula Airport District, (6) Pacific Grove, (7) Sand City, (8) Seaside, and (9) Department of Defense.

LANDSCAPE AND IRRIGATION MAINTENANCE SCHEDULE – "Landscape and Irrigation Maintenance Schedule" shall mean a document provided to the property owner and submitted with the Certificate of Completion for landscape installation that provides information about routine inspection; auditing, adjustment and repair of the Irrigation System and its components; aerating and dethatching Turf areas; topdressing with Compost, replenishing Mulch; fertilizing; pruning; weeding in all Landscape Areas;

and removing obstructions to emission devices.

LANDSCAPE AREA – "Landscape Area" shall mean all the planting areas, Turf areas, and Water Features in a Landscape Design Plan subject to the Maximum Applied Water Allowance and the Estimated Applied Water Use calculations. The Landscape Area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other Pervious or non-Pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., Open Spaces and existing Native Vegetation).

LANDSCAPE DESIGN PLAN – "Landscape Design Plan" shall mean a plan (and drawings) that: (1) delineates and labels each Hydrozone; (2) identifies each Hydrozone as low, moderate, high water, or mixed water use; (3) identifies any Recreational Areas; (4) identifies areas permanently and solely dedicated to edible plants; (5) identifies areas irrigated with Recycled Water; (6) identifies type of Mulch and application depth; (7) identifies soil amendments, type, and quantity; (8) identifies type and surface area of any Water Features; (9) identifies hardscapes (Pervious and non-Pervious); (10) identifies applicable storm water Best Management Practices; (11) identifies any applicable rain harvesting or catchment technologies; and (12) identifies any applicable Graywater discharge piping, system components and area(s) of distribution. A Landscape Design Plan must be signed by a licensed Landscape Architect, Certified Irrigation Designer, licensed Landscape Contractor, or any other Person authorized to design an Irrigation System (see Permitted Practices in California prepared by the Landscape Architects Technical Committee (LATC), the licensing and regulatory agency for the practice of landscape architecture in California. "Landscape Design Plan" shall also be known as a "Planting Plan."

LANDSCAPE DOCUMENTATION PACKAGE – "Landscape Documentation Package" means the documents required per the compliance option chosen by the applicant, as described in Rule 142.1-G.

LANDSCAPE WATER PERMIT – "Landscape Water Permit" shall mean a permit issued by the District for landscape projects subject to Rule 142.1.

LOW WATER USE PLANT – "Low Water Use Plant" shall mean any plant categorized as low water need by the Water Use Classification of Landscape Species ("WUCOLS") guide.

MAXIMUM APPLIED WATER ALLOWANCE (MAWA) – "Maximum Applied Water Allowance" shall mean the upper limit of annual Applied Water for the established Landscape Area. It is based upon the area's Reference Evapotranspiration, the ET Adjustment Factor, and the size of the Landscape Area.

MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (MWELO) – "Model Water Efficient Landscape Ordinance" shall refer to the California Code of Regulations, Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7. Model Water Efficient Landscape Ordinance.

MULCH – "Mulch" shall mean any organic material such as leaves, bark, straw, Compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing

evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

NEW CONSTRUCTION – "New Construction" means any construction of a previously nonexistent structure or additions to a structure requiring a discretionary or ministerial permit. "New Construction" shall include additions, modifications, or structural improvements which add square footage to floor space of Existing Structures.

NON-POTABLE – "Non-Potable Water" shall mean water which is not fit for human consumption.

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

OVERSPRAY – "Overspray" shall mean the irrigation water that is delivered beyond the Landscape Area, wetting pavements, walks, structures, or other non-Landscaped Areas.

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

PLANT WATER USE FACTOR – "Plant Water Use Factor" shall mean a value, when multiplied by "Reference Evapotranspiration," that estimates the amount of water needed by plants. The Plant Water Use Factor range for very Low Water Use Plants is less than 0.1, the Plant Water Use Factor range for Low Water Use Plants is 0.1 to 0.3, the Plant Water Use Factor range for Moderate Water Use Plants is 0.4 to 0.6, and the Plant Water Use Factor range for High Water Use Plants is 0.7 to 1.0. Plant Water Use Factors are derived from the publication "Water Use Classification of Landscape Species." Plant Water Use Factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources.

POTABLE – "Potable" shall mean water that is suitable for drinking.

PRESSURE REGULATING DEVICE – "Pressure Regulating Device" shall mean a water pressure reducing device installed in the water line after the Water Meter that automatically reduces the pressure from the water supply main to a lower pressure.

RAIN SENSOR – "Rain Sensor" shall mean a component of an Irrigation System which automatically suspends ~~i~~Irrigation when it rains. The term "Rain Sensor" shall have the same meaning as the term "Rain Sensing Shutoff Device."

RECORD DRAWINGS – "Record Drawings" shall mean landscape documents prepared by the Landscape Architect that reflects on-site changes the contractor noted in the As-Built Drawings. They are often compiled as a set of on-site changes made for the owner per the owner-architect contract.

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

REFERENCE EVAPOTRANSPIRATION – "Reference Evapotranspiration" shall mean a standard measurement of environmental parameters which affects the water use of plants. Reference Evapotranspiration is expressed in inches per day, month, or year, and is an estimate of the Evapotranspiration of a large field of four to seven inches tall, cool-season grass that is well watered. Reference Evapotranspiration is used as the basis of determining the Maximum Applied Water Allowance so that regional differences in climate can be accommodated.

REGULAR LANDSCAPE AREA – "Regular Landscape Area" (RLA) is the portion of the irrigated Landscape Area that is not a Special Landscape Area. RLA = LA - SLA.

REHABILITATED LANDSCAPE – "Rehabilitated Landscape" shall mean any relandscaping of existing landscapes where the modified Landscape Area is equal to or greater than two thousand five hundred (2,500) square feet.

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

RUNOFF – "Runoff" shall mean water which is not absorbed by the soil or landscape to which it is applied and flows from the Landscape Area. For example, Runoff may result from water that is applied at too great a rate (application rate exceeds Infiltration Rate) or when there is a slope.

SOIL MANAGEMENT REPORT – "Soil Management Report" shall mean an analysis of the existing soil conditions relative to horticulture (versus agriculture or structural integrity) resulting in recommendations of appropriate soil amendments.

SOIL MOISTURE SENSING DEVICE – – "Soil Moisture Sensing Device" shall mean a device that measures the amount of water in the soil. The device may also suspend or initiate an Iirrigation event.

SPECIAL LANDSCAPE AREA (SLA) – "Special Landscape Area" or "SLA" shall mean an area of the landscape irrigated with Recycled Water, Water Features using Recycled Water, and areas dedicated to active play such as parks, sports fi elds, golf courses, and where Turf provides a playing surface.

TURF or TURFGRASS – "Turf" or "Turfgrass" shall mean a ground cover surface of mowed grass and does not include artificial Turf surfaces. For example, Annual Bluegrass, Kentucky Bluegrass, Perennial Ryegrass, Red Fescue, and Tall Fescue are cool-season grasses and Bermuda Grass, Kikuyu Grass, Seashore Paspalum, St. Augustine Grass, Zoysia Grass, and Buffalo Grass are warm-season grasses.

VALVE – "Valve" shall mean a device used to control the flow of water in the Irrigation System.

WATER BUDGET – "Water Budget" shall mean a maximum annual water allowance in gallons per year that takes into consideration the types of plants, Evapotranspiration Rates and Irrigation System.

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

WATER EFFICIENT LANDSCAPE WORKSHEET – "Water Efficient Landscape Worksheet" shall mean the form used in the Landscape Package to calculate the Water Budget for a landscape. The form is found in Appendix B of the Landscape Package.

WATER FEATURE – "Water Feature" shall mean a design element where open water performs an aesthetic or recreational function. Water Features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and Swimming Pools where water is artificially supplied. The surface area of Water Features is included in the high water use Hydrozone of the Landscape Area. Constructed facilities used for Site waste water treatment or Storm Water Control Measures that are not irrigated and used solely for water treatment or storm water retention are not considered Water Features.

WATER METER – "Water Meter" means any measuring device intended to measure water usage. The term "Water Meter" shall have the same meaning as the term "Water Measuring Device."

WATER PERMIT – "Water Permit" shall mean a document issued by the MPWMD that authorizes a specific amount and type of water use on a Site.

WATER WASTE – "Water Waste" shall mean the indiscriminate, unreasonable, or excessive running or dissipation of water as defined in Rule 162.

WELL – "Well" means any device or method, mechanical or otherwise, for the production of water from Groundwater supplies within the District excluding seepage pits and natural springs.

WUCOLS – "WUCOLS" shall mean the Water Use Classification of Landscape Species guide published by the University of California Cooperative Extension and the California Department of Water Resources 2014, as may be periodically updated.

Rule added by Ordinance No. 199 (11/17/2025); amended by Ordinance No. 203 (X/XX/XX)

RULE 142.1 - WATER EFFICIENT LANDSCAPE REQUIREMENTS

A. **Purpose.** The purpose of this Rule is to provide landscape standards that minimize water use, eliminate Water Waste, and reduce stormwater Runoff by requiring low water landscape plantings, design, and Irrigation methods. Pursuant to California Government Code Section 65595, this Rule is intended to be at least as effective in water conservation and efficiency as the State's Model Water Efficient Landscape Ordinance (MWELO).

B. **General Requirements**

1. Water Waste prohibitions remain in place according to MPWMD Rule 162, including prohibitions on Irrigation of Non-Functional Turf.

2. Recycled Water.

    a. All Recycled Water use is subject to applicable provisions of the California Code of Regulations (Cal. Code Regs.), Titles 17 and 22, the California Plumbing Code (Cal. Code Regs., Title 24, Part 5, Chapter 15), and all applicable local and State laws.

    b. Landscape Areas using Recycled Water are considered Special Landscape Areas.

3. Graywater Irrigation Systems. All Graywater Irrigation Systems are required to conform to the California Plumbing Code (Cal. Code Regs., Title 24, Part 5, Chapter 15) and any applicable local ordinance standards.

    a. Graywater Irrigation Systems promote the efficient use of water and are encouraged to assist in on-site landscape Irrigation.

    b. For projects using treated or untreated Graywater, any Parcel within the project that has less than 2,500 square-feet of Landscape Area and meets the Parcel's landscape water requirement (Estimated Total Water Use or ETWU) entirely with Graywater is subject only to Rule 142.1-H-1-b.

4. Stormwater Management and Rainwater Retention.

    a. Project Applicants shall refer to the Jurisdiction or Regional Water Quality Control Board for information on any applicable stormwater technical requirements.

    b. All Non-Potable rainwater catchment systems are required to conform to the California Plumbing Code (Cal. Code Regs., Title 24, Part 5, Chapter 16).

c. All Landscape Areas are required to have Friable soil to maximize water retention and infiltration. Refer to Rule 142.1-I-1.

d. For projects using rainwater captured on site, any Parcel within the project that has less than 2,500 square-feet of Landscape Area and meets the Parcel's landscape water requirement (ETWU) entirely through stored rainwater captured on site is subject only to Rule 142.1-H-1-b.

e. It is strongly recommended that Landscape Areas be designed for capture and infiltration capacity that is sufficient to prevent Runoff from impervious surfaces (i.e., roof and paved areas) from either:

(1) the one inch, 24-hour rain event, or

(2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, state or federal regulation.

f. It is recommended that landscape projects incorporate any of the following elements to improve on-site storm water and dry weather Runoff capture and use:

(1) Grade impervious surfaces, such as driveways, during construction to drain to vegetated areas.

(2) Minimize the area of impervious surfaces such as paved areas, roofs, and concrete driveways.

(3) Incorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize Runoff.

(4) Direct Runoff from paved surfaces and roof areas into planting beds or Landscaped Areas to maximize site water capture and reuse.

(5) Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.

(6) Incorporate infiltration beds, swales, basins, and drywells to capture storm water and dry weather Runoff and increase percolation into the soil.

(7) Consider constructed wetlands and ponds that retain water,

equalize excess flow, and filter pollutants.

g. Sites utilizing rainwater storage as a component in an Irrigation System.

(1) For all new Connections on Sites where rainwater storage is included as a source of water supply for an Irrigation System, the Estimated Total Water Use as determined by the landscaping plan shall be reduced by the available Rainwater Harvesting Capacity. Any modification ot the landscaping that results in an Intensification of Use shall require a Water Permit.

(2) Sites utilizing rainwater storage as a component of an Irrigation System shall have landscape water use restricted by a recorded deed restriction enforceable by the District. The recorded 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 requires a Water Permit and may result in collection of additional Capacity Fees and a debit to a Jurisdiction's Allocation or Water Entitlement and/or other enforcement actions.

5. Fire Safe Landscaping.

a. A Landscape Design Plan for development and construction in Local Responsibility Areas designated as Very High Fire Hazard Severity Zones and areas designated by the Board of Forestry and Fire Protection as State Responsibility Areas are required to comply with the California Fire Code (Cal. Code Regs., Title 24, Part 9, Chapter 49) "Requirements for Wildland- Urban Interface Fire Areas."

b. Public Resources Code section 4291(a) and (b) describes the requirements for a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material to address fire safety and prevention by maintaining a defensible space or zone around a building or structure.

(1) Avoid fire-prone plant materials and highly flammable Mulches.

c. Local Fuel Modification Plan guidelines may prescribe additional requirements per Public Resources Code section 4291(a) and (b).

6. Plant Selection.

a. Any plant may be selected for the landscape project provided that the requirements of the selected compliance option are met.

b. Select trees based on applicable local tree ordinances or tree shading guidelines, and size at maturity as appropriate for the planting area.

c. The use of Invasive Plant Species, such as those listed by the California Invasive Plant Council, is strongly discouraged. Pursuant to Food and Agricultural Code section 52334, the declaration of a plant, seed, nursery stock, or crop as invasive is a power reserved for the Secretary of the California Department of Food and Agriculture.

7. The architectural guidelines of a Common Interest Development shall not prohibit or include conditions that have the effect of prohibiting the use of Low Water Use Plants as a group (Civil Code sections 4100 and 4735).

8. Environmental Review. The Jurisdiction must comply with the California Environmental Quality Act (CEQA), as appropriate.

9. Public Education. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management, and maintenance that save water is encouraged in the community.

10. Local agencies shall provide information to owners of permitted renovations and new Residential homes regarding the design, installation, management, and maintenance of water efficient landscapes based on a Water Budget.

11. Model Homes. All model homes that are landscaped shall display signs that provide information demonstrating the principles of water efficient landscapes described in this Rule.

a. Signs shall be used to identify the model home as an example of a water efficient landscape. Signage shall include:

(1) Fundamental water efficient landscape elements such as Hydrozones, Irrigation equipment, native plants, Graywater systems, rainwater catchment systems, and other elements

as applicable that contribute to the overall water efficient theme.

(2) Information about the Site water use budget as designed per this Rule; specify who designed and installed the water efficient landscape.

b. Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

C. Applicability

This Rule shall apply to all of the following landscape projects:

1. New construction (including demolition projects) with a new Landscape Area or Rehabilitated Landscape Area as defined equal to or greater than 500 square feet requiring a building or landscape permit, plan check, or design review;

2. Rehabilitated Landscape projects with a Landscape Area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;

3. Landscape projects with a new Landscape Area equal to or greater than 500 square feet or a Rehabilitated Landscape Area equal to or greater than 2,500 square feet undertaken within one (1) year of completion of projects requiring a grading permit, building permit, or design review;

4. Landscape projects with a new Landscape Area equal to or greater than 500 square feet or a Rehabilitated Landscape Area equal to or greater than 2,500 square feet undertaken to repair unintended damage from a project requiring a grading permit, building permit, or design review;

5. Existing non-Rehabilitated Landscapes are limited to Rule 142.1-D; and

6. Any project with a Landscape Area of 2,500 square feet or less may comply with either the performance requirements described in Rule 142.1-I or conform to the prescriptive measures contained in Rule 142.1-H.

7. This rule does not apply to:

   a. registered local, state, or federal historical Sites;

   b. ecological restoration projects that do not require a permanent Irrigation System;

c. existing plant collections, as part of botanical gardens and arboretums open to the public.

D. Requirements for Existing Non-Rehabilitated Landscapes

1. For all existing non-Rehabilitated Landscapes installed before December 1, 2015, that have a Water Meter, the District and the Water Distribution System Operator shall administer programs that may include, but not be limited to, Irrigation water use analyses, Irrigation Surveys, and Irrigation Audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance (MAWA) for existing non-Rehabilitated Landscapes.

   a. The Maximum Applied Water Allowance for existing non-Rehabilitated Landscapes shall be calculated as: MAWA = (ETo) x (0.62) x (0.8 x RLA + 1.0 x SLA).

2. For all existing non-Rehabilitated Landscapes installed before December 1, 2015, that do not have a Water Meter, the District and the Water Distribution System Operator shall administer programs that may include, but not be limited to, Irrigation Surveys and Irrigation Audits to evaluate water use and provide recommendations as necessary in order to prevent Water Waste.

3. All landscape Irrigation Audits shall be conducted by a Certified Landscape Irrigation Auditor.

E. Requirements for New Construction or Rehabilitated Landscapes

There are two options for compliance with Rule 142.1:

1. Prescriptive compliance option as described in Rule 142.1-G-1, H, and J-1; or

2. Performance compliance option as described in Rule 142.1-G-2, H, and J-2.

3. An Applicant may comply with either the prescriptive or performance compliance option for any new construction project with a Landscape Area between 500 and 2,500 square feet.

4. An Applicant shall use the performance compliance option for any landscape project with a Landscape Area of 2,500 square feet, or greater.

F. Compliance Responsibilities

1. Designation of Responsibility. The District may, by mutual agreement, designate another agency, such as a water purveyor, to implement some or all of the requirements contained in Rule 142.1.

2. The District is responsible for the enforcement of Rule 142.1 in coordination with the local land use agency, including but not limited to, approval of a Landscape Water Permit, plan check, and/or design review of a project. Prior to construction, the District or its agent shall:

   a. provide the project Applicant with the rule and procedures for permits, plan checks, or design reviews;

   b. review the Landscape Documentation Package submitted by the project Applicant;

   c. approve or deny the Landscape Documentation Package;

   d. issue a Landscape Water Permit.

3. Project Applicant.

   a. Prior to construction, the project Applicant shall submit a Landscape Documentation Package to the District.

   b. Upon approval of the Landscape Documentation Package by the District, the project Applicant shall:

      (1) receive a Landscape Water Permit and record the date of the permit in the Certificate of Completion;

      (2) submit a copy of the approved Landscape Documentation Package along with the Record Drawings, and any other information to the property owner or their designee unless the property owner is the project Applicant.

G. Elements of the Landscape Documentation Package

1. **Prescriptive Compliance.** The Landscape Documentation Package shall include:

   a. A project information sheet with the following elements:

      (1) date the project information sheet is completed;

(2) name of the project Applicant;

(3) contact information for the project Applicant and property owner;

(4) project address and Parcel number;

(5) total Landscape Area (square feet);

(6) project type (e.g., Institutional (i.e., public), private, cemetery, homeowner-installed);

(7) water supply type (e.g., Potable, Recycled, Well) and identify the local retail water purveyor if the Applicant is not served by a private Well; and,

(8) Applicant signature and date with statement: "*I agree to comply with the requirements of the prescriptive compliance option of the MPWMD Water Efficient Landscape Requirements.*"

b. A Landscape Design Plan that includes:

(1) Total Landscape Area (square feet); and

(2) A breakdown of Turfgrass and plant material (e.g., plant legend).

(3) Water Efficient Landscape Worksheet pursuant to Rule 142.1-I-5:

(a) Maximum Applied Water Allowance (MAWA);

(b) Estimated Water Use (EWU);

(c) Estimated Total Water Use (ETWU).

2. **Performance Compliance.** The Landscape Documentation Package shall include the following six (6) elements:

a. A project information sheet with the following elements:

(1) date the project information sheet is completed;

(2) name of the project Applicant;

(3) contact information for the project Applicant and property owner;

(4) project address and Parcel number;

(5) total Landscape Area (square feet);

(6) project type (e.g., institutional (i.e., public), private, cemetery, homeowner-installed);

(7) water supply type (e.g., Potable, recycled, Well) and identify the local retail water purveyor if the Applicant is not served by a private Well;

(8) checklist of all documents in Landscape Documentation Package; and,

(9) Applicant signature and date with statement: "*I agree to comply with the requirements for the performance compliance option of the MPWMD Water Efficient Landscape Requirements and submit a complete Landscape Documentation Package.*"

b. Soil Management Report pursuant to Rule 142.1-I-1;

c. Landscape Design Plan pursuant to Rule 142.1-I-2;

d. grading design plan pursuant to Rule 142.1-I-3;

e. Irrigation Design Plan pursuant to Rule 142.1-I-4; and

f. Water Efficient Landscape Worksheet pursuant to Rule 142.1-I-5:

(1) Maximum Applied Water Allowance (MAWA);

(2) Estimated Water Use (EWU); and

(3) Estimated Total Water Use (ETWU).

H. Prescriptive Compliance Option

This section contains prescriptive requirements, which may be used as a compliance option for new construction projects with a Landscape Area between 500 and 2,500 square feet. Compliance with the requirements of this section is mandatory and must be documented in the Landscape Documentation Package pursuant to Rule 142.1-G-1 to use the prescriptive compliance option.

1. Landscape project requirements.

   a. Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into Landscape Area (unless contra-indicated by a soil test). Soils with greater than 6% organic matter in the top six inches of soil are exempt from adding compost and tilling.

   b. Irrigation Systems shall comply with the following:

      (1) For Non-Residential projects with Landscape Areas of 1,000 square feet or more, a dedicated Irrigation Water Meter or private submeter(s) to measure landscape water use shall be installed.

      (2) Automatic Irrigation controllers are required and must use either evapotranspiration (weather-based) or soil moisture (sensor- based) data and utilize a rain sensor.

      (3) Irrigation controllers shall use non-volatile memory.

      (4) Pressure Regulating Devices, which may include pressure boosters or reducers, shall be installed on the Irrigation System to ensure the dynamic pressure of the system is within the manufacturers' recommended pressure range.

      (5) Manual shut-off Valves (such as a gate Valve, ball Valve, or butterfly Valve) shall be installed as close as possible to the point of connection to the water supply.

      (6) All Irrigation emission devices must meet the requirements set by ANSI in the 2020 ASABE/ICC 802 Landscape Irrigation Sprinkler and Emitter Standard, which is herein incorporated by reference. All sprinkler heads installed in the landscape must document a low-quarter Distribution Uniformity of 0.65 or higher using the protocol defined in 2020 ASABE/ICC 802 Standard.

      (7) Non-rotating spray sprinkler bodies are required to meet the standards described in the California Code of Regulations, Title 20, Division 4, Chapter 4, Section 1605.3(x).

      (8) Landscape Areas less than 10 feet in width in any direction shall be irrigated with subsurface Irrigation or other means that produces no Water Waste, Runoff or Overspray.

c. Plant material shall comply with all of the following:

(1) For Residential landscapes, install climate adapted plants that require occasional, little, or no summer water (average WUCOLS plant factor 0.3) for 75% of the Landscape Area excluding areas permanently and solely dedicated to edible plants, and areas using Recycled Water;

(2) For Non-Residential landscapes, install climate adapted plants that require occasional, little, or no summer water (average WUCOLS plant factor 0.3) for 100% of the Landscape Area excluding areas permanently and solely dedicated to edible plants, and areas using Recycled Water;

(3) Turfgrass shall comply with all of the following:

(a) Turfgrass shall not exceed 20% or a maximum of 1,500 square feet of the Landscape Area, whichever is less;

(b) There shall be no Turfgrass in Non-Residential landscapes; and

(c) Turfgrass shall not be planted on sloped areas which exceed a slope of one foot vertical elevation change for every four feet of horizontal length; and,

(d) Turfgrass is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any Turfgrass in parkways must be irrigated by subsurface Irrigation or by other technology that creates no Water Waste, Overspray or Runoff.

d. A minimum three-inch (3″) layer of Mulch shall be applied on all exposed soil surfaces of planting areas except in Turfgrass areas, creeping or rooting groundcovers, or direct seeding applications where Mulch is contraindicated.

2. The designer of record shall make plants identifiable to an inspector during final inspection. Plants must be identifiable by botanical name, common name or cultivar as specified in Section 53481 of the Food and Agricultural Code.

3. At the time of final inspection, the Landscape Water Permit Applicant must

provide the owner of the property and the District with a Certificate of Completion Package pursuant to Rule 142.1-J-1.

I. Performance Compliance Option

The performance compliance requirements shall be used as the compliance option for any landscape project with greater than 2,500 square feet of area and documented in the Landscape Documentation Package, as described in Rule 1421.1-G-2, and the Certificate of Completion Package, as described in Rule 142.1-J-2.

1. **Soil Management Report**
   A Soil Management Report shall be completed by the project Applicant, or their designee, as follows:

   a. Submit soil samples to a laboratory for analysis and recommendations. Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants. The soil analysis shall include:

      (1) soil texture;

      (2) infiltration rate determined by laboratory test or soil texture infiltration rate table;

      (3) pH;

      (4) total soluble salts;

      (5) sodium;

      (6) percent organic matter; and

      (7) recommendations.

   b. In landscape projects with multiple landscape installations (i.e., production home developments) a soil sampling rate of 1 in 7 lots or approximately 15% of the total number of lots will satisfy this requirement.

      (1) Large landscape projects shall sample at a rate equivalent to 1 in 7 lots.

   c. The project Applicant, or their designee, shall comply with one of the following:

(1) If significant mass grading is not planned, the report shall be submitted to the District as part of the Landscape Documentation Package; or

(2) If significant mass grading is planned, the Soil Management Report shall be submitted to the District as part of the Certificate of Completion Package.

(3) The Soil Management Report shall be made available, in a timely manner, to the professionals preparing the Landscape Design Plans and Irrigation Design Plans to make any necessary adjustments to the design plans.

(4) The project Applicant, or their designee, shall submit documentation verifying implementation of Soil Management Report recommendations to the District with the Certificate of Completion Package.

2. **Landscape Design Plan.**

a. The Landscape Design Plan, at a minimum, shall:

(1) delineate and label each Hydrozone by number, letter, or other method;

(2) identify the Plant Water Use Factor for each Hydrozone as very low, low, moderate, high, or mixed water use.

(a) Temporarily irrigated Landscape Areas shall use the low water use plant factor range in the water budget calculation specified in Rule 142.1-5-b-(1).

(3) identify Special Landscape Areas, including:

(a) Recreational Areas;

(b) areas permanently and solely dedicated to edible plants; and,

(c) areas irrigated with or water features using Recycled Water;

(4) identify type of Mulch and application depth;

(5) identify type and quantity of soil amendments;

(6) identify type and surface areas of water features;

(7) identify hardscapes (pervious and non-pervious);

(8) identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Project Applicants shall refer to the Jurisdiction or Regional Water Quality Control Board for information on any applicable stormwater technical requirements. Stormwater best management practices are encouraged in the Landscape Design Plan and examples are provided in Rule 142.1-B-4 requirements;

(9) identify any applicable rain harvesting or catchment technologies and their 24-hour retention or infiltration capacity, if applicable;

(10) identify any applicable Graywater discharge piping, system components, and area(s) of distribution;

(11) identify designated insect habitat;

(12) make plants identifiable to an inspector during final inspection:

(a) Plants must be identifiable by botanical name, common name or cultivar as specified in Section 53481 of the Food and Agricultural Code.

(13) contain the following statement: "*I have complied with the performance compliance option criteria of the MPWMD Water Efficient Landscape Requirements and applied them for the efficient use of water in the Landscape Design Plan.*"; and

(14) bear the signature of the designer of record as defined.

b. Plant Selection.

(1) For Residential landscapes, install climate adapted plants that require occasional, little, or no summer water (average WUCOLS plant factor 0.3) for 75% of the Landscape Area

excluding areas permanently and solely dedicated to edible plants, and areas using Recycled Water;

(2) For Non-Residential landscapes, install climate adapted plants that require occasional, little, or no summer water (average WUCOLS plant factor 0.3) for 100% of the Landscape Area excluding areas permanently and solely dedicated to edible plants, and areas using Recycled Water;

(3) The architectural guidelines of Common Interest Developments shall not prohibit or include conditions that have the effect of prohibiting the use of Low Water Use Plants as a group.

(4) Each Hydrozone shall have plant materials with similar water use.

(a) Exceptions are allowed for Hydrozones that use a mix of plant materials with low and moderate plant factors or moderate and high plant factors, as specified in Rule 142.1-I-4-c-(7).

(5) High water use plants, characterized by a plant factor range of 0.7 to 1.0, are prohibited in street medians.

(6) Turfgrass is not allowed on slopes greater than 25% where the toe of the slope is adjacent to a non-pervious hardscape and where 25% means one (1) foot of vertical elevation change for every four (4) feet of horizontal length (rise divided by run x 100 = slope percent).

(7) Methods to achieve water efficiency shall include one or more of the following:

(a) protection and preservation of native species and natural vegetation;

(b) selection of plants based on local climate suitability, disease, and pest resistance;

(c) selection of water-conserving plant, tree, and Turfgrass species, especially local native plants;

(d) selection of trees based on applicable local tree ordinances or tree shading guidelines, and size at

maturity as appropriate for the planting area;

(e) selection of plants from local and regional landscape program recommended plant lists; and

(f) selection of plants from local Fuel Modification Plan Guidelines.

(8) Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. Methods to achieve water efficiency shall include one or more of the following:

(a) use the Sunset Western Climate Zone System, 2007, which is herein incorporated by reference, which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;

(b) recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure (e.g., buildings, sidewalks, power lines); allow for adequate soil volume for healthy root growth; and

(c) consider the solar orientation for plant placement to maximize summer shade and winter solar gain.

c. Water Features.

(1) Recirculating water systems shall be used for water features.

(2) Where available, Recycled Water shall be used for decorative water features.

(3) Surface area of a water feature shall use the high water use Hydrozone plant factor in the water budget calculation.

(4) Pool and spa covers are highly recommended pursuant to subdivision (d) of Section 115921 of the Health and Safety Code.

d. Soil Preparation, Mulch, and Amendments.

(1) Prior to the planting of any materials, compacted soils shall be transformed to a Friable condition. On engineered slopes, only amended planting holes need to meet this requirement.

(2) Soil amendments shall be incorporated according to recommendations of the Soil Management Report and what is appropriate for the plants selected (see Rule 142.1-I-1).

(3) For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of pervious area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top six inches of soil are exempt from adding compost and tilling.

(4) A minimum three-inch (3″) layer of Mulch shall be applied on all exposed soil surfaces of planting areas except in Turfgrass areas, creeping or rooting groundcovers, or direct seeding applications where Mulch is contraindicated.

(a) To provide habitat for beneficial insects and other wildlife, up to 5% of the Landscape Area may be left without Mulch and identified in the Landscape Design Plan (see Rule 142.1-I-2-a-(11)).

(5) The mulching portion of the seed/Mulch slurry in hydro-seeded applications shall meet the mulching requirement in Rule 142.1-I-d-(4).

(6) Stabilizing mulching products shall be used on slopes that meet current engineering standards.

(7) Organic Mulch made from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available.

(a) Organic Mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances. (Public Resources Code section 4291).

3. **Grading Design Plan.**

a. Grading of a project site shall be designed to minimize soil erosion, Runoff, and Water Waste. A grading plan shall be submitted by the project Applicant as part of the Landscape

Documentation Package. A comprehensive grading plan approved by the Jurisdiction for other Jurisdictional permits satisfies this requirement.

(1) A landscape grading plan that indicates finished configurations and elevations of the Landscape Area, including:

(a) height of graded slopes;

(b) drainage patterns;

(c) pad elevations;

(d) finish grade; and

(e) stormwater retention improvements, if applicable.

(2) To prevent excessive erosion and Runoff, it is highly recommended that project Applicant(s):

(a) grade so that all Irrigation and normal rainfall remains within property lines and does not drain on to non-pervious hardscapes;

(b) avoid disruption of natural drainage patterns and undisturbed soil; and

(c) avoid soil compaction in Landscape Areas.

(3) The grading design plan shall contain the following statement: "*I have complied with the performance compliance option criteria of the MPWMD Water Efficient Landscape Requirements and applied them accordingly for the efficient use of water in the grading design plan.*" and shall bear the signature of a licensed professional as authorized by law.

4. **Irrigation Design Plan.**

a. This section applies to Landscaped Areas requiring permanent Irrigation, not areas that require temporary Irrigation solely for the plant establishment period of three years or less. For the efficient use of water, an Irrigation System shall meet all the requirements listed in this section and the manufacturers' recommendations. The Irrigation System and its related components shall be planned and

designed to allow for proper installation, management, and maintenance. An Irrigation Design Plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

b. Irrigation System Efficiency.

(1) The Irrigation System must be designed and installed to meet, at a minimum, the Irrigation Efficiency criteria described in Rule 142.1-I-5 regarding the MAWA.

(2) For the purpose of determining ETWU, average Irrigation Efficiency is assumed to be:

(a) 0.75 for overhead Irrigation Systems; and

(b) 0.81 for Drip Irrigation.

(3) Sprinkler head spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations. Head-to-head coverage is recommended.

c. The Irrigation Design Plan, at a minimum, shall contain the following:

(1) location and size of separate water meters and submeters;

(2) location, type, and size of all components of the Irrigation System, including Controllers, main and lateral lines, Valves, emission devices, moisture sensing devices, Rain Sensors, quick couplers, Pressure Regulating Devices, and Backflow Prevention Devices;

(3) static water pressure at the point of connection to the public water supply;

(4) Flow Rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for the emission devices controlled by each station;

(5) identification of Special Landscape Areas irrigated with and water features using Recycled Water as specified in Rule 142.1-B-2;

(6) identification of any applicable Graywater discharge

piping, system components, and Landscape Areas where Graywater is distributed;

(7) identification of Hydrozone areas shall be designated by number, letter, or other designation as identified on the Landscape Design Plan. Designate the areas irrigated by each Valve and assign a number to each Valve using the Water Efficient Landscape Worksheet (see Appendix A). This table can also assist with the Irrigation Audit and programming the Controller.

(a) Each Valve shall irrigate a Hydrozone, or part of a Hydrozone, with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

(8) the following statement: "*I have complied with the performance compliance option criteria of the MPWMD Water Efficient Landscape Requirements and applied them accordingly for the efficient use of water in the Irrigation Design Plan.*"; and

(9) the signature of the designer of record. (See Division 3, Chapter 3.5, Article 3 of the Business and Professions Code).

d. General Design Criteria.

(1) Backflow Prevention Devices shall be required to protect the water supply from contamination by the Irrigation System as specified in the California Plumbing Code (Cal. Code Regs., Title 24, Part 5, Chapter 6).

(2) The design of the Irrigation System shall conform to the Hydrozones of the Landscape Design Plan.

(3) Emission devices shall be selected based on what is appropriate for the plant type within that Hydrozone.

(4) Where feasible, trees shall be placed on separate stations from Hydrozones that include shrubs, groundcovers, and Turfgrass to facilitate the appropriate Irrigation of trees. The mature size and extent of the root zone shall be considered when designing Irrigation for the tree.

(5) In Mulched planting areas, the use of low-pressure and low

volume Irrigation Systems is required to maximize water infiltration into the root zone.

(6) Areas less than 10 feet in width in any direction shall be irrigated with subsurface Irrigation or other means that produces no Water Waste, Runoff, or Overspray.

(7) Individual Hydrozones that use a mix of plants with low and moderate plant factors, or moderate and high plant factors, may be allowed if the plant factor used in the calculation of the EWU is either:

(a) plant factor calculation is based on the proportions of the respective plant factors; or

(b) the highest plant factor is used.

(8) Individual Hydrozones that use a mix of plants with high and low plant factors shall not be permitted.

(9) Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing Irrigation Systems.

(10) Overhead Irrigation shall not be permitted within 24 inches of any non-pervious surface. Allowable Irrigation within the setback from non-permeable surfaces may include Drip Irrigation, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be Mulch, gravel, or other porous material. These restrictions may be modified if:

(a) no Runoff occurs; or

(b) the adjacent non-pervious surfaces are designed and constructed to drain entirely to landscaping; or

(c) the Irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates strict adherence to the prevention of Water Waste. Prevention of Overspray and Runoff must be confirmed during the Irrigation Audit.

(11) Restrictions regarding Overspray and Runoff in any Irrigation System may be modified if:

(a) the Landscape Area is adjacent to pervious surfaces and no Runoff occurs; or

(b) the adjacent non-pervious surfaces are designed and constructed to drain entirely to the landscaping.

(12) Slopes greater than 25% shall not be irrigated with an Irrigation System using an application rate exceeding 0.75 inches per hour.

(a) This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no Runoff or erosion will occur. Prevention of Runoff and erosion must be confirmed during the Irrigation Audit.

(13) It is highly recommended that the project Applicant inquire with the local water purveyor about water restrictions that may impact the effectiveness of the Irrigation System.

e. Irrigation System Components.

(1) Meters.

(a) Pursuant to California Water Code section 535, a water purveyor with 15 or more service Connections shall install a dedicated Irrigation Water Meter(s) for new retail water service to a property with more than 5,000 square feet of irrigated landscape, excluding Single-Family Residential Connections and Connections for the commercial production of agricultural crops or livestock.

(b) For the purposes of this rule, a submeter or dedicated Irrigation Meter shall be installed and may be used to assist with leak detection and water management for:

(i) Non-Residential landscapes with an irrigated landscape of 1,000 square feet but not more than 5,000 square feet.

(ii) Residential landscapes with an irrigated

landscape of 5,000 square feet or more.

(2) Water Pressure.

(a) Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

(b) If the static pressure is above or below the required dynamic pressure of the Irrigation System, Pressure Regulating Devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the Irrigation System.

(c) If the water pressure is below or exceeds the recommended pressure range of the specified emission devices, the installation of a Pressure-Regulating Device is required to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

(3) Water Waste Prevention Equipment.

(a) The Irrigation System shall be designed to prevent Water Waste.

(b) Master shut-off Valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.

(c) Manual shut-off Valves (such as a gate Valve, ball Valve, or butterfly Valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a break in the pressurized pipeline that delivers water from the water source to the Valve or outlet) or routine repair.

(d) Check Valves or anti-drain Valves are required on

all sprinkler heads where low point drainage could occur.

(e) Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of Turfgrass.

(f) Flow Sensors that detect high flow conditions created by system damage or malfunction are required for all Non-Residential and Residential landscapes of 5,000 square feet or larger.

(4) Emission Devices.

(a) Emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.

(b) All Irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2020 "Landscape Irrigation Sprinkler and Emitter Standard," which is incorporated herein by reference.

(i) All overhead Irrigation Systems installed in the landscape must document a low quarter distribution uniformity of 0.65 or higher using the protocol defined in ASABE/ICC 802-2020.

(c) Non-rotating spray sprinkler bodies are required to meet standards described in California Code of Regulations, Title 20, Division 2, Chapter 4, Section 1605.3(x).

(5) System Controls.

(a) Automatic Irrigation Controllers utilizing either Evapotranspiration or Soil Moisture Sensing Device data utilizing non-volatile memory shall be required for scheduling Irrigation events.

(b) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter Irrigation operation during unfavorable weather conditions shall be required on all Irrigation Systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.

5. **Water Efficient Landscape Worksheet.**

a. A project Applicant shall complete the Water Efficient Landscape Worksheet in Appendix A, which compares the landscape project's ETWU with the MAWA. ETWU must be equal to or below the MAWA.

(1) The MAWA is calculated based on the maximum ETAF allowed for the landscape project and is expressed as annual gallons allowed. The maximum ETAF allowed is:

(a) 0.55 for Residential Regular Landscape Areas,

(b) 0.45 for Non-Residential Regular Landscape Areas,

(c) 1.0 for new and existing (non-rehabilitated) Special Landscape Areas.

(2) ETWU is the sum of EWU for each Hydrozone. The evapotranspiration adjustment factor (ETAF) for each Hydrozone is based on the Plant Water Use Factor and the average Irrigation System Efficiency. EWU is calculated using the ETAF, Regular Landscape Areas, and the Special Landscape Areas.

(3) In calculating the MAWA and ETWU, a project Applicant shall use the ETo values from the Reference Evapotranspiration Table (Table 142.1-1).

b. Water budget calculations shall adhere to the following requirements:

(1) The Plant Water Use Factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources. The plant factor ranges are:

(a) less than 0.1 for very Low Water Use Plants,

(b) 0.1 to 0.3 for Low Water Use Plants,

(c) 0.4 to 0.6 for moderate water use plants,

(d) 0.7 to 1.0 for high water use plants.

(2) All Water Features shall use the high water use plant factor in the Water Budget calculations.

(3) Temporarily irrigated areas shall use the Low Water Use Plant factor in the Water Budget calculations.

(4) All Special Landscape Areas (SLA) shall be identified in the Landscape Design Plan (Rule 142.1-2) and the Irrigation Design Plan (Rule 142.1-4) and their water use calculated as shown in Rule 142.1-L.

(5) Effective Precipitation (Eppt) (25% of annual precipitation) may be considered in tracking water use and may use the following equation to calculate MAWA:

(a) Residential landscapes:

MAWA = (ETo - Eppt) x (0.62) x [0.55 x RLA + 1.0 x SLA].

(b) Non-Residential landscapes:

MAWA = (ETo - Eppt) x (0.62) x [0.45 x RLA + 1.0 x SLA].

6. **Irrigation Scheduling.**

a. All Irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health and prevent Water Waste. Irrigation schedules shall meet the following criteria:

(1) Irrigation scheduling shall be regulated by automatic Irrigation Controllers.

(2) Parameters used to set the automatic Irrigation Controller shall be developed and submitted with the Certificate of Completion for each of the following:

(a) the plant establishment period;

(b) the established landscape; and

(c) temporarily irrigated areas.

(3) Each Irrigation schedule shall consider for each station all of the following parameters that apply:

(a) Irrigation interval (days between Irrigation events);

(b) Irrigation run times (hours or minutes per Irrigation event to avoid Runoff and prevent Water Waste);

(c) number of cycle starts required for each Irrigation event to avoid Runoff and prevent Water Waste;

(d) amount of applied water scheduled to be applied on a monthly basis;

(e) application rate setting;

(f) root depth setting;

(g) plant type setting;

(h) soil type;

(i) slope factor setting;

(j) shade factor setting; and

(k) Distribution Uniformity or Irrigation efficiency setting.

(4) Irrigation Systems shall be scheduled between 5:00 p.m. and 9:00 a.m. on Saturdays and Wednesdays only, unless weather conditions prevent it, except for Irrigation overseen by a professional gardener or landscaper who is available on Site and that is not exceeding a maximum two watering days per week. Operation of the Irrigation System outside the normal watering window is allowed for auditing and system maintenance.

(5) Total annual applied water shall be less than or equal to

MAWA.

(a) Actual Irrigation schedules shall be regulated by automatic Irrigation Controllers using current Reference Evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.

(b) For implementation of the Irrigation schedule, carefully consider the Irrigation run times, emission device, flow rate, and current Reference Evapotranspiration, so that applied water does not exceed the ETWU.

7. **Landscape and Irrigation Maintenance Schedule.**

a. Landscapes shall be maintained to ensure water use efficiency. A regular Landscape and Irrigation Maintenance Schedule shall be submitted with the Certificate of Completion Package.

b. A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing, adjustment, and repair of the Irrigation System and its components; aerating and dethatching Turfgrass areas; topdressing with compost, replenishing Mulch; fertilizing; pruning; weeding in all Landscape Areas; and removing obstructions to emission devices.

(1) Operation of the Irrigation System outside the normal watering window is allowed for auditing and system maintenance.

c. Repair of all Irrigation equipment shall be done with replacement parts for the originally installed components or their equivalents, or with components that improve the average Irrigation Efficiency.

d. A project Applicant is encouraged to implement established landscape industry sustainable Best Management Practices for all landscape maintenance activities.

8. **Irrigation Audit.**

a. All landscape Irrigation Audits shall be conducted by a Certified Landscape Irrigation Auditor. Landscape Irrigation Audits shall not be conducted by the person who designed the landscape or installed the landscape.

b. In large landscape projects or landscape projects with multiple

landscape installations (i.e., production home developments) an auditing rate of 1 in 7 individual lots or approximately 15% of the total number of individual lots will satisfy this requirement.

c. For new construction and Rehabilitated Landscape projects installed after December 1, 2015, as described in Rule 142.1-I:

(1) the project Applicant shall submit an Irrigation Audit report with the Certificate of Completion Package to MPWMD that may include, but is not limited to, inspection, system tune-up, system test with distribution uniformity, and reporting Overspray or Runoff that causes overland flow; and

(2) MPWMD shall administer programs that may include, but not be limited to, Irrigation Water Use Analysis, Irrigation Audits, and Irrigation Surveys for compliance with the MAWA.

J. Certificate of Completion Package

The Certificate of Completion Package is completed by the project Applicant or their designee to certify that the landscape project has been installed in accordance with the MPWMD Water Efficient Landscape Requirements.

1. Prescriptive Compliance Option. The Certificate of Completion Package (see Rule 142.1-M for a sample certificate) shall include a Certificate of Completion limited to:

a. Project Information Sheet (Rule 142.1-M – Element 1);

b. according to the Landscape Documentation Package (Rule 142.1-M – Element 2);

c. addressing applicable parameters as described in Rule 142.1-I-6-a-(3) (Rule 142.1-M – Element 4); and

d. Landscape and Irrigation Maintenance Schedule (Rule 142.1-M – Element 5).

2. Performance Compliance Option. The Certificate of Completion Package (see Rule 142.1-M for a sample certificate) shall include the project information sheet that contains the following elements:

a. date the project information sheet is completed;

b. project name;

c. project Applicant name, telephone, and mailing and email address;

d. project address and location; and

e. property owner name, telephone, and mailing and email address.

f. certification by the designer of record that the landscape project has been installed per the approved Landscape Documentation Package (see Rule 142.1-G):

(1) Where there have been significant changes made in the field during construction, the As-Built Drawings or Record Drawings shall be included with the certification.

(2) A diagram of the Irrigation plan showing Hydrozones shall be kept with the Automatic Irrigation Controller for subsequent management purposes.

g. Soil Management Report, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations (see Rule 142.1-I-1);

h. Irrigation scheduling parameters used to set the Automatic Irrigation Controller (see Rule 142.1-I-6);

i. Landscape and Irrigation Maintenance Schedule (see Rule 142.1-I-7);

j. Irrigation Audit report (see Rule 142.1-I-8); and

3. The project Applicant shall:

a. submit the signed Certificate of Completion Package to the District for review; and

b. ensure that copies of the approved Certificate of Completion Package are submitted to the District and the property owner or their designee, unless the property owner is the project Applicant.

4. The District shall:

a. receive the signed Certificate of Completion Package from the project Applicant; and

b. approve or deny the Certificate of Completion Package. If the Certificate of Completion Package is denied, the District shall provide information to the project Applicant regarding reapplication, appeal, or other assistance.

K. Reporting

The District or its agent shall submit annual reports to the Department of Water Resources by January 31st for the previous calendar year (January 1 to December 31) using the WUEdata portal for submission.

L. Sample Water Efficient Landscape Worksheet

Rule 142.1-L
Sample Water Efficient Landscape Worksheet

When the performance compliance option is selected, this worksheet is to be filled out by the project applicant or their designee and is required to be submitted with the Landscape Documentation Package. Additional rows or multiple sheets should be used if there are more than 10 Hydrozones. The ETWU (gallons per year) must be equal to or less than the MAWA (annual gallons allowed) to comply with the MPWMD Water Efficient Landscape Requirements (Rule 142.1).

Project Applicant: _____ **Phone Number:** _____

Email Address: _____ **Date:** _____

Project address: _____ **APN:** _____ **(ETo a)** (in./year):

_____

Maximum Applied Water Allowance (MAWA):
MAWA = ETo a x 0.62 x [ETAF x RLA + 1.0 x SLA] = (Annual Gallons Allowed) The maximum ETAF allowed in the MAWA equation must be equal to or below:
0.55 -- for Residential Regular Landscape Areas (RLA)
0.45 -- for Non-Residential Regular Landscape Areas (RLA)
1.0 -- for Special Landscape Areas (SLA)

Estimated Total Water Use (ETWU) Table: (see instructions)

A	***B***	***C***	***D***	***E***	***F***
Hydrozone (Number, letter, or other designation)	***Plant Factor [b] "PF"***	***Irrigation Efficiency[c] "IE"***	***Evapotranspiration Adjustment Factor ETAF = PF / IE***	***Hydrozone Area (sq. ft.)***	***Estimated Water Use "EWU" = D x E x ETo[a] x 0.62 (gallons/ year)***
SLA -	NA	NA	1.0		
SLA -	NA	NA	1.0		
SLA -	NA	NA	1.0		
ETWU Total	NA	NA	NA	NA	
MAWA	NA	NA	NA	NA	

[a] Annual ETo for the nearest City	[b] Plant Factor (PF) from WUCOLS:	[c] Average Irrigation System
from Table 142.1-1	Very Low = less than 0.1	Efficiency (IE):
	Low = 0.1 - 0.3	Overhead Irrigation = 0.75
	Moderate = 0.4 - 0.6	Drip Irrigation = 0.81
	High = 0.7 - 1.0	

WATER EFFICIENT LANDSCAPE WORKSHEET INSTRUCTIONS

1. Reference Evapotranspiration

a. Look up the Annual ETo[a] value for the nearest City using the Reference Evapotranspiration (ETo) Table provided in Table 142.1-1 and use this value in the EWU and MAWA calculations.

2. Calculate the Maximum Applied Water Allowance (MAWA).

a. RLA is the total regular Landscape Area in square feet.

b. SLA is the total Special Landscape Area in square feet.

c. MAWA is calculated based on the maximum ETAF allowed for the type of Landscape Areas for the landscape project and is expressed as annual gallons allowed.

d. Effective Precipitation. The following equation may be used to calculate MAWA:

3. Residential landscapes:

MAWA = (ETo - Eppt) x (0.62) x [0.55 x RLA + 1.0 x SLA]

4. Non-Residential landscapes:

MAWA = (ETo - Eppt) x (0.62) x [0.45 x RLA + 1.0 x SLA]

5. Calculate the Estimated Total Water Use (ETWU).

a. Column A – List each Hydrozone using the label corresponding to the Landscape Design Plan.

b. Columns B and C – Complete the ETWU table for each Hydrozone based on the Plant Water Use Factor (PF) and the average Irrigation Efficiency (IE). The PF is found in Water Use Classification of Landscape Species (WUCOLS).

c. Column D – calculate the ETAF for each Hydrozone by dividing the PF (Column B) by the IE (column C); write the result in column D.

d. Column E – for each Hydrozone measure and report:

i. Regular Landscape Area (RLA) as defined in MPWMD Rule 11.

ii. Special Landscape Areas (SLA), as defined in MPWMD Rule 11, are not included in RLA measurements.

e. Column F – calculate the Estimated Water Use (EWU) for each Hydrozone by multiplying columns D, E, ETo a and 0.62 (conversion factor) and write the result in column F.

f. ETWU – is the sum of EWU for each Hydrozone and is expressed as gallons per year.

6. Compare ETWU with MAWA.

The ETWU (gallons per year) must be equal to or less than the MAWA (annual gallons allowed) to comply with WELO.

M. Sample Certificate of Completion Package

Rule 142.1-M
Sample Certificate of Completion Package

This certificate is filled out by the project Applicant to certify that the landscape project has been installed in accordance with the MPWMD Water Efficient Landscape Requirements (Rule 142.1).

(a) Prescriptive Compliance Option is limited to elements 1, 2, and 4.
(b) Performance Compliance Option shall include all six (6) elements.

ELEMENT 1. PROJECT INFORMATION SHEET
Applicant Information:

Name of Project Applicant (or designee if applicable):	Project Name:
Name of Property Owner (if different):	Title:
Street Address:	Water Supply Type (Circle One):
City:	Potable / Recycled / Well / Other (specify)
Email:	Water Purveyor:
Company:	Phone No.:

Project Address and Location:

Street Address:	Parcel Number:
City:	Meter number(s) (if available):
Zip Code:	

ELEMENT 2. CERTIFICTION OF INSTALLATION ACCORDING TO THE LANDSCAPE DOCUMENTATION PACKAGE

Certification by the designer of record that the landscape project has been installed per the approved Landscape Documentation Package per Rule 142.1-G and the applicable documents:

(A) Where there have been significant changes made in the field during construction, these As-Built Drawings or Record Drawings shall be included.
(B) A diagram of the Irrigation plan showing Hydrozones shall be kept with the Automatic Irrigation Controller for subsequent management processes.

"I/we certify that based upon periodic site observations, the work has been completed in accordance with MPWMD Water Efficient Landscape Requirements and that the landscape planting and Irrigation installation conform with the criteria and specifications of the approved Landscape Documentation Package."

Primary Designer of Record Signature		Date
Secondary Designer of Record Signature		Date

ELEMENT 3. SOIL MANAGEMENT REPORT

Attach Soil Management Report, if not previously submitted with the Landscape Documentation Package per MPWMD Rule 142.1-I-1.

Attach documentation verifying implementation of recommendations from the soil analysis management report.

ELEMENT 4. IRRIGATION SCHEDULING PARAMETERS

Attach irrigation scheduling parameters used to set the Automatic Irrigation Controller per MPWMD Rule 142.1-I-6.

ELEMENT 5. LANDSCAPE AND IRRIGATION MAINTENANCE SCHEDULE

Attach landscape and Irrigation maintenance schedule per MPWMD Rule 142.1-I-7.

ELEMENT 6. IRRIGATION AUDIT REPORT

Attach Irrigation Audit report per MPWMD Rule 142.1-I-8.

PROJECT APPLICANT SIGNATURE:

"I/we certify that I/we have received copies of all the documents within the Certificate of Completion Package and that it is our responsibility to see that the project is maintained in accordance with the Landscape and Irrigation Maintenance Schedule."

Project Applicant (or designee) Signature		Date

Please answer the questions below:

1. Date the Landscape Documentation Package was submitted to the local agency:

2. Date the Landscape Documentation Package was approved by the local agency:

3. Date that a copy of the Water Efficient Landscape Worksheet (including the Water Budget Calculation) was submitted to MPWMD:

N. Table 142.1 Reference Evapotranspiration

Table 142.1-1. Monterey County Reference Evapotranspiration (ETo) Table[1]
(All values shown in inches)

Monterey County[2]	*Jan*	*Feb*	*Mar*	*April*	*May*	*Jun*	*July*	*Aug*	*Sept*	*Oct*	*Nov*	*Dec*	*Annual*
													ETo
Bradley	1.7	2.3	3.7	4.8	6.3	7.1	7.5	6.8	5.5	3.9	2.3	1.6	53.6
Carmel Valley Village	1.7	2.0	3.0	3.7	4.4	4.9	4.9	4.6	3.9	3.1	2.0	1.4	39.7
Carmel-by-the-Sea	1.7	2.0	2.9	3.5	3.9	4.0	3.9	3.7	3.4	2.9	2.0	1.5	35.4
Castroville	1.6	2.0	3.1	3.9	4.6	5.0	4.8	4.5	4.0	3.1	1.9	1.4	39.8
King City	1.7	2.2	3.5	4.7	6.0	6.7	6.9	6.3	5.2	3.8	2.3	1.5	50.9
Marina	1.6	2.0	3.1	3.8	4.4	4.7	4.5	4.3	3.8	3.1	2.0	1.4	38.7
Monterey	1.7	2.0	2.9	3.6	4.0	4.3	4.2	4.0	3.6	3.0	2.0	1.4	36.7
Moss Landing	1.6	2.0	3.1	3.9	4.6	4.8	4.6	4.3	3.9	3.1	1.9	1.4	39.1
Pacific Grove	1.7	1.9	2.9	3.5	3.9	4.1	3.8	3.6	3.4	2.9	1.9	1.4	35.1
Salinas	1.6	2.0	3.2	4.1	4.9	5.4	5.5	5.1	4.3	3.3	2.0	1.4	42.8
Seaside	1.7	2.0	3.0	3.7	4.3	4.6	4.5	4.2	3.8	3.1	2.0	1.4	38.2
Soledad	1.6	2.1	3.4	4.4	5.6	6.3	6.4	5.9	4.9	3.6	2.2	1.5	47.8

[1] The defined boundaries of each city and place are from the California Open Data website. The shapefiles and description can be found at (https://data.ca.gov/dataset/ca-geographic-boundaries/resource/436fc714-831c-4070-b44b-b06dcde6bf18).

[2] The Eto values are monthly averages of Special California Irrigation Management Information System (CIMIS) for the 2004 to 2021 period. The Annual Eto is the sum of the monthly averages. Eto is expressed in inches.

O. Definitions Used In Regulation XV

The following Rule 11 Definitions are used in Regulation XV:

APPLICANT – "Applicant" shall mean the Person or Persons responsible for completing the requirements of an application. The "Applicant" is usually the property or business owner.

AS-BUILT DRAWINGS – "As-Built Drawings" shall mean landscape drawings prepared by the contractor that show, in red ink, on-site changes to the original landscape construction documents.

AUTOMATIC IRRIGATION CONTROLLER – "Automatic Irrigation Controller" shall mean a timing device used to remotely control valves that operate an Irrigation System. Automatic Irrigation Controllers are able to self-adjust and schedule Irrigation events using either Evapotranspiration (weather-based) or soil moisture data.

BACKFLOW PREVENTION DEVICE – "Backflow Prevention Device" shall mean a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water.

BEST MANAGEMENT PRACTICES – "Best Management Practices (BMP)" or "BMP" shall mean a conservation measure or series of measures that is useful, proven, cost-effective, and generally accepted among conservation experts to reduce water consumption and protect water quality.

CERTIFICATE OF COMPLETION – "Certificate of Completion" shall mean the document with the required elements pursuant to Rule 142.1-J.

CERTIFICATE OF COMPLETION PACKAGE – "Certificate of Completion Package" shall mean the document with the required elements pursuant to Rule 142.1-J.

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

COMMON INTEREST DEVELOPMENT (CID) – "Common Interest Development" shall mean community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Article 2. Definitions [4075 - 4190] (Article 2 added by Stats. 2012, Ch. 180, Sec. 2.).

CONTROLLER – "Controller" shall mean an automatic timing device used to remotely control valves or heads to operate an Irrigation System. A weather-based Controller is a Controller that utilizes Evapotranspiration or weather data to make adjustments to Irrigation schedules. A self-adjusting Irrigation Controller is a Controller that uses sensor data (e.g., soil moisture) to adjust Irrigation schedules.

DISTRIBUTION UNIFORMITY (DU) – "Distribution Uniformity (DU)" shall mean the

measure of the uniformity of Irrigation water over a defined area.

DRIP IRRIGATION – "Drip Irrigation" shall mean any non-spray Low Volume Irrigation System utilizing emission devices with a Flow Rate measured in gallons per hour. Low Volume Irrigation Systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants. The term "Drip Irrigation" shall have the same meaning as "Micro Irrigation" and "Trickle Irrigation."

EFFECTIVE PRECIPITATION (EPPT) – "Effective Precipitation" ("Eppt") shall mean the portion of total precipitation which becomes available for plant growth. Effective Precipitation is also known as "useable rainfall."

ESTIMATED TOTAL WATER USE (ETWU) – "Estimated Total Water Use" ("ETWU") shall mean the total water used for the landscape based on the plants used in the landscape design.

ESTIMATED WATER USE (EWU) – "Estimated Water Use" (EWU) is the calculated water used for each Hydrozone as described in Rule 142.1-L. Estimated Water Use equals the Evapotranspiration Adjustment Factor times the Hydrozone area in square-feet times the appropriate Evapotranspiration Adjustment Factor x 0.62.

EVAPOTRANSPIRATION ADJUSTMENT FACTOR or ET ADJUSTMENT FACTOR – "Evapotranspiration Adjustment Factor" or "ET Adjustment Factor" ("ETAF") shall mean, except for Special Landscape Areas, a factor of 0.55 for Residential projects and 0.45 for Non-Residential projects that, when applied to Reference Evapotranspiration, adjusts for Plant Water Use Factors and Irrigation Efficiency.

FLOW RATE – "Flow Rate" shall mean the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

FRIABLE – "Friable" shall mean a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.

GRAYWATER – "Graywater" shall mean untreated waste water which has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes, but is not limited to; waste water from bathtubs, showers, Bathroom Washbasins, clothes washing machines and laundry tubs. It does not include waste water from Kitchen Sinks and Dishwashers Health and Safety Code Section 17922.12. "Graywater" shall have the same meaning as "Greywater."

GREENBELT – "Greenbelt" means cemeteries, Golf Courses, parks, highway Landscaping and shall include other broad expanses of Landscape area including housing and other Projects with common Landscape uses.

HYDROZONE – "Hydrozone" shall mean a portion of the Landscape Area having plants with similar water needs and rooting depths served by a valve or set of valves with the same schedule. A Hydrozone may be irrigated or non-irrigated.

INVASIVE PLANT SPECIES – "Invasive Plant Species" shall mean a species of plants not historically found in California that spreads outside cultivated areas and can damage environmental or economic resources and is listed as an Invasive Plant Species in either the California Invasive Plant Inventory; USDA invasive, noxious weeds database, or the Landscape Manual.

IRRIGATION AUDIT – "Irrigation Audit" shall mean an in-depth evaluation of the performance of an Irrigation System conducted by a Certified Landscape Irrigation Auditor. An Irrigation Audit shall include, but is not limited to: inspection, system tune-up, system test with Distribution Uniformity or emission uniformity, reporting Overspray or Runoff that causes overland flow, and preparation of an Irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association's Landscape Irrigation Auditor certification program or other U.S. Environmental Protection Agency "WaterSense" labeled auditing program.

IRRIGATION DESIGN PLAN – "Irrigation Design Plan" "IE" shall mean an Irrigation plan and drawings designed and signed by a licensed Landscape Architect, Certified Irrigation Designer, licensed Landscape Contractor, or any other Person authorized to design an Irrigation System (see Sections 5615, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code).

IRRIGATION EFFICIENCY – "Irrigation Efficiency" shall mean the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation Efficiency is derived from measurements and estimates of Irrigation System characteristics and management practices. The Irrigation Efficiency is 0.75 for overhead spray devices and 0.81 for drip systems.

IRRIGATION SURVEY – "Irrigation Survey" shall mean an evaluation of an Irrigation System that is less detailed than an Irrigation Audit.

IRRIGATION SYSTEM – "Irrigation System" shall mean a device or combination of devices having a hose, pipe or other type of conduit installed in the Landscape which transmits water, and through which device or combination of devices, water is drawn and applied to Residential, industrial or commercial lawns, Landscapes or green space.

IRRIGATION WATER USE ANALYSIS – "Irrigation Water Use Analysis" shall mean an analysis of water use data based on meter readings and billing data.

JURISDICTION – "Jurisdiction" shall mean one of the following: (1) Carmel-by-the-Sea, (2) Del Rey Oaks, (3) Monterey City, (4) Monterey County, (5) Monterey Peninsula Airport District, (6) Pacific Grove, (7) Sand City, (8) Seaside, and (9) Department of Defense.

LANDSCAPE AND IRRIGATION MAINTENANCE SCHEDULE – "Landscape and Irrigation Maintenance Schedule" shall mean a document provided to the property owner and submitted with the Certificate of Completion for landscape installation that provides information about routine inspection; auditing, adjustment and repair of the Irrigation System and its components; aerating and dethatching Turf areas; topdressing with Compost, replenishing Mulch; fertilizing; pruning; weeding in all Landscape Areas;

and removing obstructions to emission devices.

LANDSCAPE AREA – "Landscape Area" shall mean all the planting areas, Turf areas, and Water Features in a Landscape Design Plan subject to the Maximum Applied Water Allowance and the Estimated Applied Water Use calculations. The Landscape Area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other Pervious or non-Pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., Open Spaces and existing Native Vegetation).

LANDSCAPE DESIGN PLAN – "Landscape Design Plan" shall mean a plan (and drawings) that: (1) delineates and labels each Hydrozone; (2) identifies each Hydrozone as low, moderate, high water, or mixed water use; (3) identifies any Recreational Areas; (4) identifies areas permanently and solely dedicated to edible plants; (5) identifies areas irrigated with Recycled Water; (6) identifies type of Mulch and application depth; (7) identifies soil amendments, type, and quantity; (8) identifies type and surface area of any Water Features; (9) identifies hardscapes (Pervious and non-Pervious); (10) identifies applicable storm water Best Management Practices; (11) identifies any applicable rain harvesting or catchment technologies; and (12) identifies any applicable Graywater discharge piping, system components and area(s) of distribution. A Landscape Design Plan must be signed by a licensed Landscape Architect, Certified Irrigation Designer, licensed Landscape Contractor, or any other Person authorized to design an Irrigation System (see Permitted Practices in California prepared by the Landscape Architects Technical Committee (LATC), the licensing and regulatory agency for the practice of landscape architecture in California. "Landscape Design Plan" shall also be known as a "Planting Plan."

LANDSCAPE DOCUMENTATION PACKAGE – "Landscape Documentation Package" means the documents required per the compliance option chosen by the applicant, as described in Rule 142.1-G.

LANDSCAPE WATER PERMIT – "Landscape Water Permit" shall mean a permit issued by the District for landscape projects subject to Rule 142.1.

LOW WATER USE PLANT – "Low Water Use Plant" shall mean any plant categorized as low water need by the Water Use Classification of Landscape Species ("WUCOLS") guide.

MAXIMUM APPLIED WATER ALLOWANCE (MAWA) – "Maximum Applied Water Allowance" shall mean the upper limit of annual Applied Water for the established Landscape Area. It is based upon the area's Reference Evapotranspiration, the ET Adjustment Factor, and the size of the Landscape Area.

MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (MWELO) – "Model Water Efficient Landscape Ordinance" shall refer to the California Code of Regulations, Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7. Model Water Efficient Landscape Ordinance.

MULCH – "Mulch" shall mean any organic material such as leaves, bark, straw, Compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing

evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

NEW CONSTRUCTION – "New Construction" means any construction of a previously nonexistent structure or additions to a structure requiring a discretionary or ministerial permit. "New Construction" shall include additions, modifications, or structural improvements which add square footage to floor space of Existing Structures.

NON-POTABLE – "Non-Potable Water" shall mean water which is not fit for human consumption.

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

OVERSPRAY – "Overspray" shall mean the irrigation water that is delivered beyond the Landscape Area, wetting pavements, walks, structures, or other non-Landscaped Areas.

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

PLANT WATER USE FACTOR – "Plant Water Use Factor" shall mean a value, when multiplied by "Reference Evapotranspiration," that estimates the amount of water needed by plants. The Plant Water Use Factor range for very Low Water Use Plants is less than 0.1, the Plant Water Use Factor range for Low Water Use Plants is 0.1 to 0.3, the Plant Water Use Factor range for Moderate Water Use Plants is 0.4 to 0.6, and the Plant Water Use Factor range for High Water Use Plants is 0.7 to 1.0. Plant Water Use Factors are derived from the publication "Water Use Classification of Landscape Species." Plant Water Use Factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources.

POTABLE – "Potable" shall mean water that is suitable for drinking.

PRESSURE REGULATING DEVICE – "Pressure Regulating Device" shall mean a water pressure reducing device installed in the water line after the Water Meter that automatically reduces the pressure from the water supply main to a lower pressure.

RAIN SENSOR – "Rain Sensor" shall mean a component of an Irrigation System which automatically suspends Irrigation when it rains. The term "Rain Sensor" shall have the same meaning as the term "Rain Sensing Shutoff Device."

RECORD DRAWINGS – "Record Drawings" shall mean landscape documents prepared by the Landscape Architect that reflects on-site changes the contractor noted in the As-Built Drawings. They are often compiled as a set of on-site changes made for the owner per the owner-architect contract.

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

REFERENCE EVAPOTRANSPIRATION – "Reference Evapotranspiration" shall mean a standard measurement of environmental parameters which affects the water use of plants. Reference Evapotranspiration is expressed in inches per day, month, or year, and is an estimate of the Evapotranspiration of a large field of four to seven inches tall, cool-season grass that is well watered. Reference Evapotranspiration is used as the basis of determining the Maximum Applied Water Allowance so that regional differences in climate can be accommodated.

REGULAR LANDSCAPE AREA – "Regular Landscape Area" (RLA) is the portion of the irrigated Landscape Area that is not a Special Landscape Area. RLA = LA - SLA.

REHABILITATED LANDSCAPE – "Rehabilitated Landscape" shall mean any relandscaping of existing landscapes where the modified Landscape Area is equal to or greater than two thousand five hundred (2,500) square feet.

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

RUNOFF – "Runoff" shall mean water which is not absorbed by the soil or landscape to which it is applied and flows from the Landscape Area. For example, Runoff may result from water that is applied at too great a rate (application rate exceeds Infiltration Rate) or when there is a slope.

SOIL MANAGEMENT REPORT – "Soil Management Report" shall mean an analysis of the existing soil conditions relative to horticulture (versus agriculture or structural integrity) resulting in recommendations of appropriate soil amendments.

SOIL MOISTURE SENSING DEVICE – – "Soil Moisture Sensing Device" shall mean a device that measures the amount of water in the soil. The device may also suspend or initiate an Irrigation event.

SPECIAL LANDSCAPE AREA (SLA) – "Special Landscape Area" or "SLA" shall mean an area of the landscape irrigated with Recycled Water, Water Features using Recycled Water, and areas dedicated to active play such as parks, sports fi elds, golf courses, and where Turf provides a playing surface.

TURF or TURFGRASS – "Turf" or "Turfgrass" shall mean a ground cover surface of mowed grass and does not include artificial Turf surfaces. For example, Annual Bluegrass, Kentucky Bluegrass, Perennial Ryegrass, Red Fescue, and Tall Fescue are cool-season grasses and Bermuda Grass, Kikuyu Grass, Seashore Paspalum, St. Augustine Grass, Zoysia Grass, and Buffalo Grass are warm-season grasses.

VALVE – "Valve" shall mean a device used to control the flow of water in the Irrigation System.

WATER BUDGET – "Water Budget" shall mean a maximum annual water allowance in gallons per year that takes into consideration the types of plants, Evapotranspiration Rates and Irrigation System.

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

WATER EFFICIENT LANDSCAPE WORKSHEET – "Water Efficient Landscape Worksheet" shall mean the form used in the Landscape Package to calculate the Water Budget for a landscape. The form is found in Appendix B of the Landscape Package.

WATER FEATURE – "Water Feature" shall mean a design element where open water performs an aesthetic or recreational function. Water Features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and Swimming Pools where water is artificially supplied. The surface area of Water Features is included in the high water use Hydrozone of the Landscape Area. Constructed facilities used for Site waste water treatment or Storm Water Control Measures that are not irrigated and used solely for water treatment or storm water retention are not considered Water Features.

WATER METER – "Water Meter" means any measuring device intended to measure water usage. The term "Water Meter" shall have the same meaning as the term "Water Measuring Device."

WATER PERMIT – "Water Permit" shall mean a document issued by the MPWMD that authorizes a specific amount and type of water use on a Site.

WATER WASTE – "Water Waste" shall mean the indiscriminate, unreasonable, or excessive running or dissipation of water as defined in Rule 162.

WELL – "Well" means any device or method, mechanical or otherwise, for the production of water from Groundwater supplies within the District excluding seepage pits and natural springs.

WUCOLS – "WUCOLS" shall mean the Water Use Classification of Landscape Species guide published by the University of California Cooperative Extension and the California Department of Water Resources 2014, as may be periodically updated.

Rule added by Ordinance No. 199 (11/17/2025); amended by Ordinance No. 203 (X/XX/XX)

ITEM: ACTION ITEM

11. CONSIDER ADOPTION OF RESOLUTION NO. 2026-11 – ESTABLISH A TIME-LIMITED MULTI-FAMILY RESIDENTIAL SITES COMMON LAUNDRY ROOM AMNESTY AND REBATE PROGRAM

Meeting Date:	**October 19, 2026**	**Budgeted:**	**Yes**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**Water Conservation and Rebates**
Prepared By:	**Mollie Wooden**	**Cost Estimate:**	**$535,500 over two years**

General Counsel Review: To be completed
Committee Recommendation: The Water Demand Committee reviewed this item on October 1, 2026, and recommended approval. The Finance and Administration Committee reviewed this item on October 12, 2026, and recommended approval.
CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.

SUMMARY: Ordinance No. 178, adopted in 2017, required Multi-Family Residential Sites and Common Interest Developments with four or more Dwelling Units to meet specified water-efficiency standards by January 1, 2019, including a requirement for High Efficiency Clothes Washers (HEWs) in Common Laundry Rooms. Common Laundry Rooms provide excellent opportunities for water conservation because the frequency of use for each Clothes Washer is much greater than in-home machines. Most older coin-operated Clothes Washers have a Water Factor rating of 12 to 14, using 35-45 gallons per load. Newer water efficiency models have a Water Factor rating of 4.3 or less, using less than 18 gallons per load.

Staff selected the City of Monterey as the first Jurisdiction for focused inspection and enforcement of the requirements. Of 370 known Multi-Family Residential Sites, 219 were inspected and 71 failed. Sixty-five Sites had a noncompliant Clothes Washer: Fifty-two of those were owner-owned, and the remainder were rented through a third party.

Measure	Result
Known Multi-Family Residential Sites	370
Sites inspected	219
Sites that failed inspection	71
Sites that failed for a noncompliant HEW	65
Owner-owned noncompliant Clothes Washers	52

The District's goal is to achieve compliance with water conservation requirements while ensuring that required retrofits are completed and water savings are realized. Under the District's standard enforcement process, a Notice of Non-Compliance is recorded on the property title after repeated written notifications to the property owner. Once recorded, the Notice remains in place until the property changes ownership, the owner applies for a Water Permit, or the District takes further legal action to achieve compliance. Rather than relying solely on enforcement measures that may not result in completed retrofits or water savings, staff has determined that offering compliance incentives through Rebates would be a more effective approach to encouraging property owners to complete the required retrofits and achieving the intended water savings.

It should be noted that, when Ordinance No. 178 was adopted, letters were mailed to Multi-Family Residential Site property owners and managers outlining the requirements and compliance deadline. The letters also provided information about available Rebate opportunities, including $1,000 Rebate per Clothes Washer. These were offered through the compliance deadline. Rebates are no longer available once a retrofit becomes mandatory, which these did in 2019.

Staff recommend support for a time-limited Multi-Family Residential Sites Common Laundry Room Amnesty and Rebate Program to achieve the required retrofits and realize real water savings.

DISCUSSION: Staff propose a time-limited amnesty and rebate program providing a $750 Rebate per qualifying HEW, limited to four Clothes Washers per Site.

Sites with more than 4 Clothes Washers may request additional Rebates for additional qualifying Clothes Washers, subject to General Manager approval. Approval is necessary to ensure not one site monopolizes a majority of the funding. Along with General Manager approval the Applicant shall agree to have a deed restriction recorded on the title of the property allowing public access to water use records prior to issuance of a Rebate and would be subject to fees for deed preparation, review and recordation for the Applicant as applicable. This deed restriction would allow Staff to monitor reduced consumption directly related to this program. Correcting the 65 known HEW failures in the City of Monterey would reduce consumption by approximately 50% per load of laundry.

The Board has previously authorized a highly successful Amnesty Program that resulted in closure of 84 percent of non-compliant Water Permits. Resolution No. 2024-13 authorized a one-time amnesty through September 30, 2025, for a defined class of older open Water Permits. It temporarily suspended selected applications, Capacity Fee, plan-stamping, water-use calculation, and enforcement-fee rules so owners could close permits that might otherwise remain open indefinitely.

The proposed time-limited Common Laundry Room Amnesty and Rebate Program would follow the basic structure of Resolution No. 2024-13 by defining an eligible class, setting a fixed deadline, temporarily waiving specified charges, and requiring compliance as a condition of relief. Unlike Resolution No. 2024-13, this program would help fund physical retrofits. Staff are proposing a $750 rebate based on the following criteria: Enrollment would close December 31, 2028, subject to availability of funds, with early termination if the program materially affects availability of other Rebates.

Program Element	Proposed Requirement
Eligible Site	A Multi-Family Residential Site or Common Interest Development with four or more Dwelling Units and a noncompliant Clothes Washer in a Common Laundry Room. Property should be served by California American Water (Cal-Am).
Eligible Applicant	The property owner or an Applicant with written authorization from the current property owner or property manager, consistent with Rule 141-E-4. (See below)
Rebate	$750 per qualifying HEW, limited to four Clothes Washers per Site. An additional Rebate(s) may be available given General Manager approval and deed restriction. Rebate shall not exceed the actual cost of the appliance.
Amnesty	Waiver of designated lien-removal, reinspection, or administrative charges arising from the disclosed Clothes Washer violation. Qualification for Rebate for mandatory retrofit.
Payment	Installation documentation and a passing final District inspection of the entire Site is required before payment.
Funding	Budgeted funds for Rebate program. First come, first served subject to available funds through Cal-Am’s 2027-29 General Rate Case. Monitor for impact on availability of Rebates for other devices and consider closing program if needed. Rebates for non-Cal-Am customers are available from District funds.

FISCAL IMPACT

The City of Monterey trial provides the basis for estimating District-wide costs for a time-limited Common Laundry Room Amnesty and Rebate Program. Of approximately 1,700 Multi-Family Residential Sites, staff assume 70 percent, or 1,190 Sites, will be inspected. At a projected 30 percent HEW failure rate, 357 Sites may qualify. With an average of two Clothes Washers per Site and a $750 Rebate, the projected two-year cost is $535,500, or $267,750 per year if every eligible Site applied.

Planning Assumption	Amount
Estimated Multi-Family Residential Sites in the District	1,700
Expected inspection participation	70%
Expected inspections	1,190
Projected HEW failure rate	30%
Projected eligible Sites	357
Average Clothes Washers per Site	2
Projected Rebates	714
Rebate amount	$750
Two-year projected cost	$535,500
Average annual cost	$267,750

Rebates for eligible Sites served by Cal-Am would be funded through Cal-Am's $1.1 million, three-year conservation budget.

Rebates for eligible Sites within the District that are not served by Cal-Am would be funded through the District's separate $350,000 Rebate budget. If needed, staff may propose a budget increase during the mid-year budget review.

Staff anticipates that the proposed program can be funded within the existing Cal-Am and District Rebate budgets. Participation in the existing Rebate Program has declined as more Sites are equipped with efficient appliances. Ordinance No. 201 also reduced the amounts offered for several Rebates. These trends are expected to reduce overall Rebate expenditures, leaving funds available to support the proposed program.

PROGRAM CONTROLS

- Staff shall confirm Cal-Am reimbursement before implementing the program. Funding for non-Cal-Am customers will be from the District budget for Rebates. Rebates will be issued after verification of compliance and after funding is received from Cal-Am.

- Limit each Site to four HEWs per Site unless Applicant obtains General Manager approval and agrees to have a deed restriction recorded on the title of the property allowing public access to water use records prior to issuance of a Rebate. Rebate is not more than actual eligible cost.

- Report enrollment, inspections, HEWs installed, funds reserved, funds paid, and estimated water savings to the Board periodically.

- Analyze reports when program reaches 50% of anticipated Rebate funds allocated to establish the effect on the rest of the Rebate program.

- Seek Board approval for early termination if the program materially affects other Rebates.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board adopt a Common Laundry Room Amnesty and Rebate Program and Resolution 2026-11. The Rebate would be a maximum of $750 per qualifying HEW limited to four HEWs per Site unless Site obtains General Manager approval and deed restriction for any additional Rebate and the Rebate is not more than actual eligible cost with applications due December 31, 2028.

EXHIBIT

11-A Draft Resolution No. 2026-11

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EXHIBIT 11-A

DRAFT
RESOLUTION NO. 2026-11
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT ESTABLISH A TIME-LIMITED MULTI-FAMILY RESIDENTIAL SITES COMMON LAUNDRY ROOM AMNESTY AND REBATE PROGRAM

WHEREAS: Ordinance No. 178 amended Rule 142-F to require Multi-Family Residential Sites and Common Interest Developments with four or more Dwelling Units to meet water efficiency standards before January 1, 2019, including High Efficiency Clothes Washers (HEWs) in Common Laundry Rooms; and

WHEREAS: The District has identified noncompliant Clothes Washers in Common Laundry Rooms, and timely replacement would reduce Water Use; and

WHEREAS: Rule 141-C-2 presently excludes a Rebate for a Qualifying Device required by District regulation, and a conforming amendment is necessary to authorize the temporary Rebate described in this Resolution; and

WHEREAS: The Board desires to establish a limited amnesty program and a reduced $750 Rebate to encourage prompt compliance, subject to available funds, reimbursement, inspection, and a fixed application deadline;

THEREFORE, BE IT RESOLVED: The Board of Directors of the Monterey Peninsula Water Management District hereby adopts the following provisions:

1. **Program and scope.** The Time-limited Multi-Family Residential Sites Common Laundry Amnesty and Rebate Program is established for eligible Sites throughout the District. Capitalized terms have the meanings assigned in Rule 11 unless otherwise stated.

2. **Rebate.** An eligible Applicant may receive $750 for each qualifying HEW installed to replace a noncompliant Clothes Washer in a Common Laundry Room, for no more than four Clothes Washers per Site. An Applicant may request additional Rebate upon approval by the General Manager and Applicant agrees to have a deed restriction recorded on the title of the property allowing public access to water use records. Prior to issuance of a Rebate the Applicant would be subject to fees for deed preparation, review and recordation as applicable. Payment shall not exceed the actual purchase price, nor shall it or duplicate

another Rebate or credit for the same device.

3. **Limited amnesty.** For a disclosed, eligible Common Laundry Room Clothes Washer violation corrected under this program, the District shall waive any relevant fees and charges. Amnesty does not excuse other violations, requirements, or ongoing compliance.

4. **Application and verification.** Applications must be received before December 31, 2028. The property owner, or an Applicant with written authorization from the current property owner or property manager, may apply. The District shall verify eligibility, efficiency requirements, installation documentation, and conduct a passing final District inspection before payment.

5. **Funding and oversight.** Rebates shall be offered first come, first served only while funds are available. Staff shall confirm California American Water (Cal-Am) reimbursement before implementing the program. Applications where the Qualifying Device is in the District but not a Cal-Am customer will be funded by the District budget for Rebates. All Rebates will be issued after verification of compliance and after funding is received from Cal-Am or the District funds. Staff will report periodically to the Water Demand Committee on participation, inspections, installations, expenditures, and estimated water savings. Staff shall stop accepting new Applications when available funds are committed and return to the Board if the program is or has the potential to materially affect other Rebates.

6. **Effective date and expiration.** The Rebate and any waiver of fees and charges shall take effect upon the effective date of this Resolution. The application period ends December 31, 2028, unless the Board ends it earlier.

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

AYES:
NAYES:
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 ____ day of _____ 2026.

Dated:

_____
David J. Stoldt,
Secretary to the Board

ITEM: INFORMATIONAL ITEM/STAFF REPORT

13. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER $25,000

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Nishil Bali**	**Cost Estimate:**	**N/A**

General Counsel Review: N/A
Committee Recommendation: The Finance and Administration Committee reviewed this item on October 12, 2026.
CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Attached for review as **Exhibit 13-A** is a monthly status report on contracts over $25,000 for the period August 2026. Contracts associated with District grants are provided in a separate section for reference. This status report is provided for information only, no action is required.

EXHIBIT
13-A Status on District Open Contracts (over $25k)

EXHIBIT 13-A

Monterey Peninsula Water Management District
Status on District Open Contracts and Grants
For The Period August 2026

	Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending*	Total Expended To Date	Current Period Acitivity	P.O. Number
1	Albert A. Webb Associates	Consultant for Public's Acquisition of Monterey Water System (Cal-Am)	11/18/2024	$ 1,200,000.00	$ 117,465.00	$ -	$ 117,465.00		PO03880
2	Close and Associates	Utility consultant for Public's Acquisition of Monterey Water System	11/18/2024	$ 965,000.00	$ 131,346.33	$ -	$ 131,346.33		PO03876
3	Colantuono, Highsmith, & Whatley, PC	MTA Legal services for appeal to Water Supply Charge	9/15/2021	$ 100,000.00	$ 97,222.22	$ 126.00	$ 97,348.22	Current Period Billing	PO03715
4	CSC	Recording Fees FY 26-27	4/20/2026	$ 65,000.00	$ -	$ 20,000.00	$ 20,000.00	Current Period Billing	PO04162
5	Deveera Inc	IT Managed Services & Subscriptions FY 26-27	4/20/2026	$ 94,851.68	$ 7,829.12	$ 7,829.86	$ 15,658.98	Current Period Billing	PO04179
6	GSI Environmental Inc.	Upgrade CRBHM	4/20/2026	$ 68,000.00	$ 2,868.62	$ 3,000.00	$ 5,868.62	Current Period Billing	PO04189
7	IGM Holdings	Budget Suite software	12/2/2025	$ 52,704.00	$ 23,000.00	$ -	$ 23,000.00		PO04067
8	JEA and Associates	State Advocacy Services FY 26-27	5/18/2026	$ 72,000.00	$ 6,000.00	$ 6,000.00	$ 12,000.00	Current Period Billing	PO04159
9	John K. Cohan dba Telemetrix	Consultant Services for Sleepy Hollow Facility 25-26	7/1/2025	$ 35,408.00	$ 34,487.12	$ -	$ 34,487.12		PO04141
10	Kennedy/Jenks Consultants, Inc.	Urban Water Management Plan Services	7/1/2025	$ 134,860.00	$ 74,761.52	$ -	$ 74,761.52		PO04025
11	Kevin Robert Knapp/ Tierra Plan LLC	Surface Water Data Portal	11/14/2022	$ 27,730.00	$ 27,400.81	$ -	$ 27,400.81		PO03302
12	Lynx Technologies, Inc	GIS Consultant Contract for FY 26-27	6/22/2026	$ 35,000.00	$ 4,500.00	$ 3,000.00	$ 7,500.00	Current Period Billing	PO04202
13	Maggiora Bros. Drilling, Inc	ASR Support from Maggiora Bros for Well Work	6/20/2023	$ 50,000.00	$ -	$ -	$ -		PO03407
14	Montgomery & Associates	Groundwater Modeling Montgomery Contract	6/27/2024	$ 55,000.00	$ -	$ -	$ -		PO03750
15	Montgomery & Associates	Tularcitos ASR Feasibility Study	3/20/2023	$ 119,200.00	$ 112,419.50	$ -	$ 112,419.50		PO03368
16	Montgomery & Associates	Annual Groundwater Modeling Support	6/20/2022	$ 50,000.00	$ 37,929.00	$ -	$ 37,929.00		PO03193
17	Montgomery & Associates	Annual Groundwater Modeling Support	6/22/2026	$ 55,000.00	$ -	$ -	$ -		PO04148
18	Pueblo Water Resources, Inc.	ASR Operations Support	6/20/2023	$ 25,000.00	$ 1,997.50	$ -	$ 1,997.50		PO03406
19	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	$ 68,679.00	$ 57,168.85	$ -	$ 57,168.85		PO01628
20	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	$ 94,437.70	$ 47,282.61	$ -	$ 47,282.61		PO01510
21	Raftelis Financial Consultants	Measure J/Rule 19.8 Appraisal/Rate Study Phase 4	8/21/2023	$ 200,000.00	$ 38,657.50	$ 737.50	$ 39,395.00	Current Period Billing	PO03491
22	Rutan & Tucker, LLP	Measure J/Rule 19.8 Eminent Domain Phase IV	2/24/2023	$ 450,000.00	$ 436,113.86	$ -	$ 436,113.86		PO03639
23	Rutan & Tucker, LLP	Measure J/Rule 19.8 Eminent Domain Phase IV	8/17/2026	$ 360,000.00	$ -	$ 23,333.20	$ 23,333.20	Current Period Billing	PO04211
24	RWG Law	California Coastal Commission and Cal-Am Case	3/16/2026	$ 40,000.00	$ 33,443.44	$ -	$ 33,443.44		PO04117
25	Schaaf & Wheeler	Drawing Support Services	4/23/2023	$ 30,000.00	$ 29,425.00	$ -	$ 29,425.00		PO03474
26	Shute, Mihaly & Weinberger LLP	LAFCO Litigation	3/17/2025	$ 355,000.00	$ 351,648.66	$ -	$ 351,648.66		PO03882

Monterey Peninsula Water Management District
Status on District Open Contracts and Grants
For The Period August 2026

	Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending*	Total Expended To Date	Current Period Acitivity	P.O. Number
27	Shute, Mihaly & Weinberger LLP	Measure J/Rule 19.8 LAFCO Litigation	8/17/2026	$ 360,000.00	$ 54,470.42	$ -	$ 54,470.42		PO04212
28	The Ferguson Group	TFG Advocacy Services FY 26-27	5/18/2026	$ 79,380.00	$ 6,615.00	$ 6,615.00	$ 13,230.00	Current Period Billing	PO04158
29	The Pun Group	Audit Services for FY 26/27	4/21/2025	$ 81,900.00	$ 39,375.00	$ -	$ 39,375.00		PO04178
30	TJC and Associates	Perform a review of our electrical system, capacity, and provide overall support for the ASR project	6/27/2024	$ 45,000.00	$ 8,682.00	$ -	$ 8,682.00		PO03829
31	TM Process & Controls	ASR Well Turbidity Control	8/19/2024	$ 57,749.00	$ 54,390.49	$ -	$ 54,390.49		PO03852
32	WellmanAD	Public Outreach Consultant FY 26-27	4/20/2026	$ 97,344.00	$ 12,281.98	$ 8,736.00	$ 21,017.98	Current Period Billing	PO04160

Contracts related to District Grants									
1	DUDEK	Grant administration services for the Proposition 1 IRWM Implementation	12/14/2020	$ 114,960.00	$ 75,025.00	$ 232.50	$ 75,257.50	FY Q1 Billing	PO02847
2	DUDEK	IRWM IR2 Grant Administration	10/1/2022	$ 90,510.00	$ 22,522.50	$ -	$ 22,522.50		PO03718
3	City of Sand City	IRWM Round 1 Grant Reimbursement	3/28/2022	$ 1,084,322.50	$ 84,288.75	$ -	$ 84,288.75		PO03093
4	County of Monterey	IRWM Grant Round 2 Reimbursement	5/19/2023	$ 898,451.00	$ -		$ -		PO03879
5	City of Monterey	IRWM Grant Round 2 Reimbursement	5/19/2023	$ 500,000.00	$ 141,799.04	$ -	$ 141,799.04		PO03878

ITEM: INFORMATIONAL ITEM/STAFF REPORT

14. STATUS REPORT ON EXPENDITURES – PUBLIC'S OWNERSHIP OF MONTEREY WATER SYSTEM

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Nishil Bali**	**Cost Estimate:**	**N/A**

General Counsel Review: N/A
Committee Recommendation: The Finance and Administration Committee reviewed this item on October 12, 2026.
CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Attached for review as **Exhibit 14-A** is a monthly status report on spending – Public's Ownership of Monterey Water System for the period August 2026. This status report is provided for information only; no action is required.

EXHIBIT
14-A Status Report on Spending – Public's Ownership of Monterey Water System

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EXHIBIT 14-A

Monterey Peninsula Water Management District
Status on Public's Ownership of Monterey Water System - Phase IV
Eminent Domain Proceedings through Bench Trial
Through August 2026

	Contract	Last Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Eminent Domain Legal Counsel (Rutan)	8/17/2026	$ 810,000.00	$ 436,113.80	$ 23,333.20	$ 459,447.00	$ 350,553.00	PA00009-01
2	Eminent Domain Legal Counsel (SMW)*	8/17/2026	$ 715,000.00	$ 443,682.13		$ 443,682.13	$ 271,317.87	PA00009-02
3	Financial Services (Raftelis)	8/21/2023	$ 200,000.00	$ 38,657.00	$ 737.50	$ 39,394.50	$ 160,605.50	PA00009-03
5	Utility Consultant (Close & Associates)	12/16/2024	$ 965,000.00	$ 131,346.33		$ 131,346.33	$ 833,653.67	PA00009-07
6	Consulting Civil Engineer (Webb Associates)	11/18/2024	$ 1,200,000.00	$ 117,465.00		$ 117,465.00	$ 1,082,535.00	PA00009-07
	Total		**$ 3,890,000.00**	**$ 1,167,264.26**	**$ 24,070.70**	**$ 1,191,334.96**	**$ 2,698,665.04**	
	District Legal Counsel			$ 129,394.51	$ 7,080.60	$ 136,475.11		PA00009-05

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

	Contract	Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Eminent Domain Legal Counsel	12/16/2019	$ 200,000.00	$ 98,283.28		$ 98,283.28	$ 101,716.72	PA00007-01
2	Appraisal Services	4/17/2023	$ 220,000.00	$ 220,000.75		$ 220,000.75	$ (0.75)	PA00007-03
3	District Legal Counsel	12/16/2019	$ 100,000.00	$ 63,065.50		$ 63,065.50	$ 36,934.50	PA00007-05
4	Real Estate Appraiser	8/15/2022	$ 80,000.00	$ 53,309.64		$ 53,309.64	$ 26,690.36	PA00007-06
6	Water Rights Appraisal	8/15/2022	$ 75,000.00	$ 45,490.46		$ 45,490.46	$ 29,509.54	PA00007-10
7	Contingency/Miscellaneous	12/16/2019	$ -	$ -		$ -	$ -	PA00007-20
	Total		**$ 675,000.00**	**$ 480,149.63**	**$ -**	**$ 480,149.63**	**$ 194,850.37**	

Status on Public's Ownership of Monterey Water System - Phase II

EIR & LAFCO Application

Through September 2022

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

1	Measure J CEQA Litigation Legal Services*	12/23/2020	$ 200,000.00	$ 140,303.06		$ 140,303.06	$ 59,696.94	PA00005-15

1	Measure J LAFCO Litigation Legal Services*	1/1/2022	$ 400,000.00	$ 398,750.20		$ 398,750.20	$ 1,249.80	PA00005-16

Status on Public's Ownership of Monterey Water System - Phase I

Financial Feasibility

Through November 2019

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

ITEM: INFORMATIONAL ITEM/STAFF REPORT

15. LETTERS RECEIVED AND SENT

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Sara Reyes**	**Cost Estimate:**	**N/A**

General Counsel Review: N/A

Committee Recommendation: N/A

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

The District has not received any letters sent by or addressed to the Board Chair or General Manager since the September 28, 2026, Board meeting.

Although no new correspondence has been received, previously received letters included in the meeting packet are provided to inform the Board and the public. Copies are available for review at the District office; reproduction fees may apply.

Digital versions of the letters are also available on the District's website at www.mpwmd.net.

Author	Addressee	Date	Topic
N/A			

ITEM: INFORMATIONAL ITEM/STAFF REPORT

16. COMMITTEE REPORTS

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Sara Reyes**	**Cost Estimate:**	**N/A**

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

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

EXHIBITS
16-A MPWMD Water Demand Committee Meeting of August 6, 2026
16-B MPWMD Finance and Administration Committee Meeting of August 10, 2026

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MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

EXHIBIT 16-A

Final Minutes
Water Demand Committee Meeting
Thursday, August 6, 2026, at 1:30 p.m.
Meeting Location: Zoom

Call to Order / Roll Call
Chair Edwards called the meeting to order at 1:32 p.m.

Committee Members Present
Alvin Edwards
Ian Oglesby (arrived at 1:38 PM)
Marianne Gawain

Committee Members Absent
None

District Staff Members Present
Dave Stoldt, General Manager
Mike McCullough, Assistant General Manager
Mollie Wooden, Water Demand Manager
Stephanie Locke
Sara Reyes, Board Clerk

District Counsel Present
Michael Laredo, De Lay & Laredo
Fran Farina, De Lay & Laredo

Additions and Corrections to the Agenda
None

Comments from the Public
Chair Edwards opened the public comment period. No comments were received.

Action Items
Chair Edwards introduced the action item.

1. **Consider Adoption of Committee Meeting Minutes from June 4, 2026**
   On a motion by Gawain, seconded by Edwards, the minutes of the June 4, 2026, committee meeting were approved by the following roll call vote: 2 Ayes (Gawain and Edwards), 0 Noes, and 1 Absent (Oglesby).

Discussion Items
Chair Edwards introduced the discussion items.

2. **Update on Summer Splash**
   Mollie Wooden, Water Demand Manager, reported that Summer Splash participation increased approximately 12 percent over the previous year. Most participants learned about the challenge through MPWMD and Cal-Am emails, while Facebook advertising and outreach through Monterey Bay Parent also increased participation. Winners will be announced in early September after all mail-in entries are received, and staff are coordinating with Cal-Am on the prizes.

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

3. Response to City of Carmel Letter

General Manager Dave Stoldt presented a proposed response to the City of Carmel regarding future water allocations. He recommended maintaining flexibility in how jurisdictions use their allocations and assessing usage based on issued permits. Additional allocations would be considered as jurisdictions approach their limits, and a formal policy could be developed if directed by the Committee.

Chair Edwards opened the public comment period, during which the following comment was received:

1) Andrew Myrick, City of Seaside, expressed concern that the proposed response lacked clear criteria for future water allocations and could discourage jurisdictions from using their existing allocations. He recommended a formal policy allowing allocations to be replenished as permitted water use occurs and requested review by the Technical Advisory Committee before consideration by the Board.

After discussion, the Committee requested that the item be presented to the Board for discussion at its next meeting. Mr. Stoldt added that staff will distribute the proposed response to local planners before the meeting.

Suggest Items to Be Placed on a Future Agenda

No items were presented.

Adjournment

There being no further business, Chair Edwards adjourned the meeting at 2:02 p.m.

/s/ Sara Reyes

_____

Sara Reyes, Board Clerk to the
MPWMD Water Demand Committee

Approved by the MPWMD Water Demand Committee on October 1, 2026.
Received by the MPWMD Board of Directors on October 19, 2026.

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MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

EXHIBIT 16-B

FINAL MINUTES
Finance and Administration Committee
October 12, 2026, at 2:00 p.m.

Meeting Location: District Office, Main Conference Room
5 Harris Court, Building G., Monterey, CA 93940
(*Hybrid: Meeting Held In-Person and via Zoom – Teleconferencing means)*

Call to Order
Chair Riley called the meeting to order a 2:00 p.m.

Committee Members Present
George Riley, Chair
Karen Paull *(Arrived 2:03 p.m.)*
Rebecca Lindor

Committee Members Absent
None

District Staff Members Present
Mike McCullough, Assistant General Manager
Nishil Bali, Chief Finance/Administration Manager
Mollie Wooden, Water Demand Manager
Sara Reyes, Executive Assistant/Board Clerk
Sandra Alonso, Office Specialist II

District Counsel Present
Michael Laredo, De Lay & Laredo

Additions / Corrections to Agenda
None

Comments from the Public
None

Action Items
Chair Riley introduced the item.

1. **Consider Adoption of August 10, 2026, Committee Meeting Minutes**
   On a motion by Riley, seconded by Lindor, the minutes of the August 10, 2026, committee meeting were approved 2-0 with Director Paull absent.

2. **Consider Adoption of Resolution No. 2026-11 – Establish a Time-Limited Multi-Family Residential Sites Common Laundry Room Amnesty and Rebate Program**
   On a motion by Paull, seconded by Lindor, the Finance and Administration Committee recommended that the Board approve the time-limited Multi-Family Residential Sites Common Laundry Room Amnesty and Rebate Program and accompanying Resolution No. 2026-11. The motion passed unanimously 3-0.

3. **Consider Adoption of Treasurer's Report for August 2026**

On a motion by Paull, seconded by Riley, the Finance and Administration Committee recommended that the Board adopt the August 2026 Treasurer's Report and Statement of Revenues and Expenditures and ratify the disbursements made during the month. The motion passed unanimously 2-0, with Director Lindor absent for the vote.

4. **Receive Government Accounting Standards Board (GASB) Statement No. 68 – Financial Reporting for Pensions**
   On a motion by Riley, seconded by Lindor, the Finance and Administration Committee recommended that the Board receive the GASB 68 Accounting Valuation Report. The motion passed unanimously, 3-0.

5. **Receive Government Accounting Standard Board (GASB) Statement No. 75 – Financial Reporting for Post-Employment Benefits Other than Pensions**
   On a motion by Riley, seconded by Paull, the Finance and Administration Committee recommended that the Board receive the GASB 75 OPEB valuation report. The motion passed unanimously, 3-0.

6. **Consider Updates to Surplus Property Disposal Policy and Declaration of Surplus Items**
   On a motion by Lindor, seconded by Paull, the Finance and Administration Committee recommended that the Board, 1) Rescind and replace the District's July 21, 2003, Policy Regarding Disposal of Surplus Property with the updated Surplus Property Disposal Policy; 2) Approve an amendment to Chapter 7 of the District's Purchasing Policy to provide that surplus-property dispositions shall be governed by the updated Surplus Property Disposal Policy; and 3) Declare the items listed as surplus assets to be disposed of via public action in accordance with the new policy. The motion passed unanimously, 3-0.

7. **Consider Approval of Additional Contract Spending for Legal Services with Richards Watson Gershon (RWG Law)**
   On a motion by Paull, seconded by Lindor, the Finance and Administration Committee recommended that the Board approve an additional contract spending of $55,000 on legal services with RWG Law. The motion passed unanimously, 3-0.

Informational Items
Chair Riley introduced the item.

8. **Report on Activity/Progress on Contracts Over $25,000**
   This item was presented as information to the committee. No action was required or taken by the committee.

9. **Status Report on Spending Expenditures – Public's Ownership of Monterey Water System**
   This item was presented as information to the committee. No action was required or taken by the committee.

Discussion Items
Chair Riley introduced the item.

10. **Review Draft October 19, 2026, Regular Board Meeting Agenda**

Assistant General Manager Mike McCullough reviewed the draft agenda with the Committee. The Committee had no changes.

Adjournment
There being no further business, Chair Riley adjourned the meeting at 3:11 p.m.

/s/ Sara Reyes
_____
Sara Reyes, Committee Clerk to the
MPWMD Finance and Administration Committee

Reviewed and Approved by the MPWMD Finance and Administration Committee _____.
Received by the MPWMD Board of Directors on _____.
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ITEM: INFORMATIONAL ITEM/STAFF REPORT

17. MONTHLY ALLOCATION REPORT

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program:** **Line Item No.:**	**N/A**
Prepared By:	**Kyle Smith**	**Cost Estimate:**	**N/A**

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

SUMMARY: On March 1, 2025, the District released the first Allocation of water from Pure Water Monterey ("Pure Water") via Ordinance No. 197. **Exhibit 17-A** shows the amount of water allocated to each Jurisdiction from Pure Water, the balance of water available by Jurisdiction from the Paralta Well Allocation and Pre-Paralta credits, the amount of "Public Water Credit" remaining, and the quantities of water permitted by Jurisdiction in August 2026 ("changes"), and the balances remaining. The table includes balances for Quail Meadows and Water West, which were specific amounts dedicated to properties located in specific areas of Monterey County.

Exhibit 17-B is the Monthly Entitlement Report which shows water available to Water Entitlement Holders. Entitlements were established by the following ordinances: The Pebble Beach Company (Ordinance Nos. 39 and 109), Hester Hyde Griffin Trust (Ordinance No. 39), J. Lohr Properties Inc. (Ordinance No. 39), the City of Sand City (Ordinance No. 132), Cypress Pacific Investors LLC (Water Distribution System Permit approved September 15, 2014), Malpaso Water Company LLC (Ordinance No. 165), D.B.O. Development No. 30, a California Limited Liability Company (Ordinance No. 166), the City of Pacific Grove (Ordinance No. 168), and the City of Seaside (Ordinance No. 194).

BACKGROUND: The District's Water Allocation Program, associated resource system supply limits, and Jurisdictional Allocations have been modified by a number of key ordinances. These key ordinances are listed in **Exhibit 17-C**.

EXHIBITS
17-A Monthly Allocation Report
17-B Monthly Entitlement Report
17-C District's Water Allocation Program Ordinances

EXHIBIT 17-A
MONTHLY ALLOCATION REPORT
Reported in Acre-Feet
For the month of September 2026

Jurisdiction	Pure Water Monterey Allocation Available 3/1/2025	Changes During Period	Balance Remaining	Paralta & Pre-Paralta Water Balance 3/1/2025	Changes During Period	Balance Remaining	Public Credits Balance 3/1/2025	Changes During Period	Balance Remaining	Total Available
Airport District	44.00	0.000	39.773	5.197	0.000	5.197	0.000	0.000	0.000	44.970
Carmel-by-the-Sea	14.000	0.300	12.434	2.479	0.000	2.479	0.182	0.000	0.182	15.095
Del Rey Oaks	6.000	0.088	5.428	0.030	0.000	0.030	0.000	0.000	0.000	5.458
Dept of Defense	27.000	0.000	27.000	0.000	0.000	0.000	0.000	0.000	0.000	27.000
Monterey	141.000	0.000	140.354	0.533	0.000	0.533	3.627	0.000	3.627	144.514
Monterey County	72.000	0.249	71.751	11.016	0.000	11.016	1.181	0.000	1.181	83.948
Pacific Grove	32.000	0.000	31.949	0.019	0.000	0.019	0.002	0.000	0.002	31.970
Sand City	14.00	0.000	13.857	0.029	0.000	0.029	23.163	0.000	23.163	37.049
Seaside	21.000	0.122	20.639	28.184	0.043	28.141	1.144	0.000	1.144	49.924
District Reserve	2,090.169	0.000	2,089.464							2,089.464

Allocation Holder	Water Available	Changes During Period	Total Demand from Water Permits Issued	Remaining Water Available
Quail Meadows	33.000	0.000	32.320	0.680
Water West	12.760	0.000	10.324	2.436

EXHIBIT 17-B
MONTHLY ALLOCATION REPORT
ENTITLEMENTS
Reported in Acre-Feet
For the month of September 2026

Recycled Water Project Entitlements

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
Pebble Beach Co. *	183.245	0.128	34.032	152.078
Del Monte Forest Benefited Properties (Pursuant to Ord No. 109)	181.755	0.053	89.910	88.98
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**	**0.658**	**138.771**	**241.229**

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
City of Sand City	206.000	0.000	21.831	184.169
Malpaso Water Company	80.000	0.000	26.752	53.248
D.B.O. Development No. 30	13.950	0.000	3.913	10.037
City of Pacific Grove	38.390	0.086	21.261	17.129
Cypress Pacific	3.170	0.000	3.170	0.000
City of Seaside	10.817	0.000	10.817	0.000

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

EXHIBIT 17-C

District's Water Allocation Program Ordinances

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

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

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

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

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

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

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

Ordinance No. 83 was adopted in April 1996 and established an entitlement of 18.6 acre-feet of water to the Quail Meadows subdivision in Carmel Valley for permanently reducing annual water production from the Carmel Valley Alluvial Aquifer at the Quail Lodge golf course.

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

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

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

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

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

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

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

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

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

Ordinance No. 194 was adopted on February 12, 2024, established a Water Entitlement for the City of Seaside.

Resolution 2024-13 was adopted October 21, 2024, to authorize use of the District Reserve Allocation to permit unpermitted water fixtures found on final inspections during a one-year "amnesty" period used to close certain older "open" Water Permits.

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

ITEM: INFORMATIONAL ITEM/STAFF REPORT

18. WATER EFFICIENCY PROGRAM REPORT

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.**	**N/A**
Prepared By:	**Tricia Nguyen**	**Cost Estimate:**	**N/A**

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

The following information reflects activities undertaken by the Water Demand Division during the month of ***September 2026****.*

I. MANDATORY WATER CONSERVATION RETROFIT PROGRAM

District Regulation XIV requires the retrofit of water fixtures upon Change of Ownership[1] or Use with High Efficiency Toilets (HET) (1.28 gallons-per-flush), 2.0 gallons-per-minute (gpm) Showerheads, 1.2 gpm Washbasin faucets, 1.8 gpm Kitchen Sink, Utility Sink, and Bar Sink faucets, and Rain Sensors on all automatic Irrigation Systems. Property owners must certify the Site meets the District's water efficiency standards by submitting a Water Conservation Certification Form (WCC) and a self-certification form. A Site inspection is occasionally conducted to verify compliance. Properties that do not require an inspection are issued a Conservation Certification.

A. Changes of Ownership

Information is obtained monthly from *Realquest.com* on properties transferring ownership within the District. The information is compared against the properties that have submitted WCCs.

- **54** property transfers occurred and added to the database.

B. Verification

33 Site verifications were completed by District staff for Rule 144 (Retrofit Upon Change of Ownership or Use).

- **32** properties required Site visits where **26 (81%)** passed.
- **1** property verified compliance by submitting certification forms and/or receipts.

[1] Capitalized terms are defined in MPWMD Rule 11, Definitions.

C. Non-Residential Compliance with Water Efficiency Standards

By January 1, 2014, all Non-Residential properties were required to meet Rule 143, Water Efficiency Standards for Existing Non-Residential Uses.
9 verification inspections were performed by District inspectors.

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

8 properties were referred to Cal-Am by District staff for verification of outdoor Rate BMPs.

D. Water Waste Enforcement

The District notes Water Waste through reports from the Water Waste Hotline, an online form, or a report through www.mpwmd.net or www.montereywaterinfo.org.
2 Water Waste responses were reported during the past month.

- No incidents resulted in a fine.

E. Multi-Family Dwelling Water Efficiency Compliance

By January 1, 2019, all Multi-Family Dwellings (MFD) of four or more units were required to meet Rule 142 retro fit requirements. Property owners had the opportunity certify that their property complied by that deadline. This year District staff began the process of inspecting all MFDs of four or more units to ensure compliance. Property owners and agents acquired conservation devices from the District to assist with meeting compliance with Rule 142.

66 inspections were conducted.

- **30** of those inspections passed
- **20** inspections failed because the common laundry clothes washer was not a High Efficiency model.

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.
52 Water Permits were processed and issued by District Staff, including:

- **4** permits using Water Entitlements (e.g., Pebble Beach Company, Malpaso Water, Sand City). **No** Public Water Credit accounts were debited.

- **13** permits using Pure Water Allocation.
- **No** permits using District Reserve.
- **4** permits using the District Rule 24-3-A, which allows the addition of a second bathroom to an existing single-bathroom dwelling.
- **No** Landscape Permits were issued.
- Other permits issued, include:
    - **4** meter enlargement permits
    - **5** hydrant meter permits.

B. Permit Compliance

92 inspections were conducted for permit compliance this month:

- **10** pre-inspections for proposed permits
- **36** inspections passed on the first visit
- **19** inspections required a second visit or other action to pass
- **27** inspections failed, which include the following findings:
    - **11** inspections failed due to unpermitted fixtures
    - **5** inspections failed for the installation of incorrect toilets
    - **1** inspection failed due to the lack of a submeter
    - **8** inspections failed due to the lack of High Efficiency appliances
    - **2** inspections failed due to the lack of Instant Access Hot Water

8 site inspections were conducted for Landscape Water Permit compliance:

- **8** inspections passed.

C. Notary Services

32 customers used District staff to provide Notary services.

D. Rebates

The District processes rebate applications to ensure that only voluntary replacement of higher efficiency devices receive rebates. The comprehensive list of available rebates can be found in Rule 141. Monthly statistics are included.

EXHIBIT 18-A

September 2026 Rebate Report

	REBATE PROGRAM SUMMARY	September-2026				2026 YDT		1997 - Present	
I.	Application Summary								
A.	Applications Received	55				446		33,344	
B.	Applications Approved	43				358		26,249	
C.	Single Family Applications	53				386		29,165	
D.	Multi-Family Applications	1				6		1,642	
E.	Non-Residential Applications	1				2		365	
II.	Type of Devices Rebated	Number of Devices	Rebate Paid	Estimated AF	Gallons Saved	Year to Date Number	Year to Date Paid	Year to Date Estimated AF	
A.	High Efficiency Toilet (HET)			0.000000	0	32	$2,475.00	0.16000	
B.	Ultra HET	1	$75.00	0.010000	3,259	28	$3,150.00	0.28000	
C.	Toilet Flapper			0.000000	0	0	$0.00	0.00000	
D.	High Efficiency Dishwasher	3	$375.00	0.009000	2,933	43	$5,400.00	0.12900	
E.	High Efficiency Clothes Washer - Res	15	$7,500.00	0.241500	78,693	135	$67,500.00	2.17350	
F.	High Efficiency Clothes Washer - Com			0.000000	0	0	$0.00	0.00000	
G.	Instant-Access Hot Water System	2	$400.00	0.010000	3,259	6	$1,200.00	0.03000	
H.	Zero Use Urinals			0.000000	0	0	$0.00	0.00000	
I.	Pint Urinals			0.000000	0	0	$0.00	0.00000	
J.	Cisterns			0.000000	0	4	$539.97	0.00000	
K.	Smart Controllers	1	$89.97	0.000000	0	9	$866.32	0.00000	
L.	Rotating Sprinkler Nozzles			0.000000	0	0	$0.00	0.00000	
M.	Moisture Sensors			0.000000	0	0	$0.00	0.00000	
N.	Lawn Removal & Replacement			0.000000	0	0	$0.00	0.00000	
O.	Graywater			0.000000	0	0	$0.00	0.00000	
P.	Smart Flowmeters	21	$5,098.00	0.000000	0	128	$27,546.97	0.00000	
Q.	Smart Toilet Leak Detectors			0.000000	0	0	$0.00	0.00000	
III.	TOTALS	**43**	**$13,537.97**	0.270500	88,143	385	$108,678.26	2.77250	
IV.	TOTALS Since 1997					Paid Since 1997:	$ 6,447,208	251.1	Acre-Feet Per Year Saved Since 1997 (from quantifiable retrofits)

ITEM: INFORMATIONAL ITEM/STAFF REPORT

19. CARMEL RIVER FISHERY REPORT FOR SEPTEMBER 2026

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Cory Hamilton**	**Cost Estimate:**	**N/A**

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

AQUATIC HABITAT AND FLOW CONDITIONS: During September, conditions were dry and no rainfall was observed. Flows released from Los Padres Reservoir generally kept the river flow stable all the way down to the Narrows, flows in the lower river continuously decreased throughout the month. Decreasing flows in the lower river are mainly attributed to water production, which diminished lower river habitat conditions and the mainstem Carmel River became intermittent/dry around the Palo Corona Regional Park to the Shulte Well area. The lagoon mouth remained closed naturally for the entire month (see attached graphic). Los Padres Reservoir stopped spilling on July 10, 2026, and we began using storage to meet flow requirements. The water surface elevation at the end of the month was 1021.76 feet. Flow out of the reservoir at the end of the month was 7.2 cfs, while the incoming flow into the reservoir was 2.3 cfs.

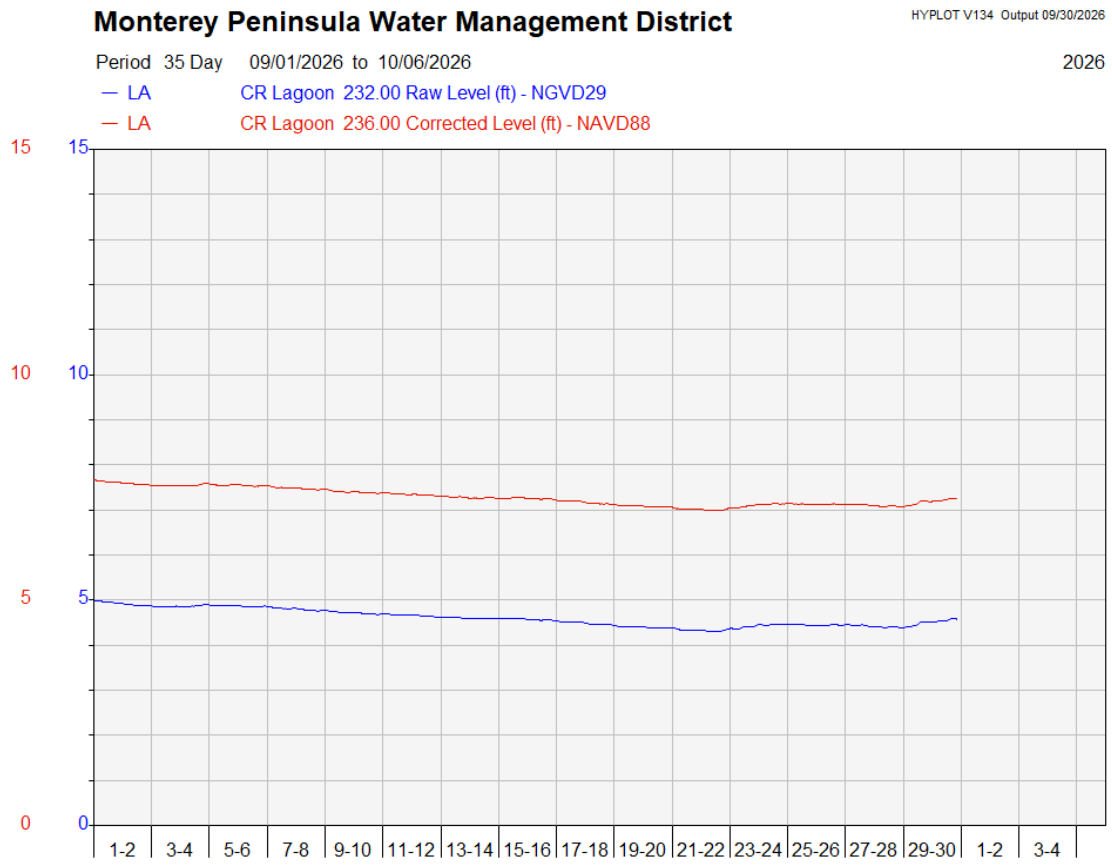
September's mean daily streamflow at the Sleepy Hollow Weir gaging station ranged from 6.8 to 7.5 cfs (mean 7.05 cfs), while flows at the Highway 1 gage ranged from 0.28 to 0.44 cfs (mean 0.34 cfs).

There was no measurable rainfall in September as recorded at the San Clemente gauge. The total rainfall for Water Year (WY) 2026 (which started October 1, 2025) is 24.3 inches, which is 115% of normal to date.

FISH RESCUE: Staff started fish rescues in select tributaries starting May 11, 2026, and in the mainstem Carmel River on July 8, 2026. Rescue operations occurred in Robinson Canyon Creek, Hitchcock Creek, Garzas Creek, Cachagua Creek and the mainstem Carmel River. As of the end of September, a total of 8,931 fish were rescued from drying reaches. Fish are being relocated to the lagoon area, perennial waters, and Sleepy Hollow Steelhead Rearing Facility. Staff continue to monitor the river for dry-back conditions and rescue fish as needed.

CARMEL RIVER LAGOON: In September, the lagoon's Water Surface Elevation (WSE) ranged from approximately 7.0 to 7.7 feet (NGVD 1988) (see graph below). Water quality depth-profiles were conducted at five sites on September 21, 2026, while the lagoon mouth was closed, water surface elevation was 7.05 feet at the time of sampling, and river inflow was approximately 0.33 cfs. The lagoon was well mixed and no stratification was observed, except for the south arms,

which was slightly stratified at approximately 2 meters. Salinity levels ranged from 1.6- 4.3parts per thousand (ppt), throughout the lagoon. Water temperatures ranged from 64.7-69.5 degrees Fahrenheit, and dissolved oxygen (DO) levels ranged from 0.33-8.05 mg/l.



ITEM: INFORMATIONAL ITEM/STAFF REPORT

20. QUARTERLY CARMEL RIVER RIPARIAN CORRIDOR MANAGEMENT PROGRAM REPORT

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**Dave Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Thomas Christensen**	**Cost Estimate:**	**N/A**

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

IRRIGATION OF RIPARIAN VEGETATION: The supplemental watering of riparian restoration plantings is currently being carried out for the summer and fall season at six Monterey Peninsula Water Management District (District) riparian habitat restoration sites. The following irrigation systems were in use April through September: Sleepy Hollow, deDampierre, Trail and Saddle Club, Begonia, Valley Hills, and San Carlos.

Water Use in Acre-Feet 2026 (AF)
(preliminary values subject to revision)

January - March	0.05 AF
April - June	0.16
July – September	0.57
Year-to-date	0.78 AF

MONITORING OF RIPARIAN VEGETATION: Starting in July 2026, staff recorded observations of canopy vigor on target willow and cottonwood trees to provide an indication of plant water stress and corresponding soil moisture levels. Four locations (Rancho Cañada, San Carlos, Valley Hills, and Schulte) are monitored for canopy ratings based on a scale from one to ten. This scale evaluates characteristics such as yellowing leaves and percentages of defoliation (see scale on **Exhibit 20-A**). A total of 12 willows and 12 cottonwoods at these locations provide a data set of established and planted sample trees that are representative of trees in the Carmel River riparian corridor. Combined with monthly readings from the District's array of monitoring wells and pumping records for large-capacity Carmel Valley wells in the California American Water service area, the District's monitoring provides insight into the status of soil moisture through the riparian corridor.

Current monitoring results for the 2026 monitoring season to date show that riparian vegetation is experiencing little to no moisture stress associated groundwater extraction because of the favorable depth to groundwater and soil moisture. It is important to note that irrigation around municipal wells is carried out to help alleviate impacts from water extraction. The graph in **Exhibit 20-A**

shows average canopy ratings for willows and cottonwoods in selected restoration sites in lower Carmel Valley. The graph in **Exhibit 20-B** shows impacts to water table elevations. The types of monitoring measurements made during July through September are as follows:

Monitoring Measurement	
Canopy ratings	(See **Exhibit 20-A** for trends.)
Groundwater levels (monitoring wells)	(See **Exhibit 20-B** for trends.)
Groundwater pumping (production wells)	

OTHER TASKS PERFORMED SINCE THE JULY 2026 QUARTERLY REPORT:

1. District staff have been carrying out vegetation management along reaches of the Carmel River to prevent debris dams or diversion of high winter flows into vulnerable streambanks. Most of the work includes cutting downed trees into smaller sections so they can safely move through the system during high flows.

EXHIBITS

20-A Average Willow and Cottonwood Canopy Rating

20-B Depth to Groundwater

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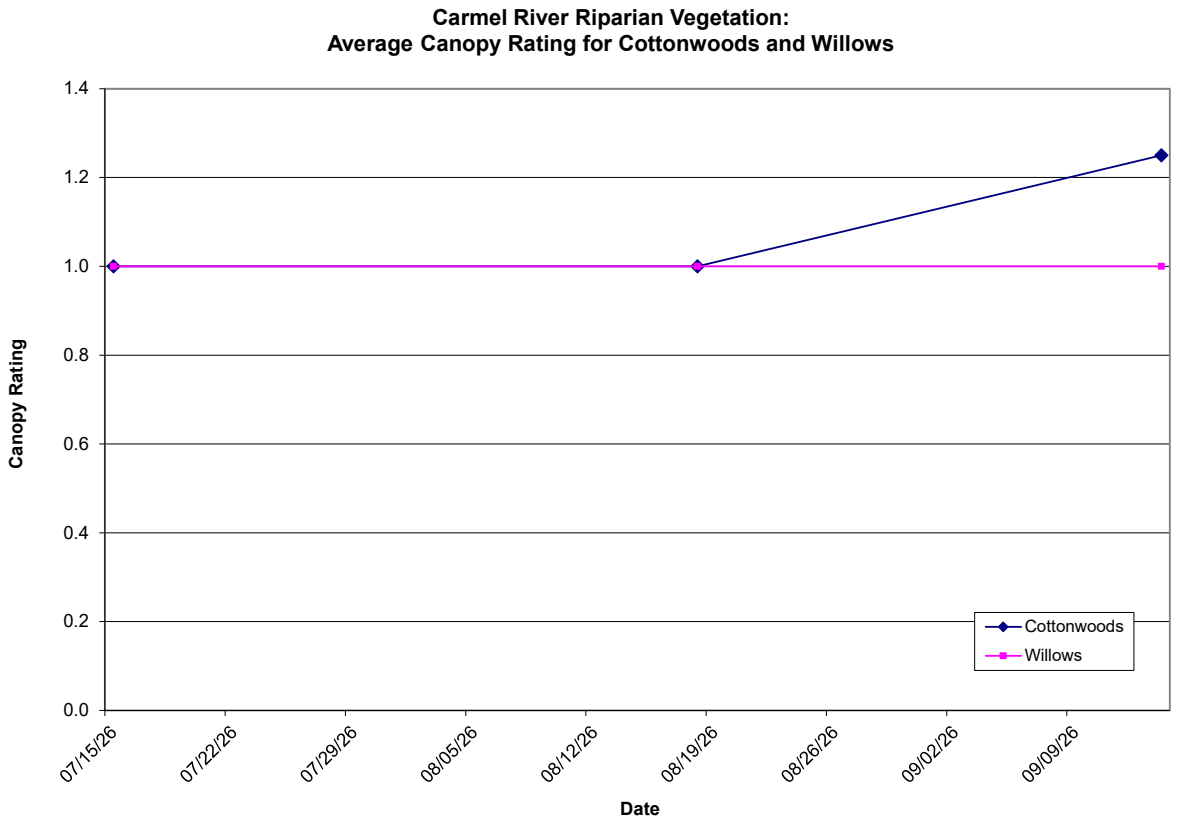
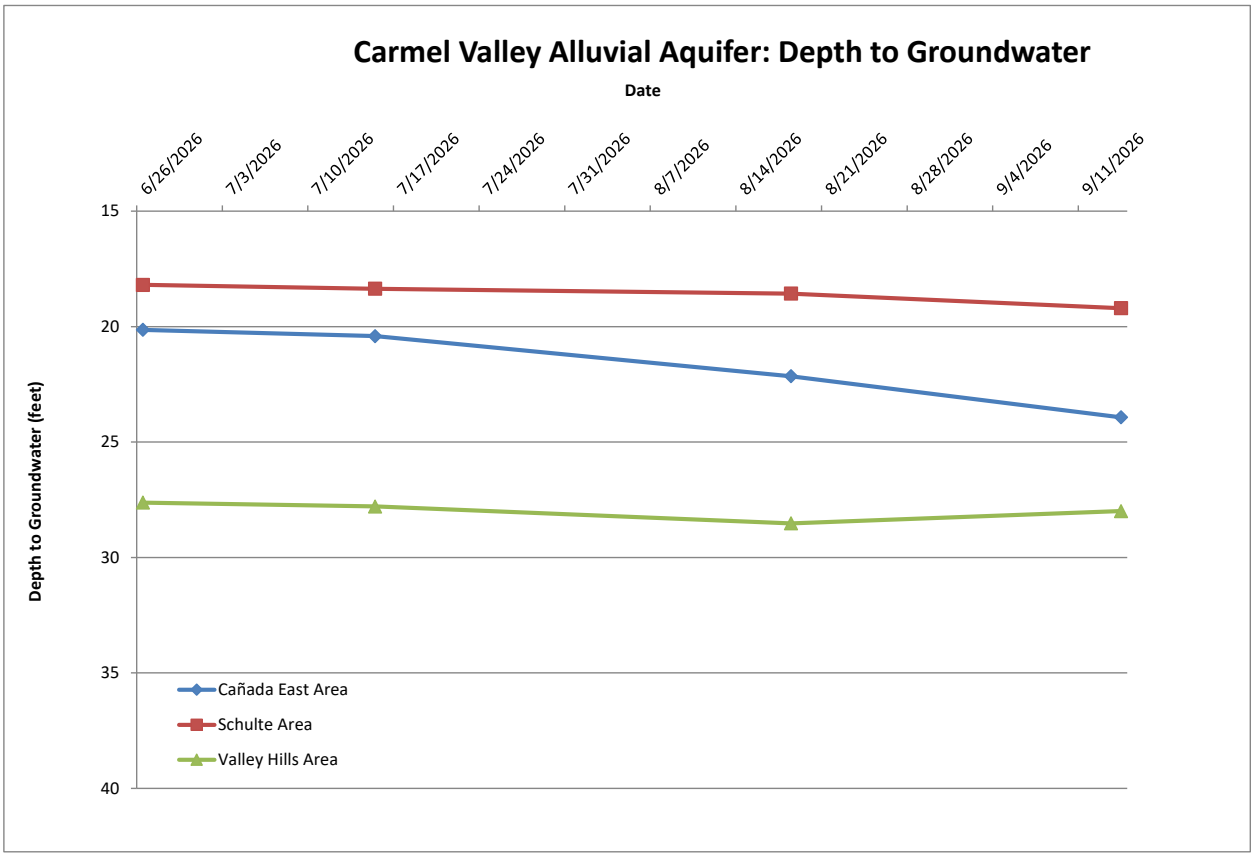
EXHIBIT 20-A



Canopy Rating Scale		Stress Level
1=	Green, obviously vigorous	none, no irrigation required
2=	Some visible yellowing	low, occasional irrigation required
3=	Leaves mostly yellowing	moderate, regular irrigation required
4=	< 10% Defoliated	moderate, regular irrigation required
5=	Defoliated 10% to 30%	moderate, regular irrigation required
6=	Defoliated 30% to 50%	moderate to high, additional measures required
7=	Defoliated 50% to 70%	high stress, risk of mortality or canopy dieback
8=	Defoliated 70% to 90%	high stress, risk of mortality or canopy dieback
9=	> 90% Defoliated	high stress, risk of mortality or canopy dieback
10=	Dead	consider replanting

EXHIBIT 20-B



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ITEM: INFORMATIONAL ITEM/STAFF REPORT

21. MONTHLY WATER SUPPLY AND CALIFORNIA AMERICAN WATER PRODUCTION REPORT

Meeting Date:	**October 19, 2026**	**Budgeted:**	**N/A**
From:	**David J. Stoldt, General Manager**	**Program/ Line Item No.:**	**N/A**
Prepared By:	**Jonathan Lear**	**Cost Estimate:**	**N/A**

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

Exhibit 21-A shows the water supply status for the Monterey Peninsula Water Resources System (MPWRS) as of **October 1, 2026**. This system includes the surface water resources in the Carmel River Basin, the groundwater resources in the Carmel Valley Alluvial Aquifer and the Seaside Groundwater Basin. **Exhibit 21-A** is for Water Year (WY) 2026 and focuses on three factors: rainfall, runoff, and storage. The rainfall and Streamflow values are based on measurements in the upper Carmel River Basin at Sleepy Hollow Weir.

Water Supply Status: Rainfall through **September** 2026 totaled 0.00 **inches** and brings the cumulative rainfall total for WY 2026 to **24.30 inches,** which is **115%** of the long-term average through **September**. Estimated unimpaired runoff through **September** totaled **405 acre-feet (AF)** and brings the cumulative runoff total for WY 2026 to **56,719 AF,** which is **83%** of the long-term average through **September**. Usable storage for the MRWPRS was **26,880 acre-feet**, which is **96%** of average through **September,** and equates to **81**% of system capacity.

Production Compliance: Under State Water Resources Control Board (SWRCB) Cease and Desist Order No. 2016-0016 (CDO), California American Water (Cal-Am) is allowed to produce no more than 3,376 AF of water from the Carmel River in WY 2026. Through **August**, using the CDO accounting method, Cal-Am has produced **3,058AF** from the Carmel River (excluding **241 AF** of Table 13 and **78 AF** of Mal Paso.) In addition, under the Seaside Basin Decision, Cal-Am is allowed to produce 1,474 AF of water from the Coastal Subareas and 0 AF from the Laguna Seca Subarea of the Seaside Basin in WY 2026. Through **August**, Cal-Am has produced **560 AF** from the Seaside Groundwater Basin. Through **July**, **916 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **0 AF** have been recovered for customer use, **241 AF** have been diverted under Table 13 water rights, and **4,463 AF** of Pure Water Monterey recovered. Cal-Am has produced **8,457 AF** for customer use from all sources through **August**. **Exhibit 21-B** shows production by source. Some of the values in this report may be revised in the future as Cal-Am finalizes their production values.

EXHIBITS
21-A Water Supply Status: **September 1, 2026**
21-B Monthly Cal-Am production by source: WY 2026

EXHIBIT 21-A

Monterey Peninsula Water Management District
Water Supply Status
October 1, 2026

Factor	Oct – Sep 2026	Average To Date	Percent of Average	Oct – Sep 2025
Rainfall (Inches)	24.30	21.07	115%	16.68
Runoff (Acre-Feet)	56,719	68,680	83%	34,178
Storage [5] (Acre-Feet)	26,680	27,890	96%	27,120

Notes:

1. Rainfall and runoff estimates are based on measurements at San Clemente Dam. Annual rainfall and runoff at Sleepy Hollow Weir average 21.22 inches and 67,246 acre-feet, respectively. Annual values are based on the water year that runs from October 1 to September 30 of the following calendar year. The rainfall and runoff averages at the Sleepy Hollow Weir site are based on records for the 1922-2024 and 1902-2024 periods respectively.

2. The rainfall and runoff totals are based on measurements through the dates referenced in the table.

3. Storage estimates refer to usable storage in the Monterey Peninsula Water Resources System (MPWRS) that includes surface water in Los Padres and San Clemente Reservoirs and ground water in the Carmel Valley Alluvial Aquifer and in the Coastal Subareas of the Seaside Groundwater Basin. The storage averages are end-of-month values and are based on records for the 1989-2025 period. The storage estimates are end-of-month values for the dates referenced in the table.

4. The maximum storage capacity for the MPWRS is currently 33,130 acre-feet.

EXHIBIT 21-B

Production vs. CDO and Adjudication to Date: WY 2026

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights				
	Carmel River Basin [2, 6]	Seaside Groundwater Basin			MPWRS Total					
		Coastal	Laguna Seca	Ajudication Compliance		ASR Recovery	PWM Recovery	Table 13 [7]	Sand City [3]	Water Projects and Rights Total
Target	3,716	900	0	900	**4,616**	0	4,025	138	300	**4,463**
Actual [4]	3,371	674	109	783	**4,154**	0	4,779	275	57	**5,111**
Difference	345	226	-109	117	**462**	0	-754	-137	243	**-648**
WY 2025 Actual	3,291	1,564	120	1,684	**4,976**	0	3,680	182	164	**4,025**

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 Boar
3. Sand City Desal, Table 13, and ASR recovery are also tracked as water resources project
4. To date, 916 AF and 275 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 trackin

Monthly Production from all Sources for Customer Service: WY 2026

(All values in Acre-Feet)

	Carmel River Basin	Table 13	Mal Paso	Seaside Basin	ASR Recovery	PWM Recovery	Sand City	Total
Oct-25	232	0	7	124	0	413	14	790
Nov-25	129	0	7	38	0	489	3	666
Dec-25	103	29	7	32	0	473	12	657
Jan-26	86	75	8	32	0	428	20	648
Feb-26	112	58	8	26	0	389	8	602
Mar-26	240	77	9	29	0	435	0	790
Apr-26	331	35	8	29	0	358	0	762
May-26	457	0	9	42	0	314	0	821
Jun-26	462	0	4	94	0	295	0	855
Jul-26	399	0	7	82	0	439	0	927
Aug-26	470	0	7	32	0	430	0	938
Sep-26	348	0	6	223	0	316	0	893
Total	**3,371**	**275**	**86**	**783**	**0**	**4,779**	**57**	**9,350**
WY 2025	**3,291**	**182**	**91**	**1,684**	**0**	**3,680**	**164**	**9,092**

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