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

Monday, October 4, 2021, 4:00 pm, *Virtual Meeting*

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

Join the meeting at:

<https://us06web.zoom.us/j/85434015486?pwd=c085Rkl3OWhTR3dkMTB2SGNXUmlPd09>

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Webinar ID Number: 854 3401 5486

Meeting password: 10042021

Participate by phone: (669) 900 - 9128

For detailed instructions on connecting to the Zoom meeting see page 2 of this agenda.

**Water Supply
Planning Committee**

Members:

*George Riley, Chair
Karen Paull
Mary Adams*

Alternate:

Alvin Edwards

Staff Contact

*David J. Stoldt,
General Manager*

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

Call to Order / Roll Call

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

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

1. Update on Pure Water Monterey Project (Verbal Report)
2. Further Updates on the Seaside Fort Ord Wells
3. Consider Changing Rule 160 By Amending the Tables Adopted Annually for Rule 160 through the Ordinance Process

Suggest Items to be Placed on Future Agendas

Adjournment

Upon request, MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Submit requests by 5:00 pm on Friday, October 1, 2021 to the Board Secretary, joel@mpwmd.net or call 831-658-5652 or Sara Reyes, Sr. Office Specialist, sara@mpwmd.net at 831-658-5610

Instructions for Connecting to the Zoom Meeting

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

Begin: Within 10 minutes of the meeting start time from your computer click on this link:

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

USING A DESKTOP COMPUTER OR LAPTOP

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

COMPUTER AUDIO

1. If you have built in computer audio settings or external video settings – please click "Test Speaker and Microphone".
2. The client will first ask "Do you hear a ringtone?" • If no, please select "Join Audio by Phone".
 - If yes, proceed with the next question:
3. The client will then ask "Speak and pause, do you hear a replay?" • If no, please select "Join Audio by Phone".
 - If yes, please proceed by clicking "Join with Computer Audio"

PHONE CALL

1. If you do not have built in computer audio settings or external video settings – please click "Phone Call"
2. Dial one of the numbers listed below using a phone. Select a phone number based on your current location for better overall call quality.

+1 669 900 9128 (San Jose, CA)	+1 301 715 8592 (New York, NY)
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3. Once connected, it will ask you to enter the Webinar ID No. and press the pound key
4. It will then ask you to enter your participant ID number and press the pound key.
5. You are now connected to the meeting.

USING AN APPLE/ANDROID MOBILE DEVICE OR SMART PHONE

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5. Enter your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
6. Tap "Join Meeting"
7. Tap "Join Audio" on the bottom left hand corner of your device
8. You may select either ONE of two options: "Call via Device Audio" or "Dial in"

DIAL IN

1. If you select "Dial in", you will be prompted to select a toll-free number to call into.
2. You may select any of the numbers listed below:

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3. The phone will automatically dial the number, and input the Webinar Meeting ID No. and your Password.
4. Do not hang up the call, and return to the Zoom app
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Present Public Comment

Receipt of Public Comment – the Chair will ask for comments from the public on all items. Limit your comment to 3 minutes.

- (a) Computer Audio Connection: Select the "raised hand" icon. When you are called on to speak, please identify yourself.
- (b) Phone audio connection **with** computer to view meeting: Select the "raised hand" icon. When you are called on to speak, push *6 to unmute and please identify yourself.
- (c) Phone audio connection only: Press *9. Wait for the clerk to unmute your phone and then identify yourself and provide your comment. Press *9 to end the call.

Submit Written Comments

If you are unable to participate via telephone or computer to present oral comments, you may also submit your comments by e-mailing them to comments@mpwmd.net with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT – ORAL COMMUNICATIONS". Comments must be received by 12:00 p.m. on Monday, October 4, 2021. Comments submitted by noon will be provided to the committee members and compiled as part of the record of the meeting.

WATER SUPPLY PLANNING COMMITTEE

ITEM: DISCUSSION ITEM

2. FURTHER UPDATES ON THE SEASIDE FORT ORD WELLS

Meeting Date:	October 4, 2021	Budgeted:	
From:	David J. Stoldt General Manager	Program/ Line Item:	N/A
Prepared By:	David Stoldt	Cost Estimate:	

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.

BACKGROUND: The District received the attached letter (**Exhibit 2-A**) from the Seaside Basin Watermaster regarding Fort Ord monitoring well FO-09 Shallow. The District has not yet heard from Marina Coast Water District on this matter. More discussion will occur at the Committee meeting.

EXHIBIT

2-A Letter From Watermaster to District Dated September 16, 2021

EXHIBIT 2-A

Seaside Basin Watermaster
P.O. Box 51502, Pacific Grove, CA 93950
(831) 595-0996

September 16, 2021

Alvin Edwards, Chair
Monterey Peninsula Water Management District 5 Harris
Court, Building G
Monterey, CA 93940

Subject: Importance of maintaining a Paso Robles shallow aquifer monitoring well at the F0-09 site and seeking three-party funding of a replacement well at that location.

Dear Mr. Edwards:

At the Monterey Peninsula Water Management District's (MPWMD) meeting of June 21, 2021 under Agenda Item 34 you discussed the attached letter dated May 13, 2021 from the Seaside Groundwater Basin Watermaster seeking three-party funding for the replacement of critical monitoring well FO-9 Shallow. You referred the Watermaster's request to your Water Supply Planning Committee for further review, and directed that body to bring the issue back to your full Board for a decision on what to do regarding sharing in the cost of replacing that monitoring well. This is an important issue. We look forward to its return to the Board.

At its August 2, 2021 meeting your Water Supply Planning Committee discussed the Watermaster's request under Agenda Item No. 3. That Committee took no action regarding this issue, other than Board Member Riley's verbal support (not supported verbally by any other members of this 3-person Committee) of your General Manager's proposal to seek a less-than 1/3-1/3-1/3 sharing in costs between MPWMD, the Watermaster, and the Marina Coast Water District (MCWD) for replacing this critically needed monitoring well.

It is noteworthy that the Watermaster was neither informed that this topic would be discussed at those meetings, nor was it invited to participate in them.

This is a matter of much greater import than your Water Supply Planning Committee is charged with dealing. It is a matter of protecting the Seaside Basin from seawater intrusion, which if it were to progress inland, would have devastating effects on the water supply for the entire Monterey Peninsula! The charter of your Water Supply Planning Committee, as stated on your website is:

"The Committee shall facilitate water supply project planning to benefit the Monterey Peninsula area. This effort shall include use of subpotable water; purified recycled wastewater; greywater; aquifer storage and recovery, seawater desalination, groundwater replenishment, or other water supply alternatives that may be proposed in the future. The effort may include agreements to share sites and facilities, and develop agreements to clarify private and public roles and responsibilities related to water supply planning."

The need for this monitoring well clearly goes beyond water supply planning, as defined in its charter.

It is unfortunate that your Board Member Mr. Riley allowed his self-acknowledged personal biases to influence his comments on this issue at both of these Committee and Board meetings. His derogatory comments regarding the Watermaster's fiscal and Basin-monitoring activities, such as his comments about the Watermaster presenting "ghost ideas" "without any details provided" and "passing the hat" for money to replace the well, inaccurately reflect the work with which the Watermaster has been charged by the Superior Court of Monterey County, and with which its Board of Directors has been, and continues to be, diligently pursuing. Persons participating in the Watermaster's Board meetings would agree that Mr. Riley speaks alone when he makes such disparaging remarks.

At your June 21st Board meeting several Board members and attendees acknowledged the importance of maintaining a seawater intrusion monitoring well at the location of Monitoring Well FO-9 Shallow. For instance, Board Member Adams, who also serves on the Watermaster, noted that it is important to monitor for seawater intrusion in the long-term. Mr. Stoldt also acknowledged the need for seawater intrusion monitoring. Even attendees Susan Schiavone and Tom Rowly commented on the importance that we continue monitoring for seawater intrusion in this area.

Comments were made that other entities have a “regulatory responsibility” to maintain this well. That is categorically incorrect. Neither the Watermaster nor the MCWD have any regulatory requirement to maintain this well. Rather, as stewards of groundwater they have an ethical responsibility to monitor for seawater intrusion, as does MPWMD (as a “Water Management District” this is implicit) in order to ensure that groundwater is safe and available as a water supply source to the public.

Some comments were made regarding the Watermaster’s cancelling of meetings, with the inference that the Watermaster was not diligently performing its function. The Watermaster always conducts meetings whenever there are issues where action or deliberation is needed, and never cancels meetings when holding a meeting would be productive toward making progress on any Basin-related issues. As a quasi-public entity, the Watermaster is conscious of its fiduciary responsibility to minimize costs to the public, and only holds meetings when they will benefit the Basin.

Mr. Stoldt’s letter dated September 1, 2021 (copy attached) expresses his recommendation, and not that of the Board, regarding replacement and sharing of costs for monitoring well FO-9 Shallow. It is striking that he makes the statement that *“There are no data or reports that support the possibility of active seawater intrusion occurring into the Paso Robles Aquifer of the Northern Coastal Sub-Area of the Seaside Groundwater Basin at this well site.”* MPWMD’s own consultants, Montgomery and Associates, which are the same consultants the Watermaster uses, have for years reported that with regard to seawater intrusion into the Seaside Basin it is not “if” but “when that will occur,” given the fact that areas of the Seaside Basin are far below sea level. Mr. Lear’s own statements indicate that seawater in the overlying Aromas Sands is already threatening to intrude the Paso Robles aquifer in the vicinity of monitoring well FO-9 Shallow.

The Watermaster respectfully requests that this topic promptly be brought back to the full MPWMD Board for discussion and direction, and that the Watermaster be invited to attend and participate in those discussions to provide its input and response to questions.

Sincerely,



Paul Bruno
Chair, Watermaster Board of Directors

cc: Mr. David Stoldt, General Manager

Seaside Basin Watermaster
P.O. Box 51502, Pacific Grove, CA 93950
(831) 595-0996

May 13, 2021

Alvin Edwards, Chair
Monterey Peninsula Water Management District 5 Harris
Court, Building G
Monterey, CA 93940

Subject: Importance of maintaining a Paso Robles shallow aquifer monitoring well at the F0-09 site and seeking three-party funding of a replacement well at that location.

Dear Mr. Edwards:

The Seaside Groundwater Basin Watermaster (WM) seeks a three-party arrangement between MPWMD, Marina Coast Water District, and WM to fund replacement of monitoring well F0-09 Shallow that MPWMD intends to destroy with a new shallow monitoring well in the same general location.

Once F0-09S is destroyed there will be no source of water level or water quality data obtainable for the Paso Robles aquifer in that area of the Seaside Basin. The data obtained from the recent induction logging of F0-09S indicates that the dune sand deposits overlying the Paso Robles aquifer may have already been seawater intruded this far inland. If so, this means that there is a risk for intrusion into the Paso Robles aquifer to occur throughout this area, either by openings (gaps) in the clay layer that separates the dune sands from the Paso Robles, or through other wells that might have leaks. A properly operating shallow monitoring well at the location of F0-09 could provide an early alert to such an occurrence.

MPWMD asserts that F0-09 is not needed for its monitoring purposes. However, Table 2 in the contract between the Watermaster and MPWMD to perform monitoring work lists the wells to be monitored, and identifies which wells are part of which party's monitoring network. Table 2, and Footnote 1 in that table, shows F0-09 Shallow to be a well that is in MPWMD's Monitoring Well Network, and is a well that MPWMD monitors monthly for water level as part of its own monitoring program. That information was provided by MPWMD when Table 2 was created some years ago, and that assignment of monitoring responsibilities has not changed over the years.

Marina Coast Water District may be including F0-09S in official monitoring plans for its developing GSP so most likely will want it replaced – WM also seeks that agency's participation in a cost share arrangement.

In view of the potential seawater intrusion from dunes sands to the Paso Robles aquifer occurring in the F0-09S well, the Watermaster agrees that MPWMD should have the well destroyed using proper procedures. At the same time, Watermaster requests that MPWMD participate in a cost-share arrangement to install a new shallow monitoring well to replace the destroyed well. Mr. Stoldt has mentioned there could be cost savings to MPWMD by having the F0-09S well destroyed at the same time a new monitoring well at that location is constructed.

Thank you for MPWMD's consideration of cooperating in the proposed endeavor.
Sincerely,



Paul Bruno
Chair, Watermaster Board of Directors

cc: Mr. David Stoldt, General Manager



September 1, 2021

Mr. Paul Bruno Chair
Seaside Basin Watermaster PO Box 51502
Pacific Grove, CA 93950

RE: Fort Ord Monitor Well FO-09 Shallow ("FO-09 Shallow") Dear Paul:

FO-09 Shallow, a coastal monitoring well in the Seaside Basin, has recently been identified as compromised due to a failure of the well casing that is allowing saltier water from the shallow zone to mix with groundwater in the Paso Robles Aquifer. There are no data or reports that support the possibility of active seawater intrusion occurring into the Paso Robles Aquifer in the Northern Coastal Sub-Area of the Seaside Groundwater Basin at this well site. Rather, the Monterey County Health Department has identified this as cross-contamination between aquifer zones and has agreed on a destruction plan for the well, which is owned by the Monterey Peninsula Water Management District (District). The District has bid the permanent destruction and plans to award and execute in the next few weeks.

While the District concedes that it is important to monitor for seawater intrusion in this region of the Seaside Basin, the District is not compelled by regulatory requirements to collect data from FO-09 Shallow. Before the formation of the Watermaster, the District monitored for seawater intrusion in the Seaside Basin from 1976 to 2008, but did not historically use this well, FO-09 Shallow, for seawater intrusion monitoring prior to the Watermaster hiring the District to collect MMP samples from this well. As such, the District has little interest in replacing the well.

However, as stated above, both the Watermaster and Marina Coast Water District (MCWD) have an active interest in the replacement of the well. At this time, the District encourages you to coordinate with MCWD to determine which of your entities will be the project lead on schedule, design, and procurement, and to make a proposal about cost sharing. Despite the fact that the District does not need the well for its purposes, as overall manager of the Monterey Peninsula Water Resource System

– sometimes physical assets, sometimes just data – we are willing to share in costs at approximately the 15% level of contribution. We will leave it to your the Watermaster and MCWD to determine how you would like to proceed and then bring us into the conversation.

We thank you for taking the time to examine these issues and propose a path going forward. Sincerely,

A handwritten signature in black ink that reads "David Stoldt".

David Stoldt General Manager
Monterey Peninsula Water Management District.

WATER SUPPLY PLANNING COMMITTEE

ITEM: ACTION ITEM

3. CONSIDER CHANGING RULE 160 BY AMENDING THE TABLES ADOPTED ANUALLY FOR RULE 160 THROUGH THE ORDINANCE PROCESS

Meeting Date:	October 4, 2021	Budgeted:	No
From:	David J. Stoldt General Manager	Program/ Line Item:	Water Supply Projects 1-2-1 2a
Prepared By:	Jonathan Lear	Cost Estimate:	None

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: Pure Water Monterey startup in WY 2021 and the Cease and Desist Order (CDO) regulatory limits beginning in Calendar Year 2022 have changed the water supply portfolio for the Monterey Peninsula. In subsequent water years, due to the CDO and the Seaside Adjudication the amount of water legally allowed to be produced out of the Monterey Peninsula Water Resource System (MPWRS) will be limited to 4,850 acre feet per year (3,376 from Carmel Valley and 1,474 from the Seaside Basin). The remainder of annual system demand will be met through water supply projects consisting of Pure Water Monterey (PWM), Aquifer Storage and Recovery (ASR), and Sand City Desalination. To better represent the annual water supply, Rule 160 should be modified to reflect the water supplied from the MPWRS and water supply projects. With this change, production tracking against Rule 160 monthly limits can again be utilized as rationing triggers for Rules 162 to 165.

Additionally, the current version of Rule 160 uses Table XV-2 Regulatory water production targets for California American Water Satellite Systems from sources within the Monterey Peninsula Water Resource System. Because of the triennial production ramp downs imposed by the Seaside Adjudication, the water allocation for the Laguna Seca Sub-Area has been reduced to zero. Physical interties between the Main System and the Ryan Ranch and Bishop Systems have been constructed. Table XV-2 no longer provides a function to Rule 160.

To better represent the annual supply and demand, the methodology for Tables XV-1 and XV-2 should be modified to take into account the water resources projects and regulatory changes. Table XV-1 should be modified to account for the MPWRS and the water supply projects. The breakdown of the source of the water can be footnoted on the table. This modification will return the functionality of the Rule 160 rationing triggers. Table XV-2 should be modified from reporting on the Satellite Systems to reporting on the water supply projects. This change will restore the structure of the values in Table XV-1 representing the total water supply by adding the monthly values of Tables XV-2 and XV-3.

RECOMMENDATION: Direct the General Manager to make these changes to Rule 160 through the process of Board Ordinance.

BACKGROUND: The District established Rule 160 by Ordinance 92 on 1/29/99 and has been modified several times over the years. The Rule establishes the monthly distribution of water production from all sources in the MPWRS, which is described as the Seaside Groundwater Basin and the Carmel Valley Alluvial Aquifer. The monthly limits are tied to the District Rationing Rules set forth in MPWMD Rules 162 to 165.

EXHIBIT

3-A Existing Rule 160 Tables XV-1, XV-2, and XV-3

EXHIBIT 3-A

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

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	510	510
November	417	927
December	386	1,313
January	422	1,735
February	378	2,113
March	441	2,554
April	443	2,997
May	504	3,501
June	503	4,004
July	539	4,543
August	541	5,084
September	500	5,584
TOTAL	5,584	---

Notes:

Monthly and year-to-date at month-end production targets are based on the annual production limit specified for the California American Water (Cal-Am) systems for Water Year (WY) 2022 from Carmel River sources per State Water Resources Control Board Order WR 2016-0016 4,110 acre-feet) and adjusted annual production limits specified for the Cal-Am satellite systems from its Coastal Subarea sources (1,474 acre-feet) and Laguna Seca Subarea sources (0 acre-feet) of the Seaside Groundwater Basin per the Seaside Basin adjudication decision. These values do not include consideration of any carryover credit in the Seaside Basin for WY 2022. This combined total (5,584 acre-feet) was distributed monthly based on Cal-Am's reported monthly average production for its main and satellite systems during the 2013 through 2018 period. For purposes of Rule 163.A.3 and Rule 164.A.3 the annual production limit shall add the expected production from all water supply projects, including Pure Water Monterey and the Sand City Desalination Facility.

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

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	0	0
November	0	0
December	0	0
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
TOTAL	0	---

Notes:

Monthly and year-to-date at month-end production targets are based on the adjusted annual production limit specified for the California American Water (Cal-Am) satellite systems for Water Year 2022 from its sources in the Laguna Seca Subarea of the Seaside Groundwater Basin per the Seaside Basin adjudication decision. This Laguna Seca Subarea total (0 acre-feet) was distributed monthly based on Cal-Am's reported monthly average production for its satellite systems during the 2013 through 2018 period.

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

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	375	375
November	306	682
December	284	966
January	311	1,277
February	278	1,555
March	324	1,880
April	326	2,205
May	371	2,577
June	370	2,947
July	397	3,344
August	398	3,742
September	368	4,110
TOTAL	4,110	---

Notes:

Monthly and year-to-date at month-end production targets are based on the annual production limit specified for California American Water (Cal-Am) for Water Year (WY) 2022 from its Carmel River system sources per State Water Resources Control Board Order WR 2016-0016 (4,110 acre-feet). This amount was distributed monthly based on Cal-Am's reported monthly average production for its Main system sources during the 2013 through 2018 period. These values incorporate consideration of the triennial reductions specified for the Cal-Am systems in the Seaside Basin adjudication decision, in setting the monthly maximum production targets from each source as part of the MPWMD Quarterly Water Supply Budget Strategy.