

This meeting is not subject to Brown Act noticing requirements. The agenda is subject to change.



**Water Demand Committee Members:**  
*Amy Anderson, Chair*  
*Alvin Edwards*  
*Clyde Roberson*

**Alternate:**  
*George Riley*

**Staff Contact**  
*Stephanie Locke*  
*Joel G. Pablo*

*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.*

**Agenda**  
**Water Demand Committee**  
**Of the Monterey Peninsula Water Management District**  
\*\*\*\*\*

Thursday, October 7, 2021 at 2:00 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://zoom.us/j/91210291784?pwd=UnkzMllzRzQxOWV3cU00R1hNMWtHQQT09>

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

Webinar ID No.: 912 1029 1784

Webinar Password: 10072021

Participate by phone: (669) 900 - 9128

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

**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.*

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

1. Consider Adoption of Committee Meeting Minutes from June 3, 2021
2. Review Preliminary Draft Ordinance No. 189 and Provide Direction to Staff

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

3. Update on District's Water for Housing Initiative (*Verbal Report*)
4. Summary of Water Year 2021 Supply and Demand
5. Discussion of Potential Changes to Rule 160

**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 noon on Friday, October 1, 2021, to [joel@mpwmd.net](mailto:joel@mpwmd.net) or call 831- 658-5652. Alternatively, you may call Sara Reyes, Administrative Services Division 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: <https://zoom.us/j/91210291784?pwd=UnkzMlIzRzQxOWV3cU00R1hNMWtHQT09> or paste the link into your browser.

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

#### USING A DESKTOP COMPUTER OR LAPTOP

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

#### COMPUTER AUDIO

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

#### PHONE CALL

1. If you do not have built in computer audio settings or external video settings – please click “Phone Call”
2. 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)

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

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

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

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

+1 646-558-8656 (Maryland)

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

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

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

### **DIAL IN**

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

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

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

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

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

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

+1 646-558-8656 (Maryland)

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

### **Presenting Public Comment**

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

- (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](mailto:comments@mpwmd.net) with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "COMMENTS FROM THE PUBIC". Comments must be received by noon on Thursday, October 7, 2021. Comments submitted **by noon** will be provided to the committee members and compiled as part of the record of the meeting.

## **WATER DEMAND COMMITTEE**

### **ITEM: ACTION ITEM**

#### **1. CONSIDER ADOPTION OF COMMITTEE MEETING MINUTES FROM JUNE 3, 2021**

**Meeting Date:** October 7, 2021

**From:** David J. Stoldt,  
General Manager

**Prepared By:** Joel G. Pablo

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

**SUMMARY:** Attached as **Exhibit 1-A** are draft minutes of the June 3, 2021 committee meeting.

**RECOMMENDATION:** The Committee should adopt the minutes by motion.

#### **EXHIBIT**

**1-A** Draft Minutes of the June 3, 2021 Committee Meeting



**EXHIBIT 1-A**

**DRAFT MINUTES  
Water Demand Committee of the  
Monterey Peninsula Water Management District  
Thursday, June 3, 2021**

**Call to Order**

The virtual meeting was called to order at 3:00 pm by Chair Anderson. *Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, the meeting was conducted with virtual participation via Zoom.*

**Committee members present:** Amy Anderson, Chair  
*(By Roll-Call)* Alvin Edwards  
Clyde Roberson

**Committee members absent:** None

**Staff members present:** David J. Stoldt, General Manager  
Joel G. Pablo, Board Clerk

**District Counsel present:** Fran Farina, Esq. with De Lay and Laredo

**Comments from the Public:** No comments were directed to the committee.

**Action Items**

**1. Consider Adoption of Committee Meeting Minutes from May 6, 2021**

Public Comment: *None*

A motion was made by Edwards and second by Roberson to approve the committee meeting minutes from May 6, 2021. The motion passed on a roll-call vote of 3-Ayes (Anderson, Edwards and Roberson), 0-Noes, and 0-Absent.

**Discussion Items**

**2. Update on District's Water for Housing Initiative (*Verbal Report*)**

General Manager Stoldt provided the committee an overview of ongoing efforts on the District's Water for Housing Initiative:

General Manager Stoldt, Water Demand Manager Stephanie Locke & John Arriaga and Lori Johnson with JEA and Associates met with Josh Rosa of the CA Housing and Community Development Department to discuss the Peninsula's housing needs. Stoldt stated Rosa acknowledged the potential number of housing starts and he encouraged Rosa to work with Eric with the State Water Resources Control Board (SWRCB). In addition, Stoldt informed the committee he had discussions with Steve Westoff of the State Water Resources Control Board.

Stoldt was made aware by Westoff that he along with another member of the board met with CA State Senator John Laird on the housing initiative. Stoldt explained that Westoff was interested in a legislative fix on the issue. Lastly, General Manager Stoldt mentioned he met with Richard Staples, Chief of Staff and Kate Daniels, Legislative Aide to Senator Laird on the housing issue and conversations had with Westoff of the SWRCB on the legislative fix. Stoldt explained then-Assemblymember Laird introduced a bill in 2005 addressing housing and noted for legislative path to occur legislation would need to be introduced in January/February, 2022. Stoldt responded to Edwards and informed him that since a formal application on housing was submitted to the SWRCB, the state board is aware of their requirement to respond.

Public Comment: *John Tilley informed the committee that businesses are hesitant from conducting business on the Monterey Peninsula due to a very restrictive water supply.*

**3. Review Letter to the State Water Resources Control Board on the 1000 AF for W/D from the Carmel River**

David J. Stoldt, General Manager provided an overview and reviewed the draft letter to the State Water Resources Control Board. Edwards asked for Peninsula Mayors, Chair of the State Water Resources Control Board and the Pebble Beach Company to be copied on the draft letter.

Public Comment: *None*

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

- Chair Edward requested an update on further updates on Rules and Regulations.

**Adjournment**

Chair Anderson adjourns the meeting at 3:47 PM

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Joel G. Pablo, Board Clerk

Reviewed and Approved by the MPWMD Water Demand Committee on October \_\_, 2021  
Received by the MPWMD Board of Directors on October \_\_, 2021

## WATER DEMAND COMMITTEE

### ITEM: ACTION ITEM

#### 2. REVIEW PRELIMINARY DRAFT ORDINANCE NO. 189 AND PROVIDE DIRECTION TO STAFF

<b>Meeting Date:</b>	<b>October 7, 2021</b>	<b>Budgeted:</b>	<b>N/A</b>
<b>From:</b>	<b>David J. Stoldt, General Manager</b>	<b>Program/ Line Item No.:</b>	<b>N/A N/A</b>
<b>Prepared By:</b>	<b>Stephanie Locke</b>	<b>Cost Estimate:</b>	<b>N/A</b>

**General Counsel Review: Pending. This preliminary draft has not been reviewed by Counsel.**

**CEQA Compliance: CEQA findings will be provided to the Board prior to consideration of adoption.**

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**SUMMARY:** Ordinance No. 189, attached as **Exhibit 2-A**, updates a number of the District's Rules and Regulations that were discussed at the Water Demand Committee meeting on May 6, 2021. The ordinance is in preliminary form: Additional findings and review for impacts under the California Environmental Quality Act (CEQA) will take place before first reading.

In addition to the ordinance, staff is preparing three resolutions (not included in this report) for consideration by the Board that make changes to tables in the Rules and Regulations. The following amendments are proposed:

- Table 1, Residential Fixture Unit Values: Amendment to clarify the calculation for Common Laundry Rooms.
- Rule 60, Fees and Charges Table: Adding fees for responses to Public Records Act requests, including copying, mailing and media. Reviewing the table to ensure that the correct hourly rates are reflected and that the calculations are correct.
- Table XIV-1, Rebate Amounts: Table is being amended to change the "Smart Controller" to "Weather Based Irrigation Controller," to reduce the rebate for High Efficiency Toilets from \$75 to \$50, and to add a rebate for Smart Flowmeters in the amount of up to 50 percent of the total cost of the Smart Flowmeter purchase (excluding taxes and installation) - up to \$200 per device. The rebate is limited to one-device per service address. If applicable, the rebate can cover up to two-years of pre-paid service. Multiple rebates may be considered on a case-by-case basis. The addition of the Smart Flowmeter rebate was requested by staff at California American Water and the District.

**RECOMMENDATION:** The Committee should review and provide direction on proposed clarifications and revisions to rules related to Water Distribution Systems (Rule 21), Water Permits (Rules 23 and 24), Water Use Credits (Rule 25.5), and Rebates (Rule 141). The Committee should

also consider staff's recommendation to delete Rule 91 (Short Term Variance) and amend the title of Regulation XV to delete reference to the year it was adopted.

**EXHIBIT**

**2-A** Ordinance No. 189

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**EXHIBIT 2-A**

*Preliminary Draft*

**ORDINANCE NO. 189**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF  
THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
CLARIFYING AND AMENDING RULES RELATED TO WATER  
DISTRIBUTION SYSTEMS (RULE 21), WATER PERMITS (RULES 23 AND 24),  
WATER USE CREDITS (RULE 25.5), AND REBATES (RULE 141); DELETING  
RULE 91 (SHORT TERM VARIANCE); AND REVISING THE TITLE OF  
REGULATION XV**

**FINDINGS**

1. The Monterey Peninsula Water Management District (District or Water Management District) is charged under the Monterey Peninsula Water Management District Law with the integrated management of the ground and surface water resources in the Monterey Peninsula area.
2. 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.
3. The Monterey Peninsula Water Management District has found and determined that it is in the best interests of the Monterey Peninsula Water Management District and its inhabitants to define, implement and enforce water efficient plumbing standards and requirements for the conservation of Potable water supplies. Retrofit or replacement of existing plumbing fixtures lessens consumption of the limited water resources available on the Monterey Peninsula. Installation of water efficient plumbing fixtures reduces the burden of new, expanded or modified uses on the water resources.
4. This ordinance is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities, for modifications to Rule 141, as these amendments relate to replacement of existing facilities with less water intensive uses.

***ADDITIONAL FINDINGS AND CEQA DETERMINATION TO BE ADDED PRIOR TO FIRST READING***

NOW THEREFORE be it ordained as follows:

ORDINANCE

**Section One:**            **Short Title**

This ordinance shall be known as the \_\_\_\_\_ Ordinance of the Monterey Peninsula Water Management District.

**Section Two:**            **Purpose**

This ordinance clarifies and revises rules related to Water Distribution Systems (Rule 21), Water Permits (Rules 23 and 24), Water Use Credits (Rule 25.5), and Rebates (Rule 141). The ordinance also deletes Rule 91 (Short Term Variance) and amends the title of Regulation XV to delete reference to the year it was adopted.

**Section Three:**         **Amendments to Rule 11**

Rule 11 shall be amended as shown below, with added language as shown in ***bold italic*** type face, and deleted language shown in ~~strikeout~~ type face.

***SMART FLOWMETER – “Smart Flowmeter” shall mean a device approved by the District that accurately measures water use through plumbing. Smart Flowmeters report water use and send customizable alerts through a convenient web portal or mobile app. Customers can see their water use down to a fraction of a gallon and usage as frequent as every minute, keeping them informed of overall water use, potential high water use, or suspected leaks.***

HIGH EFFICIENCY CLOTHES WASHER - “High Efficiency Clothes Washer (or HEW)” shall mean a Clothes Washer with a Water Factor of ~~5.0~~ ***4.3*** or less ***that has Energy Star certification.***

HIGH EFFICIENCY DISHWASHER - “High Efficiency Dishwasher” shall mean a Dishwasher designed to use a maximum of ~~5.8~~ ***3.5*** gallons per cycle ***and that has***. ~~A High Efficiency Dishwasher shall have Energy Star certification.~~

**Section Four:**         **Amendments to Rule 21**

Rule 21-A shall be amended with added language as shown in ***bold italic*** type face show below.

- p. An application for a Public Water System must have preliminary approval from the Department of Water Resources before District consideration of a Water***

*Distribution System Permit.*

**Section Five: Amendments to Rule 23**

1. Rule 23-A-1-i shall be amended as shown below, with added language as shown in ***bold italic*** type face, and deleted language shown in ~~strikeout~~ type face. These changes facilitate sub-metering at a Multi-Family Residential Site where the installation of multiple Water Meters owned by the Water Distribution System Operator would result in difficulties related to utility infrastructure and sidewalk safety. Current technology allows sub-metering to be installed that provides water use information for each User that can be reported to the District as needed.
  - i. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User except as allowed in 23-A-1-i-(3), (4), (5), and (6).
    - (1) A Non-Residential User may extend 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 (as defined in Rule 11).
    - (2) A Change of Use as defined in Rule 11 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.).***
    - (3) Users of multiple structures on a Site occupied by one Non-Residential User may apply for a variance of this Rule.
    - (4) The General Manager shall allow sub-metering for each Multi-Family Dwelling (including condominiums and Common Interest Developments), Mixed Use, or Non-Residential User when the installation of separate Water Meters is not feasible ***due to a Connection moratorium*** and the User is utilizing Water Credits or an Entitlement on a Site that has a Connection. Applications for sub-metering of Single-Family Dwellings will be considered by the General Manager when the Jurisdiction confirms there is no potential that the sub-metered User could be located on a separate Site through subdivision or transfer of ownership of a portion of the Site. Approval of a Water Permit allowing sub-metering under this provision shall require recordation of a deed restriction on the title of the property that shall encumber current and future Site owners to comply with the following

conditions:

- a. A Site's owner shall have Water Meters installed for each sub-metered User by the Water Distribution System Operator within ninety (90) days of the conclusion of a Connection moratorium. It is recommended that the sub-meter(s) be located in or near the future meter box to facilitate this requirement. Once Water Meters maintained by the Water Distribution System Operator have been installed, the deed restriction shall be removed;
  - b. ***When requested*** ~~Annually~~ at the conclusion of the Water Year, ~~and within 30 days of change in tenancy,~~ the Site's owner 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 sub-meter (e.g., apartment number or lease space number) and the number of residents in each Residential Dwelling Unit or the type of use according to Rule 24, Table 2, for each Non-Residential User;
  - c. During Stages **Four** of ~~the 2016~~ Monterey Peninsula Water Conservation and Rationing Plan (Regulation XV), sub-metered consumption shall be provided to the District monthly or more frequently if requested by the General Manager;
2. Rule 23-A-1-i shall be amended as shown below to add subparagraph 7, with added language as shown in ***bold italic*** type face, and deleted language shown in ~~strikeout~~ type face.

***(7) The General Manager shall allow permanent sub-metering of all water use into individual Multi-Family Dwelling Units or Residential Common Interest Developments of four or more units and into common areas. Approval of a Water Permit allowing sub-metering under this provision shall require recordation of a deed restriction on the title of the property that shall encumber current and future Site/common area owners and managers to comply with the following conditions:***

- b. ***When requested at the conclusion of the Water Year, the Site's owner 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 sub-meter (e.g. apartment or condo number) and the number of residents in each***

*Dwelling Unit and information about common area uses;*

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

3. Rule 23-A-4 shall be added as shown below in ***bold italic*** type face.

4. **Water Permit Waiver**

*When requested by a Jurisdiction, or at the request of an applicant, the District will review a Water Permit application and when a Water Permit is not required, issue a “waiver.” A waiver involves the same review process as a Water Permit but does not result in recordation of deed restrictions.*

**Section Six: Amendments to Rule 24**

1. Rule 24-A shall be amended as shown below, with added language as shown in ***bold italic*** type face, and deleted language shown in ~~strikeout~~ type face. Existing Rule 24-A-6 shall be renumbered as Rule 24-A-8.

7. ***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 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.***

2. Rule 24-A-8 shall be added as shown below, with added language as shown in ***bold italic*** type face. High Efficiency Clothes Washers are required in Multi-Family Common Laundry Rooms and it is assumed that they are used by the tenants. Locating a High Efficiency Clothes Washer within an existing unit in a Multi-Family Dwelling does not increase Capacity.

8. ***Installation of High Efficiency Clothes Washers in an existing unit of a Multi-Family Dwelling served by Common Laundry facilities shall not require additional water and does not increase Capacity.***
3. Rule 24-B-1 shall be amended as shown below, with added language as shown in ***bold italic*** type face, and deleted language shown in ~~strikeout~~ type face.
  1. Methodology for Determining Water Use Capacity  
The following process shall be used to determine if there is an increase in Water Use Capacity:
    - a. The General Manager shall estimate Water Use Capacity of the proposed Project using the Water Use Factors from Table 2: Non-Residential Water Use Factors.
      - (1) New Construction: When the Non-Residential Water Use Factor is based on a square-footage factor, the ~~entire~~ ***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 a ~~square-footage~~ for a Tenant Improvement, 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.***

**Section Seven: Amendments to Rule 25.5**

1. Rule 25.5-G-6 shall be added as shown below, with added language as shown in ***bold italic*** type face. The relocation of an associated use is generally not sustainable and results in increases in traffic, greenhouse gas emissions, etc.
  6. ***No Water Use Credit shall be granted for the removal of an associated use from within the District to an out of District location. For example: No credit shall be granted for laundering hotel textiles at another location outside the District.***

**Section Eight: Deletion of Rule 91, Short Term Variance**

Rule 91 shall be deleted in its entirety as it is obsolete. Rule 91 was adopted by Ordinance No. 5

and amended by Ordinance No. 6 in 1981. The District's Water Permit process has been completely revised since then, and there is no circumstance that Rule 91 would apply to.

**Section Nine: Amendments to Rule 141**

1. Rule 141-A shall be amended by deleting the following footnote to the word "purchase" as shown in ~~strike through~~. High Efficiency Clothes Washers have been required in all Common Laundry Rooms since 2014, and the rebate program is to available only for voluntary retrofits.

**A. QUALIFYING DEVICES**

Rebates are available for purchase<sup>+</sup> 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.

~~<sup>+</sup>Rebates are available for High Efficiency Clothes Washers in Common Laundry Rooms that are leased under a contract with a vendor.~~

2. Rule 141-C-3 shall be amended as shown below, with added language as shown in ***bold italic*** type face, and deleted language shown in ~~strikeout~~ type face to facilitate the continued water savings associated with these appliances as they are replaced.

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.

3. Rule 141-D-10 (Conditions of Approval) shall be added as shown below, with added language as shown in ***bold italic*** type face.

***10. Rebates for Smart Flowmeters.***

- a. Eligible Smart Flowmeters shall measure total water usage at least hourly and report water usage on a web portal.***

- b. An applicant for a Smart Flowmeter shall obtain approval from the Water Distribution System Operator when a flowmeter is attached to the Water Meter.*
- c. The Smart Flowmeter shall be designed for at least two years of continuous operation.*
- d. Property owner shall agree to keep the flowmeter installed and operational for a minimum of two years.*
- e. Applicant shall submit a photograph of the installed Smart Flowmeter with the rebate application.*

**Section Ten:**            **Amendment to Regulation XV Title**

The title to Regulation XV shall be amended to delete the year 2016.

**Section Eleven:**        **Publication and Application**

The provisions of this ordinance shall cause the republication and amendment of Rules 11, 23, 141, and 162 of the Monterey Peninsula Water Management District.

**Section Twelve:**        **Effective Date and Sunset**

This ordinance shall take effect at 12:01 a.m. on the 30th day after it has been enacted on second reading.

This Ordinance shall not have a sunset date.

**Section Thirteen:**        **Severability**

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



On motion by Director \_\_\_\_\_, and second by Director \_\_\_\_\_, the foregoing ordinance is adopted upon this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of an ordinance duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

\_\_\_\_\_  
David J. Stoldt, Secretary to the Board

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## WATER DEMAND COMMITTEE

### ITEM: DISCUSSION ITEM

#### 4. SUMMARY OF WATER YEAR 2021 SUPPLY AND DEMAND

**Meeting Date:** October 7, 2021                      **Budgeted:** N/A

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

**Prepared By:** David J. Stoldt                      **Cost Estimate:** N/A

**General Counsel Review:** N/A

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

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**SUMMARY:** If Water Year 2021 data is available, a review of the most recent and last 10-years of water demand will be reviewed to see where 2021 compares.

In addition, discussion will be had regarding sources of supply to meet Cease and Desist Order compliance for next 2 ½ to 3 years while Pure Water Monterey expansion is being built.

Specifically, the following information (in Acre-Feet) will be discussed:

Source	Last Year WY 2020	Next Year WY 2022	WY 2023 and/or 2024
Carmel River	6,425	4,110	3,376
Seaside Basin	2,219	1,474	1,474
Pure Water Monterey	88	3,500	3,500
Sand City Desalination	195	200	200
Sub-Total Available	8,927	9,284	8,550
Total Customer Demand	9,680	9,700	9,700
Needed from ASR or Other	753	416	1,150

### EXHIBITS

None



**EXHIBIT 5-A**

**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**

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

**General Counsel Review:** N/A

**Committee Recommendation:** N/A

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

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**SUMMARY:** 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)

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<b>Month</b>	<b>Monthly Target</b>	<b>Year-to-Date at Month-End Target</b>
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
<b>TOTAL</b>	<b>5,584</b>	---

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**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 thetriennial 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.