

This meeting has been noticed according to the Brown Act rules. The Board of Directors meets regularly on the third Monday of each month, except in January, February. The meetings begin at 6:00 PM.



**AGENDA**  
**Regular Meeting**  
**Board of Directors**  
**Monterey Peninsula Water Management District**  
\*\*\*\*\*

**Monday, September 21, 2020, 6:00 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 WebEx.

Join the meeting at this link:

<https://mpwmd.webex.com/mpwmd/onstage/g.php?MTID=e28dba8f6fdbfbd1153bb085f6f2b4845>

Or join at [mpwmd.webex.com](https://mpwmd.webex.com).

Event number: 126 210 8082

Meeting password: September

Participate by phone: 1-877-668-4493

**For detailed instructions on how to connect to the meeting, please see page 5 of this agenda.**

You may also view the live webcast on AMP <https://accessmediaproductions.org/>  
scroll down to the bottom of the page and select the Peninsula Channel

Staff notes will be available on the District web site at  
<http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/>  
by 5 PM on Thursday, September 17, 2020

---

**CALL TO ORDER/ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS AND CORRECTIONS TO AGENDA** - The Clerk of the Board 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.

**Board of Directors**

Alvin Edwards, Chair – Division 1

Jeanne Byrne, Vice Chair - Division 4

George Riley – Division 2

Molly Evans – Division 3

Gary D. Hoffmann, P.E. – Division 5

Mary Adams, Monterey County Board of  
Supervisors Representative

David Potter – Mayoral Representative

**General Manager**

David J. Stoldt

This agenda was posted at the District office at 5 Harris Court, Bldg. G Monterey on Friday, September 18, 2020. Staff reports regarding these agenda items will be available for public review on Friday, September 18 at the District office and at the Carmel, Carmel Valley, Monterey, Pacific Grove and Seaside libraries. After staff reports have been distributed, if additional documents are produced by the District and provided to a majority of the Board regarding any item on the agenda, they will be available at the District office during normal business hours, and posted on the District website at [www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/](http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/). Documents distributed at the meeting will be made available in the same manner. The next Regular meeting of the Board is set for on October 19, 2020 at 6 pm.

**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 August 17, 2020 Regular Board Meeting
2. Consider Approval of Contract with TMD Creative for Public Outreach Services
3. Consider Extension of Cooperative Agreement with the United States Geological Survey for Streamflow Gaging in Water Year 2021
4. Consider New Assistant Fisheries Biologist Position for Operation of the Carmel River Resistance Board Weir and Other Fisheries Related Work
5. Authorize District Staff to File for Extension of Water Rights Permits 202808 A and C
6. Consider Amended Quarterly Water Budget for September to Accommodate the Availability of Pure Water Monterey as a New Source
7. Consider Adoption of Treasurer's Report for June 2020
8. Consider Adoption of Treasurer's Report for July 2020
9. Consider Approval of Fourth Quarter Fiscal Year 2019-2020 Investment Report

**GENERAL MANAGER'S REPORT**

10. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision
11. Update on Development of Water Supply Projects

**REPORT FROM DISTRICT COUNSEL ON SEPTEMBER 21, 2020, 4:30 PM CLOSED SESSION**

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

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

**PRESENTATION**

13. Presentation on Sleepy Hollow Steelhead Rearing Facility Upgrades by Larry Hampson

**PUBLIC HEARINGS** – Public comment will be received. Please limit your comment to three (3) minutes per item

14. Consider Approval of Application to Amend California American Water Company System Permits for the Ryan Ranch and Bishop Units to Change the Source of Supply and Authorize Permanent Connection to the Main California American Water System to Receive Deliveries of Native Seaside Basin Groundwater from the Coastal Subarea

*Action: The Board will consider authorizing a change in the Source of Supply for the Ryan Ranch Unit and the Bishop Unit of CAW from the Laguna Seca Subarea to native groundwater from the Seaside Coastal Subarea.*

15. Consider Adoption of Resolution No. 2020-13 Modifying Rule 160 – Regulatory Water Production Targets for California American Water System (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.)

*Action: The Board will consider modifications to the Regulatory Water Production Targets in Tables XV-1, XV-2 and XV-3 of Rule 160. The modifications reflect the anticipated changes in Cal-Am production limits as set by the State Water Resources Control Board orders and Seaside Basin Adjudication decision for Water Year 2021 (Oct. 1, 2020 through Sept. 30, 2021).*

16. Consider Adoption of October through December 2020 Quarterly Water Supply Strategy and Budget

*Action: The Board will consider approval of a proposed production strategy for the California American Water Distribution Systems for the three-month period of October through December 2020. The strategy sets monthly goals for surface and groundwater production from various sources within the California American Water systems.*

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

17. Consider Funding and Remediation Plan for Pure Water Monterey Baseline Project (Phase 1) Injection Facilities

*Action: The Board will consider funding construction of a fourth deep injection well to meet Water Purchase Agreement delivery guarantees, provide operational flexibility and create redundancy.*

18. Discuss Baseline for the Water Supply Charge and Consider Policy for Sunset Based on User Fee Performance

*Action: The Board will consider adoption of a policy that would prioritize the allocation of User Fee collections that exceed the amount budgeted in a fiscal year.*

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

- 19. Monthly Progress Report – Santa Margarita Water Treatment Facility
- 20. Report on Activity/Progress on Contracts Over \$25,000
- 21. Status Report on Measure J/Rule 19.8 Phase II Spending
- 22. Letters Received Supplemental Letter Packet
- 23. Committee Reports
- 24. Monthly Allocation Report
- 25. Water Conservation Program Report
- 26. Carmel River Fishery Report for September 2020
- 27. Semi-Annual Financial Report on the CAWD/PBCSD Wastewater Reclamation Project
- 28. Monthly Water Supply and California American Water Production Report

## ADJOURNMENT

Board Meeting Schedule			
Monday, October 19, 2020	Regular Board Meeting	6:00 pm	Virtual - WebEx
Monday, November 16, 2020	Regular Board Meeting	6:00 pm	Virtual - WebEx
Monday, December 14, 2020	Regular Board Meeting	6:00 pm	Virtual - WebEx

Board Meeting Television and On-Line Broadcast Schedule View Live Webcast at <a href="https://accessmediaproductions.org/">https://accessmediaproductions.org/</a> scroll to the bottom of the page and select the Peninsula Channel	
Television Broadcast	Viewing Area
Comcast Ch. 25 (Monterey Channel), Mondays view live broadcast on meeting dates, and replays on Mondays, 7 pm through midnight	City of Monterey
Comcast Ch. 28, Mondays, replays 7 pm and Saturdays 9 am	Throughout the Monterey County Government Television viewing area.
For Xfinity subscribers, go to <a href="https://www.xfinity.com/support/local-channel-lineup/">https://www.xfinity.com/support/local-channel-lineup/</a> or <a href="https://www.xfinity.com/stream/listings">https://www.xfinity.com/stream/listings</a> - enter your address for the listings and channels specific to your city.	Pacific Grove, Pebble Beach, Sand City, Seaside, Monterey
Internet Broadcast	
Replays – Mondays, 4 pm to midnight at <a href="https://accessmediaproductions.org/">https://accessmediaproductions.org/</a> scroll to Peninsula Channel	
Replays – Mondays, 7 pm and Saturdays, 9 am <a href="http://www.mgtvonline.com">www.mgtvonline.com</a>	
YouTube – available five days following meeting date - <a href="https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg">https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg</a>	

**See next page of agenda for instructions on connecting to WebEx meeting**



### Instructions for Connecting to the WebEx Meeting

Note: If you have not used WebEx 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://mpwmd.webex.com/mpwmd/onstage/g.php?MTID=e28dba8f6fdbfd1153bb085f6f2b4845> or past the link into your browser or go to: [mpwmd.webex.com](https://mpwmd.webex.com).

Under “Join a Meeting” enter the event number 126 210 8082, hit the enter key and when prompted enter the meeting password September, click “Next” and see the dropdown menu at the bottom of the screen “Use computer for audio” and select the method you will use to hear the meeting – see below.

**1) Audio and video connection from computer with WebEx app – view participants/materials on your screen**

Click on the “Use computer for audio” drop down list

Click “Join Meeting”

Once in the meeting, mute your microphone.

Turn your microphone on when it is your turn to speak.

**2) View material on your computer screen and listen to audio on your phone**

From the “Use computer for Audio” drop down list select “Call In”

Click on “Join Meeting” / You will see a toll-free telephone number, access code, and attendee ID # -- enter these numbers on your phone.

Mute the microphone on your computer.

Disable computer speakers using the Settings menu.

**3) Join by phone only (no computer) dial 1-877-668-4493 and use the meeting number above.**

### Presenting Public Comment

- 1) The Chair will call the meeting to order.
- 2) 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: Press \*9. Wait for the clerk to unmute your phone and then identify yourself and provide your comment. Press \*9 to end the call.
- 3) For Action and Discussion Items the Chair will receive a presentation from staff and the Directors may ask questions. Following the question and answer period, the Chair will ask for comments from the public.

### 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 "PUBLIC COMMENT – ORAL COMMUNICATIONS". Comments must be received by 12:00 p.m. on Monday, September 21, 2020. Comments submitted by noon will be provided to the Board of Directors and compiled as part of the record of the meeting.



**ITEM:     CONSENT CALENDAR**

**1.       CONSIDER ADOPTION OF MINUTES OF THE AUGUST 17, 2020 REGULAR BOARD MEETING**

**Meeting Date:**   September 21, 2020

**Budgeted:**        N/A

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

**Program/**         N/A  
**Line Item No.:**

**Prepared By:**    Arlene Tavani

**Cost Estimate:**   N/A

**General Counsel Review:** N/A

**Committee Recommendation:** N/A

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

---

**SUMMARY:** Attached as **Exhibit 1-A** are draft minutes of the August 17, 2020 Regular meeting of the Board of Directors.

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

**EXHIBIT**

**1-A**     Draft Minutes of the August 17, 2020 Regular Meeting of the Board of Directors





### EXHIBIT 1-A

DRAFT MINUTES  
**Regular Meeting**  
**Board of Directors**  
**Monterey Peninsula Water Management District**  
*August 17, 2020*

The meeting was called to order at 6:04 pm. Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, the meeting was conducted with virtual participation via WebEx.

#### **CALL TO ORDER/ROLL CALL**

*Directors Present via WebEx:*

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

*Directors Absent: None*

*General Manager present: David J. Stoldt*

*District Counsel present: David Laredo*

The assembly recited the Pledge of Allegiance.

#### **PLEDGE OF ALLEGIANCE**

Edwards offered a motion that was seconded by Byrne to remove item 11 from the agenda. The motion was approved on a vote of 7 – 0 by Edwards, Byrne, Adams, Evans, Hoffmann, Potter and Riley

#### **ADDITIONS AND CORRECTIONS TO AGENDA**

The following persons addressed the Board during Oral Communications: **(1) Ron Chesshire** proposed that the District should begin talks with Monterey One Water about a merger of the two agencies. He also requested that the General Manager resign as no progress had been made towards obtaining a sufficient water supply for the community. **(2) Varman Chhoeung** requested sufficient water credits for projects at the Presidio of Monterey and stated that he would request a waiver from Rule 25.5. **(3) Melodie Chrislock** stated that anyone serious about the need for a water supply should support the Pure Water Monterey Expansion Project.

#### **ORAL COMMUNICATIONS**

On a motion by Evans and second of Riley item 1 was approved, and agenda items 2, 3 and 4 were pulled for separate consideration. The motion was approved on a vote of 7 – 0 by Evans, Riley, Adams, Byrne, Edwards, Hoffmann and Potter.

#### **CONSENT CALENDAR**

Approved.

Byrne made a motion to approve the staff recommendation to authorize the General Manager to contract with the lowest bidder at bid cost plus 10% contingency, not to exceed \$130,000. The motion was seconded by Riley.

Evans offered a substitute motion to authorize the General Manager to negotiate a contract with Fishbio in a sole source arrangement due to a lack of bids received under the public bid process, and to authorize a bid cost plus 10% contingency, not to exceed \$130,000. The motion was seconded by Riley and approved on a vote of 6 – 1 by Evans, Riley, Adams, Byrne, Edwards and Potter. Hoffmann was opposed. No public comment was directed to the Board on this item.

Adams offered a motion to authorize the General Manager to enter into an agreement with Martin Feeney in an amount not to exceed \$53,820. The motion was seconded by Potter and approved on a vote of 6 – 1 by Adams, Potter, Byrne, Edwards, Evans and Riley. Hoffmann was opposed. No public comment was directed to the Board on this item.

Riley made a motion to approve the 2020 Memorandum of Agreement and direct the General Manager to sign the agreement. The motion was seconded by Evans and approved on a unanimous vote of 7 – 0 by Riley, Evans, Adams, Byrne, Edwards, Hoffmann and Potter. No public comment was directed to the Board on this item.

A summary of General Manager Stoldt's presentation can be viewed on the District's website. He reported that for the period of October 2019 through July 31, 2020, water production in the Monterey Peninsula Water Resources System exceeded the production target by 176 acre-feet. That was the first time in the current water year that production had exceeded the target. He explained that California-American Water's pumping regime in the Seaside Basin had increased in preparation for implementation of the Pure Water Monterey Project, and that water production should balance out by the end of the water year. He reported that staff had rescued 6,872 steelhead from the mainstem of the Carmel river and 4,379 from the tributaries. Recently rescued fish were transferred to the renovated Sleepy Hollow Steelhead Rearing Facility.

Stoldt reported that on August 13, 2020, the Board conducted a closed session regarding threatened litigation as well as real property negotiations. They reviewed progress

1. **Consider Adoption of Minutes of the July 20, 2020 Regular Board Meeting and July 31, 2020 Special Meeting of the Board**
2. **Consider Expenditure to Contract for Construction and Related Services to Complete the Carmel River Steelhead Resistance Board Weir Project**
3. **Consider Authorizing the General Manager to Contract with Martin Feeney to Perform Project Management for the Final Commissioning of the Pure Water Monterey Injection Well Field**
4. **Consider Approval of 2020 Annual Memorandum of Agreement for Releases from Los Padres Reservoir among California American Water, California Department of Fish and Wildlife, and Monterey Peninsula Water Management District**

#### **GENERAL MANAGER'S REPORT**

5. **Status Report on California-American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision**
6. **Update on Measure J Activities**

on operations and how that would effect a potential bench trial should the Board desire to carry through the process. A report may be submitted at the September Board meeting. A discussion was also held with the appraiser and financial firm related to rate setting under public ownership. Real estate was part of the appraisal effort and it was ongoing as 111 parcels were included. That effort should be complete by the end of September or early October 2020. The Final EIR on potential acquisition of the water system should be completed by September and could be presented for certification in October 2020.

Stoldt announced that on July 27, 2020, the District was awarded the District Transparency Certificate of Excellence through the Special District Leadership Foundation.

Stoldt reported that the Department of Water Resources denied use of HEART program funds for a retrofit program at the Rippling River complex in Carmel Valley. The funds will likely be used for a wastewater project in Monterey that had previously been approved for Integrated Regional Water Management program funding.

District Counsel Laredo reported the following.

**July 31, 2020 Closed Session:** The Board met on the initiation of litigation regarding the dispute resolution process that is ongoing with Monterey One Water related to the Pure Water Monterey Expansion Project SEIR. The Board provided general direction, but no reportable action was taken.

**August 13, 2020 Closed Session:** The Board met with real property negotiators to review properties held by California American Water Company. No specific reportable action was taken.

**August 17, 2020, Closed Session:** The Board met regarding the General Manager's performance appraisal. They reviewed process and provided general direction regarding development of a performance evaluation, but no reportable action was taken. The Board also discussed again initiation of litigation with Monterey One Water and reviewed its appointed representatives in furtherance of the mediation process. General direction was provided but no specific action was taken.

Directors Adams, Potter and Riley all commented on their attendance at the July 29, 2020 ACWA Virtual Summer Conference. Adams reported that she found a presentation on modern wildfire management techniques to be interesting, as was a talk by Wade Crowfoot, California

## **7. Report on CSDA Transparency Certificate**

### **REPORT FROM DISTRICT COUNSEL ON JULY 31, 2020 AND AUGUST 13, 2020 BOARD CLOSED SESSIONS**

- 1. Anticipated Initiation of Litigation by MPWMD - CA Government Code Sec. 54956.9(g) – One Case**

### **DIRECTORS REPORTS (INCLUDING ab 1234 REPORTSS ON TRIPS, CONVERENCE ATTENDANCE AND MEETINGS)**

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

Secretary for Natural Resources. Potter stated that the conference was edifying, but the lack of opportunity to network with other attendees was a negative aspect of the virtual event. Riley noted that Secretary Crowfoot was working to obtain approval for direct potable reuse of recycled water by 2023. Riley also reported that all decisions of the Seaside Groundwater Basin Watermaster were decided by weighted vote, as were votes of the Monterey One Water Board of Directors. He noted that the politics of a weighted vote system were interesting to consider. Chair Edwards requested that the Board should consider sending a letter to the California Public Utilities Commission by August 27, 2020 in support of R1706024, and request discontinuance of the water rate adjustment methodology. No discussion or action was taken on the suggestion by Chair Edwards.

Potter offered a motion to adopt Resolution 2020-12. The motion was seconded by Riley and approved on a unanimous vote of 7 – 0 by Potter, Riley, Adams, Byrne, Edwards, Evans and Hoffmann. No comments were directed to the Board during the public hearing on this items.

Riley made a motion to begin discussions with the state, build a coalition of support among housing advocates, and make a request for 75 acre-feet of relief from the Cease and Desist Order, and if granted, allocations be made initially at one-half of those listed in the table provided in the staff report. The motion was seconded by Potter and approved on a vote of 6 – 1 by Riley, Potter, Adams, Byrne, Edwards and Evans. Hoffmann was opposed. No comments were directed to the Board during the public comment period on this item.

Removed from agenda by action of the Board. Refer to agenda item ADDITIONS AND CORRECTIONS TO AGENDA.

There was no discussion of these items.

In response to a question from the Board, the General Manager reported that completion if the facility was one-month behind schedule.

## PUBLIC HEARINGS

9. **Consider Ratification of Resolution 2020-12, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Seeking Authorization to Activate Latent District Powers and to Adopt A Sphere of Influence Amendment and Annexation**

## ACTION ITEMS

10. **Approve Strategy to Address Water for Near-Term Housing Needs**

11. **Provide Direction Regarding Pure Water Monterey Expansion Final SEIR**

## INFORMATIONAL ITEMS/STAFF REPORTS

12. **Monthly Progress Report – Santa Margarita Water Treatment Facility**
13. **Letters Received**
14. **Committee Reports**
15. **Monthly Allocation Report**
16. **Water Conservation Program Report**
17. **Carmel River Fishery Report for August 2020**
18. **Monthly Water Supply and California American Water Production Report**



The meeting was adjourned at 8:23 pm.

**ADJOURNMENT**

U:\staff\Boardpacket\2020\20200921\01\Item-1-Exh-A.doc

---

Arlene M. Tavani, Deputy District Secretary



**ITEM:           CONSENT CALENDAR**

**2.       CONSIDER APPROVAL OF CONTRACT WITH TMD CREATIVE FOR PUBLIC OUTREACH SERVICES**

<b>Meeting Date:</b>	<b>September 21, 2020</b>	<b>Budgeted:</b>	<b>Yes</b>
<b>From:</b>	<b>David J. Stoldt, General Manager</b>	<b>Program/ Line Item No.:</b>	<b>Professional Fees</b>
<b>Prepared By:</b>	<b>Stephanie Locke</b>	<b>Cost Estimate:</b>	<b>\$40,000</b>

**General Counsel Review:** N/A

**Committee Recommendation:** The Administrative Committee reviewed this item on September 15, 2020 and recommended approval.

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

---

**SUMMARY:** At its August 24, 2020, meeting, the Public Outreach Committee unanimously recommended TMD Creative as the agency to contract with the District for the remainder of this fiscal year for outreach services. TMD Creative was one of three agencies that responded to a Request for Qualifications earlier this summer. At the July 20, 2020, meeting of the Board of Directors, the Board considered the three proposals from the responding parties and tasked the Public Outreach Committee with making the final recommendation.

Following the August Public Outreach Committee meeting, TMD Creative revised their proposal to \$4,000/month to bring the cost in line with the District's previous outreach consultant (approximately \$4000/mo.) and with the other proposals received in July (which were between \$3,500-\$4,000, plus additional costs for creative work). Since TMD is a full-service firm, they have the staff to do extensive creative work such as designing ads, newsletters, mailers, videos, translation, etc. that were formerly charged as additional outside services. The revised proposal (**Exhibit 2-A**) prioritizes updating the District's outreach materials, including development of timely newsletters and social media.

**RECOMMENDATION:** The Administrative Committee recommends that the Board approve a contract with TMD Creative for the remainder of Fiscal Year 2020-21 with a monthly retainer of \$4,000. This expenditure was approved in the MPWMD Annual Budget.

**EXHIBIT**

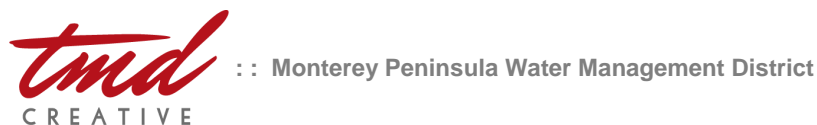
**2-A     TMD Revised Proposal**





Overview of Services, Prices, and Specialization  
Monterey Peninsula Water Management District  
Stephanie Locke  
September, 2020





---

## Overview for: Stephanie Locke

Our team of strategists, graphic designers, content developers, web developers, and multimedia producers, work synergistically with clients to create organic messages, stories, and themes that resonate with audiences for many years. At TMD Creative, we have been partnering with public and governmental agencies and marketing to the varied audiences throughout Monterey County, since our founding over 20 years ago.

We currently work with the Monterey County Department of Health Clinic Services, Monterey County Department of Behavioral Health, and the Monterey County Department of Social Services. Additionally, we started working hand-in-hand with county leaders and the Board of Supervisors on the county wide coronavirus response.

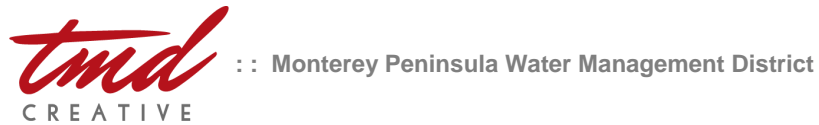
TMD Creative has been in business since 1999. Our core competencies include messaging and strategic implementation, audience segmentation, public relations, copywriting, graphic design—including infographics, video production, collateral material creation, as well as design and programming of websites, and collaborating with clients to best execute their vision, while keeping varied stakeholders at top of mind. We have a strong history of delivering projects on-time and on-budget.

TMD's specialization is in developing strategic marketing initiatives and implementing them with our award-winning, in-house team. We do not outsource any strategic, design, or production work. We have a diverse staff, a number of whom are native Spanish speakers. TMD has experience marketing to all the varied constituencies in Monterey County and understand the vehicles needed to reach these different audiences. This allows TMD to deliver the highest quality, most innovative, award-winning solutions for our clients.

TMD was established to be an extension of our client's in-house marketing team. This proposal will outline how we could partner together on messaging, advertising, newsletter and email management, editorials, event coordination, and web, including social media management.

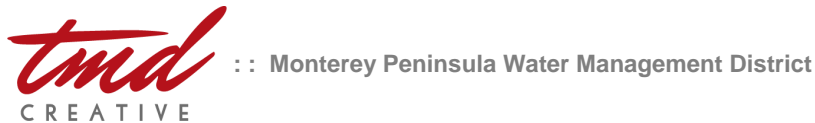
We are certain that a partnership with TMD will allow the Monterey Peninsula Water Management District to share their message with all Monterey County stakeholders and audiences.

Sincerely,  
Sam Spadoni & Nick Pasculli  
Managing Director & President and CEO, TMD Creative  
831-758-6425  
90 West Alisal Street  
Salinas, CA 93901



## Table of Contents

Consultant Qualifications	4
Team Bios	5
Our Philosophy	8
Marketing and Management	9
Collaboration & Activities	10
References	13
Collateral Work Samples	14
Sample Fee Schedule	17
Proposed Retainer Overview	17
Partial Client List	18
Testimonials	19



## Consultant Qualifications and Background: Strategy

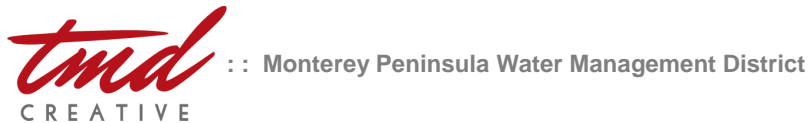
For 20 years, TMD Creative has worked with hundreds of public and governmental agencies and non-profit corporations, and countless businesses that support them. We are happy to provide references from any organizations we have worked with, either in the private or public sector. Should there be any specific past project you want a more detailed accounting of, please let us know, and we can give you a detailed report on it.

The Marketing Department, Inc. (DBA TMD Creative) has served client throughout the U.S. Europe, South America, and Australia in industries as diverse as: government, food and agriculture, financial services, healthcare, real estate and construction, insurance, education, nonprofit, retail, transportation, tourism, wine, manufacturing, professional services and more. However, as we are based in Salinas, CA in Monterey County, the majority of our clients and revenue are based locally.

TMD is the only firm of its type with a high percentage of bilingual and bicultural professional which is reflective of the population of our county. Our firm's cultural diversity includes Hispanic (native speakers), Hispanic (first generation), Asian-American, Mexican-American, Cuban American, and Italian American.

Please visit our website <https://www.tmdcreative.com> , <https://www.rootedinag.com> , <http://www.tmdtechsolutions.com> and our Vimeo channel at <https://vimeo.com/themarketingdepartment>.





## Consultant Qualifications and Background: Team Bios

### Nick Pasculli // President and Owner

Nick started TMD because he recognized that small- to mid-sized businesses and nonprofits would benefit from the expertise of an agency that understands their needs, with access to a full range of marketing design services without adding staff and overhead to their balance sheets. Before TMD, Nick held senior marketing positions with a handful of fortune 500 companies. Throughout his professional career, he has managed marketing planning, product development, research, strategic planning, and advertising. Nick received his master's degree in pastoral studies from Loyola University in September 2006, and graduated from California State University, Fresno in 1984 with a Bachelor of Science degree in Business Administration-Marketing. He is a graduate of Leadership Salinas Valley, the Cornell University Agricultural Leadership Program, and the highly acclaimed California Agricultural Leadership Program. Nick is a four-time recipient of the produce industry's Marketing Excellence Award and the Salinas Valley Chamber of Commerce Member of the Year Award. In 2008, Nick and TMD Creative were named Entrepreneur of the Year by Union Bank's Salute to Small Business program.

### Sam Spadoni // Managing Director & Business Development

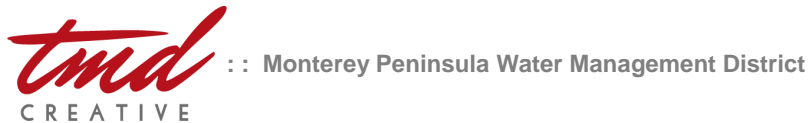
Sam has over a decade of marketing and management experience in a variety of industries. He has worked in many different industries including health, hospitality, gaming, and technology. Sam graduated from California State University, Fresno in 2008 with a B.A. in International Business Management and has worked at building bridges between people from different cultures in both his undergraduate and graduate programs. He moved back to Monterey to study at the Middlebury Institute of International Studies where he received an MBA in International Marketing in 2013. Sam's diverse background has equipped him with the ability to work on projects ranging from work with non-profits like the Monterey Jazz Festival to helping market and launch tele-health products overseas (Numera Health, Libris).

### Lewis Leader // Director of PR & Crisis Communications

Lewis is a well-respected longtime journalist and editor. He was an editor for the Los Angeles Times and the Monterey County Herald. Since his retirement, he consults with TMD Creative on PR and crisis management projects, as well as assisting TMD Creative in campaign work, often as campaign manager for people running for public office.

### Amairani Resendiz // Manager, Client Services & Assistant to CEO

Amairani attended California State University, Monterey Bay and received a bachelor's degree in Business Administration with a concentration in Agribusiness. Throughout her college career, she was involved in campus and local community organizations, including being a founding member of the Agribusiness Club and Alpha Kappa Psi co-ed professional business fraternity at California State University, Monterey Bay. Being a part of those organizations built her skills in leadership, project management, and marketing. She thrives in high-paced work environments and loves to challenge herself by trying new things and exploring new ideas.



#### **Amos Strauss // Client Services Coordinator**

Amos attended University of California, Davis, focusing on agricultural production and business. Throughout his college career, he was an advocate for local and sustainable agriculture, and held leadership positions in the professional-social agricultural fraternity Alpha Gamma Rho. Amos looks forward to continuing his education in Monterey County, where he plans on earning his B.S. in Agribusiness with an emphasis in Farm and Ranch Management from University of Tennessee Martin.

#### **Gabriel Rodriguez // Director of New Media & Design**

Gabe attended California State University, Monterey Bay and graduated with a major in computer science with an emphasis on telecommunications, multi-media, and applied computing. His page layout ability was developed while working several years as the senior designer for a Gannet newspaper. In addition to being a talented artist, Gabe is a hard worker, and eager to produce results for our clients. Gabe is bilingual in English and Spanish, which helps our clients reach a broader audience.

#### **Lindsey Little // Senior Designer & Editor**

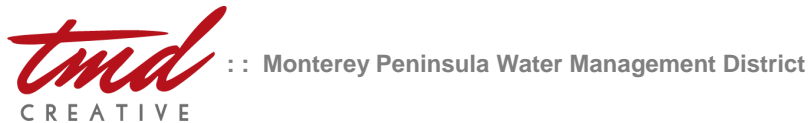
Lindsey received her B.A. in Visual Communications with a focus in Marketing from San Francisco State University and brings to TMD her experience and passion for creating unique, compelling designs for businesses and nonprofits. Before joining TMD, Lindsey oversaw marketing for the Monterey Symphony, where she was able to utilize her graphic design, copywriting, and marketing skills to spearhead various marketing efforts. A San Diego native, she has found a new home on the Central Coast.

#### **Fran Murillo // Senior Designer**

As one of TMD's graphic designers, Fran believes that design is a never-ending process. Fran graduated from California State University, Monterey Bay with a bachelor's degree in communication arts. Creativity is a constant in every aspect of his life. He lives with curiosity and believes that good design can make the difference in anything. Trust in the process; let's work together.

#### **Nicole Neadeau // Senior Graphic Designer**

Nicole is a Graduate of California State University, Monterey Bay and holds a degree in computer science with an emphasis on design. She has over eight years of design experience that spans a broad range of client industries - from the fashion industry to children's books, produce industry to rodeo... whether small business or corporate, she brings purpose and intention to her designs and strives to help clients communicate meaning through each piece. Her skillful blend of professional elegance, creativity, and color theory maximizes the impact of each message, and the results achieved for our clients.

**Cristina Cachux // Designer**

Cristina attended California State University, Monterey Bay and graduated with a Bachelor of Science in Communication Design, emphasis in Web Design. Her previous work experience ranges from working as a developer focusing on website redesigns and implementation, as well as working as a designer in creating innovative new takes on both web and mobile. Cristina enjoys working with clients to ensure that proper thoroughness is generated in any project. Cristina enjoys the calmness of the Central Coast after having grown up in the South Bay.

**Carl Twisselman // Production Designer & Illustration**

Carl first received a Degree in English from California State University Chico. Later, he went on to receive a Degree in Graphic Production from the University of California Santa Cruz Extension Program. Before joining TMD, Carl worked with transport logistics as middle management for sixteen years and also worked at “The Californian” as a graphic designer. Carl also enjoys digital illustrations and running.

**Chris Sandor // Senior Director of User Interface Design**

Chris is an integral part of the TMD management team, having been with the firm almost eight years. Chris draws on his savvy technical skills and his obsession with perfection to develop easy to navigate, robust, and beautifully designed web-based communications for TMD’s clients. Chris relies on industry best-practices coupled with his education in telecommunications, multi-media, and applied computing from California State University, Monterey Bay.

**Adam Eberling // Senior Web Developer/Engineer**

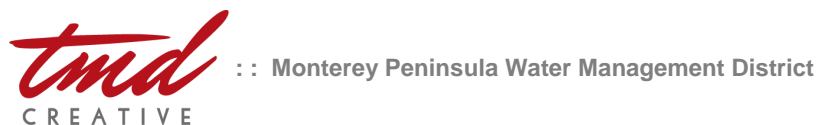
With experience building hundreds of websites and web applications, Adam brings an understanding of information architecture to the table and is able to translate the project requirements into a seamless and effective website. Adam’s experience with mobile apps, multilingual sites, and responsive design ensures that your web presence is widely available and interactive.

**Yarely Chino // Lead Web Developer**

Yarely graduated from the award-winning, three-year accelerated program called CSin3 from California State University of Monterey Bay. She obtained a bachelor’s degree in computer science with an emphasis in software engineering. Yarely is passionate about designing computational systems, creating interactive user interfaces, and introducing computer science in an enjoyable manner to her community. She is a co-founder of herScript, an organization that strengthens women’s technical and professional skills, along with promoting gender equality in the computer science industry.

**Thalia Villalobos// Web Developer**

Thalia is a recent graduate from California State University, Monterey Bay. She was part of a rigorous and accelerated Computer Science program called CSin3, which means that she graduated in 3 years from CSUMB with a B.S. in Computer Science B.S with an emphasis in Software Engineering. She is proud to say that she is the first of her family to graduate college. Thalia is passionate about web development and teaching programming skills to children and teens. Most recently she taught high school students the basics of programming a video game at John Steinbeck Library’s Game On! program.



## Our Philosophy about supporting our client's Brand

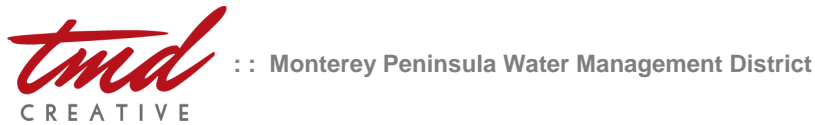
A brand message is the promise to the community about what kind of information, service and experience they are receiving. All organizations have a brand, whether positive or negative, that defines the organization's mission and strengthens its value proposition. It is the reason why people pay hundreds of dollars more for a pair of Nike shoes. After all, they're just shoes, but it is about how the Nike brand makes one feel. A good brand changes the way the public thinks about and interacts with the agency, whether it is a private or public agency. Thus, having a strong, visible brand and messaging is imperative to the Monterey Peninsula Water Management District, particularly during this tumultuous time when getting positive attention is more difficult than it perhaps has ever been.

Strong brands are a result of long-term strategy that guides how the organization portrays itself. This means that internal messaging is just as important as external messaging. It helps guide internal stakeholders and creates a good culture. This includes a vision and mission statement, tagline and strong messaging that resonates with existing and potential audiences; encourages employees; and leaves a positive impression on your target audience. It is important that if there is a powerful message in place that it is being both lived and reflected within the organization.

Strategic, accurate, and timely communications are a valuable business tool. We at TMD believe successful communications grows collectively out of strategic planning, problem solving and visual thinking. It is a process designed to uncover the value of our clients' offerings. We listen, analyze, research, formulate and ultimately design communication tools that connect with the community, officials, employees, shareholders and the key stakeholders who add to the momentum of every enterprise. This clarity of purpose leads to clarity of execution.

Clients choose TMD Creative when they want to work with a marketing and PR firm that understands their strategic goals and the power of thoughtful messaging and design. We look at every project through the eyes of the audience. Our style is smart, attractive, and compelling to a wide audience and we explore new ways to present ideas and concepts to the public.

Through our exclusively in-house team and a flexible network of quality vendors, we draw together the best team to address your specific communications needs within your budget, including strategy, creative, writing, photography/videography and project management. We are large enough to deliver major projects for some of California's leading corporations, yet small enough that you'll work directly with one of our professional team members.



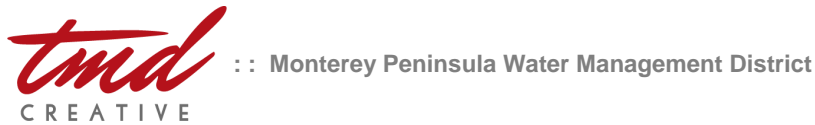
## Marketing Plan Anatomy



## Project Planning & Management

TMD utilizes a web-based platform for all project management and planning called Monday.com. With this platform we can build and customize project dashboards that helps our clients gain important insights and a clear overview of their projects progress/status. In addition it allows for seamless collaboration with our clients. It will track and keep all conversations, files, briefs, checklists and sheets in one place and eliminates the need for those painfully long e-mail threads.





---

## Monterey Peninsula Water Management District and TMD Collaboration

### Project Overview

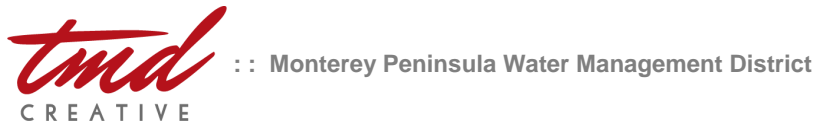
TMD strongly believes the best work comes from collaborating with the client. This means combining your knowledge and skills with our creative strategy.

- TMD will designate a team to collaborate with the MPWMD team to gather information and develop the communications
- TMD will also designate a team member to attend MPWMD meetings as needed

### Strategy & Messaging Development

A kickoff meeting will be an essential first step. This meeting would take place immediately upon TMD confirming partnership with MPWMD and should include all relevant members from MPWMD and TMD. The goal of this meeting would be two-fold, the first to understand where TMD can assist while assigning roles and responsibilities for both parties. The second item would be to review the identified target audiences, strategies for disseminating information to the public and rebutting disinformation (as/if needed), and overview of the different channels being used to share timely information with the media and the public, and discuss what is working best and what is not. If there are any brand guidelines or distinct look and feel for the current information being shared, we would like to review that prior to meeting. During the meeting we would set on-going meeting calendar/schedules.

- Channels through where the messaging will be disseminated
  - o Website
  - o Facebook
  - o Instagram (if implemented, we did not see one on your website)
  - o Radio
  - o TV
  - o Print materials
  - o Newsletter
- Message to be concise and consistent
- Messaging to be translated into Spanish and match the cultural tone of the target audiences (if/as needed)
- Video messages to be delivered by a trusted community leader if possible



## Monterey Peninsula Water Management District and TMD Collaboration

### Deliverables

After completing the initial meeting, TMD will work with MPWMD on a list of deliverables along with a timeline for them. Obviously as the information being shared with the public is constantly being updated based on the newest information, it will be important to create templates early on that we can then add the newest information into. While new information may necessitate new graphic creation, it will allow us to focus on this instead of “recreating the wheel”.

- **Develop Newsletter Theme and Template and determine frequency of newsletter**
- **Updated Collateral, including brochures and other marketing materials**
- **Draft Monthly Branding Ads**
- **Social Media development, including content calendars and strategy**
  - **Photo and video shoots as needed to support all of the above deliverables**

### Evaluation

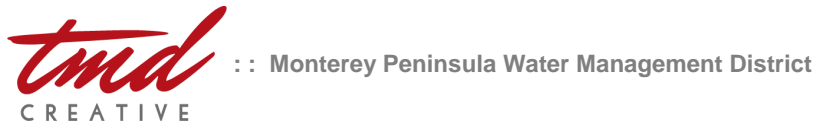
During our on-going scheduled meetings, outlined above in kick-off meeting, we will make the necessary adjustments to our messaging and/or collaboration process to make it more efficient and effective.

### Activities

Below is a list of some of the team members who would work on these deliverables (their bios can be seen on pages 5-7). We also included a partial list of clients we have worked with on these items. If you would like a broader list of experience, contacts, or additional details on these, or any other projects, please do not hesitate to reach out to us.

**Key Message Development:** This team will be led by Amairani Resendiz, Nick Pasculli, and Sam Spadoni. This group would also oversee on-going feedback and consultation. Clients we have assisted with message development include Taylor Farms, Monterey Salinas-Transit, the Housing Development Corporation (HDC) Monterey, and the County of Monterey.

**Email/Newsletter Design and Management:** This would be led by Sam Spadoni, Fran Murillo, and Lindsey Little. TMD has experience managing i-Contact, Constant Contact, Mail Chimp, Active Campaign, and many other platforms. TMD currently manages email marketing for Earthbound Farms, Taylor Farms, and Fruits from Chile.



## Monterey Peninsula Water Management District and TMD Collaboration

**Collateral, Brochures, and other Marketing Materials:** This would be led by Nick Pasculli, Sam Spadoni, Fran Murillo, and Lindsey Little. TMD currently manages collateral for ExperTravel, County of Monterey, California Agriculture Leadership Foundation, and the Housing Development Corporation. Collateral samples can be seen on page 15-16.

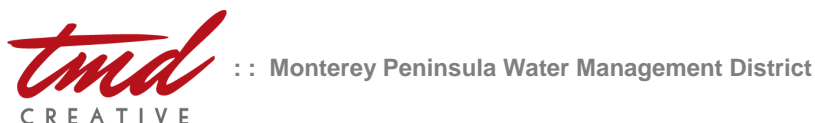
**Managing Social Media:** This team will be led by Sam Spadoni, Amos Strauss, and Cristina Cachux. We currently oversee and assist on several social media platforms for clients including Taylor Farms, Salinas Valley Ford, and many others.

## Monterey Peninsula Water Management District and TMD Collaboration

### Understanding the Issues

The team at TMD intimately understands the issues surrounding water on the Central Coast and the various groups and constituencies of the district, including residents, conservationists, land owners, hospitality, agriculture, developers, government, and others. We are familiar with many of the top issues including, Pure Water Monterey, desalination, water capture, reuse, and recycling, aquifers, rivers, and wells, Los Padres, Water Supply Project, our limited water resources, and the general supply and demand issues we face.

-continued-





---

## **Client References**

### **Client: Housing Development Corporation Monterey**

Nonprofit Websites: <https://hdcmonterey.org/>

Project: All Marketing Related Services

Contact Name: Carolina Sahagun, VP of Development

Email: [csahagun@hdcmonterey.org](mailto:csahagun@hdcmonterey.org)

Phone Number: 831.796.4666

### **Client: Community Foundation for Monterey County**

Nonprofit Websites: <http://cfmco.org/>      <https://www.montereycountygives.com/>

Project: Website Redesign, Programming, Annual Report and Digital Support

Contact Name: Amanda Holder, Marketing Director

Email: [amandah@cfmco.org](mailto:amandah@cfmco.org)

Phone Number: 831.375.9712 x123

### **Client: County of Monterey**

Project: Covid 19 Response

Contact Name: Nick Chiulos, Assistant County Administrative Officer

Email: [chiulosn@co.monterey.ca.us](mailto:chiulosn@co.monterey.ca.us)


Phone Number: 831.755.5145

**Work Samples Below (14-16)**

Blog & Events Contact Us Search... f t in Donor Central Give Now

Here for Good  
Community Foundation  
for Monterey County

About Us Donors Advisors Nonprofits Scholarships Impact



## Who We Are

The Community Foundation for Monterey County inspires philanthropy and is a catalyst for strengthening communities throughout Monterey County. We work with hundreds of individuals, families and businesses to fulfill their philanthropic vision.


### Your Center for Philanthropy

The CFMC is your local center for philanthropy, working with [donors](#) and [nonprofits](#) to create healthy, safe, vibrant communities. We provide a bridge between our fund holders and community needs, and our staff has in-depth knowledge about local nonprofits working to make our communities stronger.

The CFMC offers a wide range of [giving options](#) including [donor advised funds](#), gifts of real estate or complex assets and life-income gifts such as charitable gift annuities and charitable remainder trusts. What sets us apart is the personal service we provide and our interest in creating the greatest good for Monterey County, now and in the future. We are "Here for Good."

Who We Are  
Staff  
Board of Directors  
Finance & Investment  
Fund List  
Publications

OPPORTUNITY  
IMPACT  
2017 ANNUAL REPORT  
[View Our Annual Report](#)



Blog & Events Contact Us Search... f t in Donor Central Give Now 24

Here for Good  
Community Foundation  
for Monterey County

About Us Donors Advisors Nonprofits Scholarships Impact



## Overview

### Investing in Healthy, Safe, Vibrant Communities

A strong nonprofit sector is key to fulfilling a vision of healthy, safe, vibrant communities. The Community Foundation for Monterey County is a partner and funder to a wide range of nonprofits doing important, innovative work.

We are committed to supporting not only financial strength through grantmaking, but also organizational capacity through the [Center for Nonprofit Excellence](#).

### Grantmaking

**\$16.7 million was granted in 2017 to more than 500 agencies in Monterey County and beyond**

[Our grant programs](#) and initiatives support organizations in the areas of youth development and education, health and human

Overview  
Grants  
Center for Nonprofit Excellence  
Agency Funds

OPPORTUNITY  
IMPACT  
2017 ANNUAL REPORT  
[Read our 2017 Annual Report](#)

Stay Connected:  
[Sign Up to Receive Our E-news](#)



Contact Us Search... Español

County of Monterey  
Health Department Clinic Services

Our Services Patient Services About Us Partners & Press Opportunities



MY CHART  
REQUEST APPOINTMENTS  
BECOME A PATIENT  
LOCATIONS

Latest news

FAMILY to FAMILY Applicant Login Search... Select Language MENU



## Everyone's Chance To Care


### RESOURCE FAMILIES

Learn how to become a resource family to foster a child.




RESOURCES ABOUT F2F






"Gifts to the MPC Foundation mean **more students are able to attend college** with the resources they need to graduate. Our donors are investing in programs that lead to college completion, including textbook assistance, scholarships, and our signature College Incentive Program."

— **Beccie Michael**  
Vice President of Advancement, MPC  
Executive Director, Monterey Peninsula College Foundation

**We believe a college education lifts people to their full potential.**

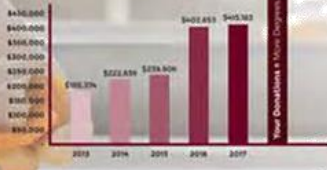


Monterey Peninsula College Foundation Board of Directors

**Each year, the MPC Foundation...**

<b>250</b> Awards 250 scholarships to deserving students	<b>50</b> Purchases textbooks for 50 students who cannot afford them	<b>25</b> Prevents 25 students from dropping out of college due to financial emergencies
<b>80</b> Recruits 80 disadvantaged local high school seniors to attend MPC as participants in our highly successful College Incentive Program	<b>30</b> Inspires innovation and exploration among faculty and staff by awarding 30 grants for exciting projects and professional growth	

**Investing in MPC Students**




Year	Investment (\$)
2013	\$187,000
2014	\$222,450
2015	\$274,100
2016	\$407,450
2017	\$457,300

Thanks to the generosity of our donors, the MPC Foundation has directly invested **\$1.5 million** in MPC students over the past five years. But we're not stopping there! We are continuing to expand our student assistance programs as we believe passionately in our vision for **Universal Access to Extraordinary Education**. Join us as we reach even more students. **give the gift of a college education and unlock potential for generations to come.**

2016  
2017

**Report to the Community**




**HARTNELL COLLEGE**

Here for Good

**Community Foundation**  
for Monterey County

**OPPORTUNITY**



**IMPACT**

2017 ANNUAL REPORT

**Freedom from Addiction**

**Starts with**



**Sun Street Centers**  
the road to recovery

**NOW OPEN in Hollister:**  
Women's Residential Treatment Center  
315 6th St., Hollister, CA 95023 Phone: 831.265.7317

To learn more visit us at [sunstreetcenters.org](http://sunstreetcenters.org)

Sun Street Centers offers education, prevention, treatment and recovery to individuals and families. Most private insurance plans accepted.

Residential & Outpatient Treatment Programs also located in Salinas and Seaside.

**BREAK FREE!**







## Is it Ripe?

Give the REED a little 'shake'. If you hear the seed move it is **RIPE** and **READY**. Be gentle though, this big boy doesn't need a squeeze. I'm **RIPE** even when I'm **GREEN**.

## Flavor

- Silky Rich and Creamy
- Smooth Nutty taste

## Uses

Makes a perfect sandwich spread  
Mayo or butter substitute  
Or just dig in with crackers or crusty bread

Since 1969 Del Rey Avocado is a family-owned business located in Fallbrook, CA. With three generations of experience growing, packing and shipping avocados, Del Rey Avocado has a deep understanding of the avocado industry. We know it is a privilege to deliver avocados from our trees to your table. With over 40 years experience, we continue to be both farmers at heart and in practice.

The REED Avocado.  
a Great Eating  
Summer Avocado.

California Reed Avocados Limited Availability

## Eat Beautifully

The salad experience you've been waiting for

Taylor Farms Creative

TAYLORFARMS.COM

## Introducing

### 3 new chopped salad kits

to our original line up

Taylor Farms Creative

TAYLORFARMS.COM

## Sample Fee Schedule

The relationships we have with each client is different from a financial perspective. Some clients like being on a retainer, while other budgets are based on a specific project with a commitment to multiple projects within a year. That said, below is a sample of our hourly rate sheet. These are not cast in stone, rather they provide a basis for the calculation of project costs as a function of time.

Our goal would be to meet with you, review budgets, and determine a standard price with a volume discount that ensures we are meeting all the needs of the District.

Strategic Marketing Consulting	\$150-175 per hour
Creative Direction	\$145-165 per hour
Graphic Design	\$125-150 per hour
Copywriting & Editing	\$95-125 per hour
Web, Mobile App & Internet-related Design	\$145-165 per hour
Web & Mobile App Programming	\$165 per hour
Photography and Videography	\$150-175 per hour
Production Assistance	\$95-125 per hour
Photo Studio Rental	\$100 per hour
Social Media Management	\$145 per hour
Google AdWords Management	\$175 per hour
Animation/Illustration	\$165 per hour
Crisis Management in all Disciplines	\$200 per hour

## Proposed Retainer Overview:

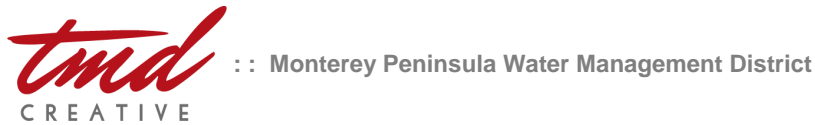
Based on the activities outlined in the RFP, we are envisioning the first three months to require more leg-work as we develop key messages and establish an aesthetic and templates for use in materials. While the work would be weighted on the front-end, we can smooth that out over the year (see below). Once messaging and look is established we will continue with evaluation and adjustments.

**First month to include:** up to 25 consulting hours, 25 design/multi-media (i.e.) production hours

**Following two months to include (per month):** up to 15 consulting hours, 20 production hours

**On-going month-to-month work (per month):** 5 consulting hours, up to 15 hours of production work

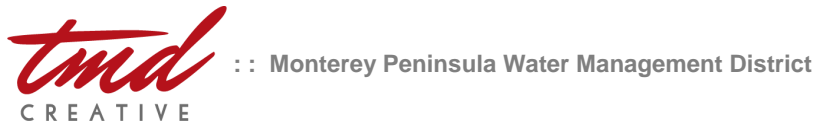
**Note:** we can break this down in a way that is most convenient for MPWMD (for instance if you wanted to calculate the total yearly work and divide by 12, that could then be the monthly retainer price). In that particular scenario the monthly retainer would include all necessary design and marketing work related to collateral pieces, monthly ads, newsletter design and creation, and social media content calendars, graphics, and execution and be approximately: **\$4,000 per month**



## Clients

Our client list includes a broad range of large companies, smaller companies, government agencies, non-profits and trade associations. (this is a partial list of current clients)

1<sup>st</sup> Capital Bank  
AGR Partners  
Barkley Ag Enterprises  
Booth Ranches  
Brent Redmond Transportation  
California Agricultural Leadership Foundation  
California International Airshow  
Central Coast Federal Credit Union  
City of Salinas  
Community Foundation for Monterey County  
County of Monterey  
County of Boulder  
Creative Plant Design  
D'Arrigo Bros. Co. of CA  
Del Rey Avocado  
Del Sur Services  
Designed Workforce Solutions  
Earthfresh Organics  
Franmara  
Frantz Nursery  
Generation Growers  
Hartnell College  
International Produce Group  
Metzer Farms  
Monterey County Registered Nurses Association  
Monterey Mushrooms  
Monterey Peninsula College  
Nunes Company (Foxy Produce)  
Ocean Mist Farms  
Pacific Valley Bank  
Pasquinelli Produce Company  
SLO Community Foundation  
Sun Street Centers  
Taylor Farms  
Taylor Fresh Foods  
Worthington Law Centre



---

---

## **Testimonials**

"With a unique combination of creative energy and the talent to produce strategic and thoughtful marketing campaigns, TMD has consistently delivered high-quality product and brand messaging through an array of media."

- Bruce Adams, Vice President // Central Coast Federal Credit Union

"You TMD guys are hot, hot, hot! Thanks for helping set an image for our department."

- Sam Trevino, Community Relations Manager // Monterey County  
Department of Social & Employment Services (retired)

"There are no words quite adequate to thank you for your enthusiasm and enormous talent you have provided."

- Sylvester D Ryan, Bishop of Monterey // Diocese of Monterey (retired)

"The team at TMD has proven to be creative, resourceful and very reliable. They are flexible and easy to work with. It has truly been a trouble-free collaboration ranging from the simplest ad to the more involved TV and radio commercials. You can count on them to take abstract ideas and create attractive, professionally produced materials that achieve results."

- Harry Wardwell, Central Coast Regional President // Rabobank

"TMD's revamping of our website has been very successful for us. We have received so much positive feedback from the community!"

- Anna Foglia, Executive Director // Sun Street Centers





**ITEM:        CONSENT CALENDAR****3.        CONSIDER EXTENSION OF COOPERATIVE AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY FOR STREAMFLOW GAGING IN WATER YEAR 2021**

<b>Meeting Date:</b>	<b>September 21, 2020</b>	<b>Budgeted:</b>	<b>Yes</b>
<b>From:</b>	<b>Dave Stoldt General Manager</b>	<b>Program/ Line Item No.:</b>	<b>2-5-1 A</b>
<b>Prepared By:</b>	<b>Greg James</b>	<b>Cost Estimate:</b>	<b>\$14,430</b>

**General Counsel Approval:** N/A**Committee Recommendation:** The Administrative Committee reviewed this item on September 15, 2020 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 United States Geological Survey (USGS) operates two streamflow gaging stations on the Carmel River:

- (1) Carmel River at Robles del Rio (No. 11143200) and
- (2) Carmel River near Carmel (No. 11143250).

The upper or "Robles" gage is immediately downstream of Esquiline Bridge (River Mile 14.4) and the lower or "Carmel" gage is immediately downstream of Via Mallorca Bridge (River Mile 3.6). The Monterey Peninsula Water Management District (District) relies on the flow data from both of these stations to support ASR operations and both gages are named in the water rights associated with ASR diversions. It should be noted that the Robles del Rio station is funded by the Monterey County Water Resources Agency.

**RECOMMENDATION:** The Administrative Committee recommends that the Board authorize the General Manager to execute the agreement with the USGS providing cooperative investigation of the water resources within the District for Water Year (WY) 2021 for an amount not-to-exceed \$14,430.

**BACKGROUND:** The District has funded a cooperative water resources program with the USGS to monitor Carmel River streamflow since the late 1980s. Other than the District, the USGS is the only other independent agency that monitors continuous Carmel River streamflow. The Carmel station provides a long-term streamflow record that began in 1962. The USGS streamflow data provide a valuable cross check for the District's streamflow data when verifying the daily, annual, and peak flows that occur on the Carmel River. The USGS Carmel River streamflow data also support the District's implementation of Aquifer Storage and Recovery (ASR) operations in the Seaside Groundwater Basin in that the data are utilized in real-time to assist in scheduling when to commence or cease injection, given current trends in streamflow conditions. In addition, as a

cooperator with the USGS, the District has access to purchase equipment from the USGS Hydrologic Instrumentation Facility and keep informed of advancements in instrumentation.

**IMPACT TO STAFF/RESOURCES:** The District's share for continuation of streamflow monitoring at the Carmel River near Carmel station for WY 2021 (October 1, 2020 - September 30, 2021) is \$14,430, as indicated on **Exhibit 3-A**.

## **EXHIBIT**

### **3-A Joint Funding Agreement for Water Year 2021**



## United States Department of the Interior

U.S. GEOLOGICAL SURVEY  
 California Water Science Center  
 6000 J Street, Placer Hall  
 California State University  
 Sacramento, California 95819-6129  
 Phone: (916) 278-3000 Fax: (916) 278-3070  
<https://ca.water.usgs.gov>

August 27, 2020

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

Subject: Carmel River near Carmel Gage, Joint Funding Agreement, Water Year 2021

Dear Mr. Stoldt:

This letter confirms discussions between our respective staffs, concerning the continuation of the cooperative water resources program between the Monterey Peninsula Water Management District (District) and the U.S. Geological Survey (USGS) for the period November 1, 2020 to September 30, 2021.

The proposed program and associated costs are as follows:

<u>Station number and name</u>	<u>District Funds</u>	<u>USGS Funds</u>	<u>Total Funds</u>
11143250 Carmel River near Carmel	\$14,430	\$7,340	\$21,770
<b>TOTAL</b>	<b>\$14,430</b>	<b>\$7,340</b>	<b>\$21,770</b>


Total cost of the proposed program is \$21,770. Cost to the District is \$14,430, and subject to the availability of Federal matching funds, the USGS will provide \$7,340.

Enclosed is an original of Joint Funding Agreement (JFA) 21ZGJFA14300, digitally signed by our agency, for your approval. If you are in agreement with this proposed program, please return the fully executed electronically signed copy to CAgageADMIN@usgs.gov (preferred) or send one fully executed paper copy to the address in the letter head. Work performed with funds from this agreement will be conducted on a fixed-price basis. Billing for this agreement will be rendered annually.

The USGS is required to have an agreement in place prior to any work being performed on a project. We request that a fully executed JFA be returned prior to November 1, 2020. If it is not received by November 1, we will be required to suspend operations until an agreement is received.

If you have any questions concerning this program, please contact Anthony Guerriero, in our Santa Cruz Field Office, at (831) 460-7494. If you have any administrative questions, please contact Janee Hiatt, in our Sacramento Office, at (916) 278-3001.

Sincerely,

**Reichard, Eric G.**  Digitally signed by Reichard, Eric G.  
DN: cn=Reichard, Eric G., o, ou,  
email=egreich@usgs.gov, c=US  
Date: 2020.08.27 17:06:07 -07'00'

Eric G. Reichard  
Director, USGS California Water Science Center

Enclosure

cc: Mr. Greg James  
Monterey Peninsula Water Management District  
Post Office Box 85  
Monterey, California 93942-0085  
Anthony Guerriero, USGS CAWSC

**Form 9-1366  
(May 2018)**

**U.S. Department of the Interior  
U.S. Geological Survey  
Joint Funding Agreement  
FOR  
Water Resource Investigations**

**Customer #: 6000000949  
Agreement #: 21ZGJFA14300  
Project #: ZG00GZV  
TIN #: 94-2535586**

**Fixed Cost Agreement YES[ X ] NO[ ]**

THIS AGREEMENT is entered into as of the November 1, 2020, by the U.S. GEOLOGICAL SURVEY, California Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the Monterey Peninsula Water Mgmt. Dist. party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation Water Resource Investigations (per attachment), herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$7,340 by the party of the first part during the period  
November 1, 2020 to September 30, 2021
- (b) \$14,430 by the party of the second part during the period  
November 1, 2020 to September 30, 2021
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$0

Description of the USGS regional/national program:

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices>).

**EXHIBIT 3-A****Form 9-1366  
(May 2018)****U.S. Department of the Interior  
U.S. Geological Survey  
Joint Funding Agreement  
FOR****Customer #: 6000000949  
Agreement #: 21ZGJFA14300  
Project #: ZG00GZV  
TIN #: 94-2535586**

36

**Water Resource Investigations**

9. Billing for this agreement will be rendered **annually**. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

**USGS Technical Point of Contact**

Name: Anthony Guerriero  
Supervisory Hydrologic Technician  
Address: 400 Natural Bridges Drive  
Santa Cruz, CA 95060  
Telephone: (831) 460-7494  
Fax: (831) 427-4475  
Email: aguerrie@usgs.gov

**Customer Technical Point of Contact**

Name: David Stoldt  
General Manager  
Address: Post Office Box 85  
Monterey, CA 93942-0085  
Telephone: (831) 658-5600  
Fax:  
Email:

**USGS Billing Point of Contact**

Name: Janee Hiett  
Budget Analyst  
Address: Placer Hall 6000 J Street  
Sacramento, CA 95819  
Telephone: (916) 278-3001  
Fax: (916) 278-3070  
Email: jdhiett@usgs.gov

**Customer Billing Point of Contact**

Name: Greg James  
Associate Hydrologist  
Address: Post Office Box 85  
Monterey, CA 93942  
Telephone: (831) 659-2543  
Fax:  
Email: james@mpwmd.net

**U.S. Geological Survey  
United States  
Department of Interior****Monterey Peninsula Water Mgmt. Dist.****Signature****Reichard, Eric G.**

Digitally signed by Reichard, Eric G.  
DN: cn=Reichard, Eric G., o, ou,  
email=egreich@usgs.gov, c=US  
Date: 2020.08.27 17:06:37 -07'00'

**Signatures****By \_\_\_\_\_ Date: \_\_\_\_\_****Name:****Title:****By \_\_\_\_\_ Date: 08/27/2020****Name:** Eric Reichard**Title:** Director, USGS California Water Science Center**By \_\_\_\_\_ Date: \_\_\_\_\_****Name:****Title:****By \_\_\_\_\_ Date: \_\_\_\_\_****Name:****Title:**

**ITEM:           CONSENT CALENDAR****4.       CONSIDER NEW ASSISTANT FISHERIES BIOLOGIST POSITION FOR OPERATION OF THE CARMEL RIVER RESISTANCE BOARD WEIR AND OTHER FISHERIES RELATED WORK**

<b>Meeting Date:</b>	<b>September 21, 2020</b>	<b>Budgeted:</b>	<b>Yes</b>
<b>From:</b>	<b>David J. Stoldt, General Manager</b>	<b>Program/ Line Item No.:</b>	<b>Salary &amp; Benefits</b>
<b>Prepared By:</b>	<b>Suresh Prasad</b>	<b>Cost Estimate:</b>	<b>\$95,300 (full year salary + benefits)</b>

**General Counsel Approval:** N/A**Committee Recommendation:** The Administrative Committee reviewed this item on September 15, 2020 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 will be installing and operating a resistance board weir in the Carmel River to count federally threatened steelhead. Part of the work related to this weir requires checking the box trap at least once a day seven days a week. Steelhead that are counted at the weir are measured with a subset being tagged with passive integrated transponders (PIT tags), which allows the District to monitor the movement of steelhead along the Carmel River. The weir also requires regular maintenance to keep it free of debris.

Since the departure of the Senior Fisheries Biologist, Associate Fisheries Biologists have had to help with more senior level duties such as permit acquisition, low flow guidance with regards to releases from Los Padres Reservoir, and permit condition tracking and reporting. Therefore, the District needs an assistant to help operate the weir as well as participate in some of the fish rescue operations and other fisheries related duties. A job description for the Assistant Fisheries Biologist position is attached as **Exhibit 4-A**.

The position would be placed at Range 26 on the District's salary chart. This placement would be consistent in maintaining internal relationships with other MPWMD job classifications, their requirements, and level of responsibility. The salary range would be consistent in comparison with other agencies for comparable positions in the area. This position was budgeted in the FY 2020-2021 budget. Current fiscal year cost will be dependent on when the position gets filled.

**RECOMMENDATION:** The Administrative Committee recommends that the Board authorize the new Assistant Fisheries Biologist position and associated salary range.

**IMPACTS TO STAFF/RESOURCES:** The operation of the Carmel River Resistance Board Weir will take close coordination among multiple staff members at the District. The weir will need to be monitored, maintained, and partially removed during high flow events. Steelhead counts will

require reporting to regulatory agencies. This new position placed at Range 26 will help the District operate the weir in a successful manor. At this time, District staff believe that it is unnecessary to fill the Senior Fisheries Biologist position, because the new Assistant Fisheries Biologist will allow Associate Fisheries Biologists to help with more senior level tasks.

## **EXHIBIT**

### **4-A Assistant Fisheries Biologist job description**

U:\staff\Boardpacket\2020\20200921\04\Item-4.docx



**ASSISTANT FISHERIES BIOLOGIST**

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

**DEFINITION**

To participate in the restoration and conservation of the Carmel River steelhead trout fishery; to implement and oversee specific mitigation projects or efforts; and to perform a variety of technical tasks relative to assigned areas of responsibility.

**DISTINGUISHING CHARACTERISTICS**

This is the full journey level class within the professional Fisheries Biologist series. Employees within this class are distinguished from the Fisheries Technician by the full range of duties as assigned including project lead responsibility of specific fisheries mitigation and conservation efforts. Employees at this level receive only occasional instruction or assistance as new or unusual situations arise and are fully aware of the operating procedures and policies of the work unit.

**SUPERVISION RECEIVED AND EXERCISED**

Receives direction from the Environmental Resources Division Manager and Associate Fisheries Biologists. May exercise functional and technical supervision over lower level fisheries staff.

**ESSENTIAL AND MARGINAL FUNCTION STATEMENTS**

*The following duties are typical for positions in this classification. Any single position may not perform all of these duties and/or may perform similar related duties not listed here.*

**Essential Functions:**

1. Lead the District's Carmel River Resistance Board Weir steelhead monitoring program.
2. Participate in efforts to restore and conserve the Carmel River steelhead fishery.
3. Plan, direct, and participate in mitigation and conservation efforts and projects.
4. Operate and maintain fisheries equipment including, Carmel River Resistance Board Weir, electro-fishing and related life support equipment for rescued steelhead, water quality test kits and a variety of nets and traps for capturing steelhead.

5. Manage and participate in major and minor field projects including steelhead rescues, smolt and adult steelhead trapping, juvenile steelhead population surveys; spawning redds survey, and spawning gravel surveys.
6. Assist at the District's steelhead rearing facility.
7. Assist in the design and implementation of smolt mortality experiments and other experiments designed to estimate survival of downstream emigrants through Los Padres Reservoir.
8. Assist with the construction and maintenance of fish counting arrays on the Carmel River.
9. Assist with the District's spawning gravel placement program below Los Padres Dam.
10. Assist Associate Fisheries Biologist in the design of fisheries aspects in river restoration work; conduct on-site surveys for steelhead, amphibians and reptiles; make recommendations for conditions for permits at proposed work sites along the river.
11. Identify, modify and improve critical riffles along the river to improve migration condition.
12. Design and construct various fisheries equipment using power and hand tools.
13. Maintain electro-shockers, boats, motors, cameras, batteries, survey level, stream flow meter and tagging gear.
14. Assist in the District's vegetation management program.
15. Help enforce District rules and regulations along the Carmel River.
16. Provide tours of District projects to scientists from other agencies, the media and the general public.
17. Ensure adherence to safe work practices and procedures.
18. Respond to public inquiries in a courteous manner; provide information within the area of assignment; resolve complaints in an efficient and timely manner.
19. Estimate time, materials and equipment required for jobs assigned; requisition materials as required.
20. Perform related duties and responsibilities as required.

## **QUALIFICATIONS**

### **Knowledge of:**

Operations, services and activities of a steelhead conservation program.  
Habitat requirements for adult and juvenile steelhead.  
Water development impacts on steelhead populations.  
Conduct surveys for steelhead and other aquatic life.  
Fish rescue methods, techniques and procedures.  
Habitat modification and improvement methods and techniques.  
Computer database management techniques.  
Spawning gravel restoration techniques.  
Methods and techniques of field biologic, hydrologic climatologic data collection.  
Mathematics and statistics.  
Scientific research principles and report writing techniques.  
Operational characteristics of fisheries equipment and tools.

Occupational hazards and standard safety practices.

**Ability to:**

Independently perform the most difficult biological and environmental work and studies.  
Establish record keeping systems.  
Interpret, explain and enforce department policies and procedures.  
Operate a variety of fisheries equipment in a safe and effective manner.  
Provide recommendations for management of steelhead populations.  
Prepare plans, designs, cost estimates and specifications.  
Compile and analyze technical and statistical information and data.  
Work independently in the absence of supervision.  
Understand and follow oral and written instructions.  
Communicate clearly and concisely, both orally and in writing.  
Establish and maintain effective working relationships with those contacted in the course of work.  
Maintain physical condition appropriate to the performance of assigned duties and responsibilities.

**Experience and Training Guidelines** —- *Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:*

**Experience**

Three years of increasingly responsible fisheries biology experience.

**Training/Education**

Equivalent to a Bachelor's degree from an accredited college or university with major course work in fisheries biology, ecology or a related field.

**License or Certificate:**

Possession of, or ability to obtain, an appropriate, valid driver's license.

Possession of, or ability to obtain, a valid scientific collector's permit.

**WORKING CONDITIONS**

*The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.*

**Environmental Conditions:**

Office and field environment; work in and around water; exposure to all types of weather and temperature conditions; exposure to poisonous plants, animals, and/or insects; work closely with others and work alone; irregular work hours; exposure to electricity, radiant energy, atmospheric conditions, slippery and uneven conditions, dust and potentially hazardous chemicals; working with machinery.

**Physical Conditions:**

Essential and marginal functions may require maintaining physical condition necessary for moderate to heavy lifting and carrying; standing and walking for prolonged periods of time; bending, climbing and

reaching; operating motorized equipment and vehicles; sense of touch, finger dexterity and gripping with fingers and hands; repetitive motion.

**Vision:**

See in the normal visual range with or without correction; vision sufficient to read computer screens and other printed documents; specific vision abilities required by this job include close and distant vision and depth perception.

**Hearing & Speech:**

Hear in the normal audio range with or without correction and speech to communicate in person and over the phone.

**Department:** Environmental Resources

**Exempt:** No

**Classification:** General

**Established Date:** September 2020

**ITEM: CONSENT AGENDA****5. AUTHORIZE DISTRICT STAF TO FILE FOR EXTENSION OF WATER RIGHTS PERMITS 202808 A AND C**

<b>Meeting Date:</b>	<b>September 21, 2020</b>	<b>Budgeted:</b>	<b>N/A</b>
<b>From:</b>	<b>David J. Stoldt General Manager</b>	<b>Program/ Line Item:</b>	<b>Water Supply Projects</b>
<b>Prepared By:</b>	<b>Jonathan Lear</b>	<b>Cost Estimate:</b>	<b>N/A</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.**

---

**SUMMARY:** On 3/4/20, the District received a letter from the State Water Resources Control Board (SWRCB) asking the District a number of questions regarding Water Rights 20808 held by the District. The letter provides a history of the 20808 Water Right(s) and describes the process in which the water right was split into 3 water rights. The letter asks two specific questions regarding Water Right 20808B and outlines a few important dates for Water Rights 20808 A and C.

In response to the State Board's letter, on 3/24/20 District staff and SWRCB staff had a conference call to chart a path forward for the Water Rights. SWRCB staff explained when the period to demonstrate beneficial use for a water right comes to a close, the water right holder has three choices; 1) keep diverting water under the right capped at the maximum calendar year diversion of record, 2) file a petition for an extension of time to demonstrate maximum beneficial use, or 3) file to license the water right. When a water right is licensed, a finding is made as to the maximum diversion rate and the maximum annual diversion volume. The findings often do not set the rate and volume of the right above what has been demonstrated, however the District can work with SWRCB Staff to provide information and analysis that may allow the State Board to make a finding that would set the Water Right at an annual volume larger than the largest volume diverted in the last 10 years.

In April, staff met internally with District Counsel in order to understand the relationship between the Water Rights and Water Code Sections 844 and 1700 before developing a recommendation for moving forward with a Petition for Extension of Time and Licensing. On April 6th, the MPWMD Water Supply Committee considered this item and recommended the item be considered by the full Board. MPWMD Board considered this item on April 20th and provided the following direction. For 20808 A and C, MPWMD Board directed District Staff to initiate the licensing process and provide an analysis that could allow SWRCB Staff to make a finding for more water than the highest annual volume based on a streamflow analysis and CPUC testimony. At the time that the draft license volumes are available, bring them to the Board for further direction.

Because 20808 A and C are jointly held by the District and Cal-Am, District staff reached out to Cal-Am staff to communicate the direction District Staff had been given related to these water rights. In August, Cal-Am's water rights legal counsel began to express concern regarding moving into licensing of the water rights without demonstrating higher use on the water rights. The concern is related to past experiences with water rights licensing process and the practice of the State Water Board at capping the water right at the highest demonstrated value. If this were to occur, the water rights would be licensed at a lower value than their current face value. Cal-Am pointed out that because there are planned improvements in the next General Rate Case to increase the capacity of the Carmel Valley well field, there are planned infrastructure changes that will allow Cal-Am and the District to demonstrate higher use of the water rights. Cal-Am expressed that because of these planned infrastructure improvements a more conservative approach of filing a petition for extension of time to take advantage of the infrastructure upgrades and demonstrate a higher water use was a more conservative approach and would be preferred.

On August 20, District and Cal-Am staff had a conference call with State Board staff to discuss the two paths forward; moving into licensing or filing a petition for extension of time. State Board staff did indicate that both of those paths were available for these water rights. State Board staff pointed out that just because a petition for extension of time is filed before the closing of a license period for a water right does not mean the extension had or would be granted. The current time frame for processing a petition at the State Board is 3 to 4 years. Following the call, Cal-Am indicated that because of past experience with licensing water rights at the State Board, the more conservative approach of filing a petition for extension of time before the licensing period expires would be preferred. District staff spoke internally with District Council and verified that filing a petition for extension of time and then demonstrating higher water use was the more conservative approach.

**RECOMMENDATION:** Direct District staff to work with Cal-Am to file petitions for extension of time to demonstrate higher use of water rights 20808 A and C before the licensing period ends on December 1, 2020.

**BACKGROUND:** On December 1, 2020 the period to demonstrate beneficial use of water diverted under these permits expires. At that point, even if the face value of the Water Rights are larger than the maximum volume diverted in a calendar year, the Water Rights are capped at the maximum demonstrated volume according to the SWRCB. In addition, these water rights have a maximum rate of diversion also capped at the demonstrated rate. The District has demonstrated maximum diversion rates for each of these Water Rights, but has not been able to demonstrate maximum face value of the Rights. Face value of these water rights was calculated at the time the petition for change of the original 20808 was submitted by multiplying the number of days within the diversion window (December 1 to May 31) by the maximum diversion rate for each permit. The face values for 20808 A and 20808 C are 2,476 and 2,900 Acre Feet per calendar year. However, these Water Rights are subject to in stream flow requirements that must be met prior to diverting water. The District has daily streamflow records dating back to the 1950's and there has never been a year where all days between December 1 and May 31 have been above the instream flow requirements.

When the period for demonstrating beneficial use for a water right comes to a close, the water right holder has three choices; 1) keep diverting water under the right capped at the maximum calendar year diversion of record, 2) file a petition for extension of time to extend the time to demonstrate maximum beneficial use, or 3) file for a licensing of the water right. When a water right is licensed, a finding is made as to the maximum diversion rate and the maximum annual diversion volume. The findings do not often set the rate and volume of the right above what has been demonstrated, however the water right is considered perfected and can never be revoked.

Currently, the District has shown it can divert under each of these water rights at the maximum daily diversions, but the maximum annual volume diverted for the water rights are 1,117 AF and 1,428 AF for 20808 A and C respectively.

## **EXHIBITS**

None







1. 670 AF available for production out of the Lower Valley wells
2. 303 AF ASR recovery
3. 160 AF PWM recovery
4. 25 AF production from Sand City Desalination plant

The total AF available for production in September 2020 is 1,158 AF, however average production for September in the main system has averaged around 925 AF. The difference between water available to be pumped and the September average will be left in the Carmel River Watershed and claimed as Carry Over Credits according to the Cease and Desist Order.

**RECOMMENDATION:** Approve with the Consent Calendar. District staff submits this report as an informational item on the changes made to September 2020 Quarterly Water Budget to recover the newly available PWM water instead of ASR water.

## **EXHIBITS**

None

**ITEM:           CONSENT CALENDAR****7.       CONSIDER ADOPTION OF TREASURER'S REPORT FOR JUNE 2020**

<b>Meeting Date:</b>	<b>September 21, 2020</b>	<b>Budgeted:</b>	<b>N/A</b>
----------------------	---------------------------	------------------	------------

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

<b>Prepared By:</b>	<b>Suresh Prasad</b>	<b>Cost Estimate:</b>	<b>N/A</b>
---------------------	----------------------	-----------------------	------------

**General Counsel Review:** N/A**Committee Recommendation:** The Administrative Committee considered this item on September 15, 2020 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 7-A comprises the Treasurer's Report for June 2020. Exhibit 7-B and Exhibit 7-C are listings of check disbursements for the period June 1-30, 2020. Check Nos. 37279 through 37439, the direct deposits of employee's paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$1,632,637.72. This amount included \$22,220.95 for conservation rebates. Exhibit 7-D reflects the unaudited version of the financial statements for the month ending June 30, 2020.

**RECOMMENDATION:** The Administrative Committee recommends that the Board adopt the June 2020 Treasurer's Report and financial statements, and ratification of the disbursements made during the month.

**EXHIBITS**

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



**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
TREASURER'S REPORT FOR JUNE 2020**

<u>Description</u>							<b>PB</b>
	<u>Checking</u>	<u>MPWMD Money Market</u>	<u>L.A.I.F.</u>	<u>Wells Fargo Investments</u>	<u>Multi-Bank Securities</u>	<u>MPWMD Total</u>	<u>Reclamation Money Market</u>
<b>Beginning Balance</b>	<b>\$148,923.36</b>	<b>\$2,035,605.01</b>	<b>\$13,412,881.73</b>	<b>\$1,012,996.34</b>	<b>\$2,832,758.89</b>	<b>\$19,443,165.33</b>	<b>\$485,120.53</b>
Fee Deposits		542,476.96				542,476.96	1,014,297.99
MoCo Tax & WS Chg Installment Pymt		136,068.21				136,068.21	
Interest Received				4,126.65	3,344.01	7,470.66	
Transfer - Money Market/LAIF						0.00	
Transfer - Money Market/Checking	1,600,000.00	(1,600,000.00)				0.00	
Transfer - Money Market/Multi-Bank						0.00	
Transfer - Money Market/Wells Fargo		513,035.66		(513,035.66)		0.00	
Transfer to CAWD						0.00	(470,000.00)
Voided Checks						0.00	
Bank Corrections/Reversals/Errors						0.00	
Bank Charges/Other	(388.41)					(388.41)	
Credit Card Fees	(1,668.03)					(1,668.03)	
Returned Deposits	-					0.00	
Payroll Tax/Benefit Deposits	(102,710.14)					(102,710.14)	
Payroll Checks/Direct Deposits	(125,420.44)					(125,420.44)	
General Checks	(1,402,450.70)					(1,402,450.70)	
Bank Draft Payments	-					0.00	
<b>Ending Balance</b>	<b>\$116,285.64</b>	<b>\$1,627,185.84</b>	<b>\$13,412,881.73</b>	<b>\$504,087.33</b>	<b>\$2,836,102.90</b>	<b>\$18,496,543.44</b>	<b>\$1,029,418.52</b>



## Check Report

By Check Number

Date Range: 06/01/2020 - 06/30/2020



Monterey Peninsula Water Management Dist

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK	-Bank of America Checking					
Payment Type: Regular						
00249	A.G. Davi, LTD	06/05/2020	Regular	0.00	395.00	37279
00767	AFLAC	06/05/2020	Regular	0.00	907.16	37280
00983	Beverly Chaney	06/05/2020	Regular	0.00	127.90	37281
12601	Carmel Valley Ace Hardware	06/05/2020	Regular	0.00	102.31	37282
01001	CDW Government	06/05/2020	Regular	0.00	5,237.17	37283
18734	DeVeera Inc.	06/05/2020	Regular	0.00	6,808.00	37284
12655	Graphicsmiths	06/05/2020	Regular	0.00	90.00	37285
05830	Larry Hampson	06/05/2020	Regular	0.00	1,094.00	37286
00222	M.J. Murphy	06/05/2020	Regular	0.00	21.01	37287
16312	Mary L. Adams	06/05/2020	Regular	0.00	1,945.08	37288
10965	Molly Evans	06/05/2020	Regular	0.00	2,060.05	37289
01002	Monterey County Clerk	06/05/2020	Regular	0.00	2,456.75	37290
13396	Navia Benefit Solutions, Inc.	06/05/2020	Regular	0.00	962.49	37291
00282	PG&E	06/05/2020	Regular	0.00	10.51	37292
13430	Premiere Global Services	06/05/2020	Regular	0.00	545.05	37293
19575	RJA Management Services	06/05/2020	Regular	0.00	3,465.00	37294
14676	Scardina Builders	06/05/2020	Regular	0.00	2,215.00	37295
04709	Sherron Forsgren	06/05/2020	Regular	0.00	869.02	37296
17965	The Maynard Group	06/05/2020	Regular	0.00	1,515.15	37297
00229	Tyler Technologies	06/05/2020	Regular	0.00	3,242.40	37298
00271	UPEC, Local 792	06/05/2020	Regular	0.00	997.50	37299
13080	West Marine Products	06/05/2020	Regular	0.00	15.75	37300
00253	AT&T	06/12/2020	Regular	0.00	22.53	37304
00252	Cal-Am Water	06/12/2020	Regular	0.00	92.19	37305
00252	Cal-Am Water	06/12/2020	Regular	0.00	78.24	37306
00252	Cal-Am Water	06/12/2020	Regular	0.00	78.24	37307
00252	Cal-Am Water	06/12/2020	Regular	0.00	152.55	37308
00252	Cal-Am Water	06/12/2020	Regular	0.00	152.55	37309
00252	Cal-Am Water	06/12/2020	Regular	0.00	98.89	37310
00024	Central Coast Exterminator	06/12/2020	Regular	0.00	104.00	37311
04735	Cheryl Halpern	06/12/2020	Regular	0.00	2,381.02	37312
06268	Comcast	06/12/2020	Regular	0.00	195.09	37313
19609	Easton Geology, Inc.	06/12/2020	Regular	0.00	3,025.00	37314
00222	M.J. Murphy	06/12/2020	Regular	0.00	93.62	37315
00259	Marina Coast Water District	06/12/2020	Regular	0.00	74.39	37316
00242	MBAS	06/12/2020	Regular	0.00	2,970.00	37317
00759	Mechanics Bank	06/12/2020	Regular	0.00	109,568.00	37318
00274	Monterey One Water	06/12/2020	Regular	0.00	163.21	37319
00036	Parham Living Trust	06/12/2020	Regular	0.00	850.00	37320
00282	PG&E	06/12/2020	Regular	0.00	26.95	37321
00282	PG&E	06/12/2020	Regular	0.00	55.42	37322
00282	PG&E	06/12/2020	Regular	0.00	19.65	37323
18544	Psomas	06/12/2020	Regular	0.00	17,592.00	37324
00159	Pueblo Water Resources, Inc.	06/12/2020	Regular	0.00	13,857.89	37325
00262	Pure H2O	06/12/2020	Regular	0.00	65.24	37326
04719	Telit Io T Platforms, LLC	06/12/2020	Regular	0.00	234.83	37327
09351	Tetra Tech, Inc.	06/12/2020	Regular	0.00	929.72	37328
00269	U.S. Bank	06/12/2020	Regular	0.00	2,271.25	37329
19671	University of California, Berkeley	06/12/2020	Regular	0.00	100,000.00	37330
18163	Wex Bank	06/12/2020	Regular	0.00	334.49	37331
01188	Alhambra	06/19/2020	Regular	0.00	122.74	37332
04721	Carlons Fire Extinguisher Svc., Inc.	06/19/2020	Regular	0.00	574.06	37333
01001	CDW Government	06/19/2020	Regular	0.00	49.00	37334

**EXHIBIT 7-B**

54

**Check Report****Date Range: 06/01/2020 - 06/30/2020**

<b>Vendor Number</b>	<b>Vendor Name</b>	<b>Payment Date</b>	<b>Payment Type</b>	<b>Discount Amount</b>	<b>Payment Amount</b>	<b>Number</b>
19448	David Frank Stone	06/19/2020	Regular	0.00	33.40	37335
00046	De Lay & Laredo	06/19/2020	Regular	0.00	73,753.25	37336
00192	Extra Space Storage	06/19/2020	Regular	0.00	885.00	37337
05371	June Silva	06/19/2020	Regular	0.00	289.00	37338
00118	Monterey Bay Carpet & Janitorial Svc	06/19/2020	Regular	0.00	1,260.00	37339
00270	Monterey Sanitary Supply	06/19/2020	Regular	0.00	545.20	37340
13396	Navia Benefit Solutions, Inc.	06/19/2020	Regular	0.00	662.49	37341
00154	Peninsula Messenger Service	06/19/2020	Regular	0.00	356.00	37342
00755	Peninsula Welding Supply, Inc.	06/19/2020	Regular	0.00	64.50	37343
00282	PG&E	06/19/2020	Regular	0.00	11,675.33	37344
13394	Regional Government Services	06/19/2020	Regular	0.00	1,032.00	37345
17968	Rutan & Tucker, LLP	06/19/2020	Regular	0.00	10,762.50	37346
04046	Safeguard Business Systems	06/19/2020	Regular	0.00	462.66	37347
00010	Access Monterey Peninsula	06/26/2020	Regular	0.00	875.00	37412
03966	ACWA (Memberships/Conferences/Publications)	06/26/2020	Regular	0.00	3,000.00	37413
00252	Cal-Am Water	06/26/2020	Regular	0.00	98.89	37414
00252	Cal-Am Water	06/26/2020	Regular	0.00	78.24	37415
01001	CDW Government	06/26/2020	Regular	0.00	2,103.57	37416
00230	Cisco Systems, Inc.	06/26/2020	Regular	0.00	290.00	37417
04041	Cynthia Schmidlin	06/26/2020	Regular	0.00	868.03	37418
18734	DeVeera Inc.	06/26/2020	Regular	0.00	205.52	37419
00758	FedEx	06/26/2020	Regular	0.00	8.50	37420
00993	Harris Court Business Park	06/26/2020	Regular	0.00	721.26	37421
00277	Home Depot Credit Services	06/26/2020	Regular	0.00	331.09	37422
00094	John Arriaga	06/26/2020	Regular	0.00	2,500.00	37423
05371	June Silva	06/26/2020	Regular	0.00	289.00	37424
00242	MBAS	06/26/2020	Regular	0.00	1,295.00	37425
00756	Monterey Bay Air Resources District	06/26/2020	Regular	0.00	354.00	37426
01002	Monterey County Clerk	06/26/2020	Regular	0.00	50.00	37427
00274	Monterey One Water	06/26/2020	Regular	0.00	413,170.80	37428
00755	Peninsula Welding Supply, Inc.	06/26/2020	Regular	0.00	61.62	37429
00282	PG&E	06/26/2020	Regular	0.00	1,564.47	37430
00282	PG&E	06/26/2020	Regular	0.00	900.56	37431
00176	Sentry Alarm Systems	06/26/2020	Regular	0.00	185.50	37432
19098	Specialty Construction, Inc.	06/26/2020	Regular	0.00	554,157.66	37433
09989	Star Sanitation Services	06/26/2020	Regular	0.00	90.71	37434
09425	The Ferguson Group LLC	06/26/2020	Regular	0.00	72.93	37435
00225	Trowbridge Enterprises Inc.	06/26/2020	Regular	0.00	153.73	37436
18737	U.S. Bank Equipment Finance	06/26/2020	Regular	0.00	867.83	37437
18163	Wex Bank	06/26/2020	Regular	0.00	78.45	37438
06009	yourservicesolution.com	06/26/2020	Regular	0.00	2,761.00	37439
<b>Total Regular:</b>				<b>0.00</b>	<b>1,380,229.75</b>	



**EXHIBIT 7-B**

55

**Check Report****Date Range: 06/01/2020 - 06/30/2020**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Payment Type: Bank Draft</b>						
00266	I.R.S.	06/05/2020	Bank Draft	0.00	12,098.93	DFT0001643
00266	I.R.S.	06/05/2020	Bank Draft	0.00	2,469.76	DFT0001644
00267	Employment Development Dept.	06/05/2020	Bank Draft	0.00	4,816.28	DFT0001645
00266	I.R.S.	06/05/2020	Bank Draft	0.00	256.40	DFT0001646
00266	I.R.S.	06/05/2020	Bank Draft	0.00	82.32	DFT0001648
00266	I.R.S.	06/05/2020	Bank Draft	0.00	97.88	DFT0001649
00266	I.R.S.	06/05/2020	Bank Draft	0.00	418.50	DFT0001650
00768	ICMA	06/05/2020	Bank Draft	0.00	2,520.09	DFT0001652
00266	I.R.S.	06/19/2020	Bank Draft	0.00	12,199.38	DFT0001654
00266	I.R.S.	06/19/2020	Bank Draft	0.00	2,486.74	DFT0001655
00267	Employment Development Dept.	06/19/2020	Bank Draft	0.00	4,871.42	DFT0001656
00266	I.R.S.	06/19/2020	Bank Draft	0.00	328.98	DFT0001657
00769	Laborers Trust Fund of Northern CA	06/11/2020	Bank Draft	0.00	28,094.00	DFT0001658
00768	ICMA	06/19/2020	Bank Draft	0.00	2,520.09	DFT0001659
00256	PERS Retirement	06/05/2020	Bank Draft	0.00	14,724.69	DFT0001660
00256	PERS Retirement	06/19/2020	Bank Draft	0.00	14,724.68	DFT0001661
<b>Total Bank Draft:</b>				<b>0.00</b>	<b>102,710.14</b>	

	Bank Code APBNK	Summary		
Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	122	94	0.00	1,380,229.75
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	24	16	0.00	102,710.14
EFT's	0	0	0.00	0.00
	146	110	0.00	1,482,939.89

**EXHIBIT 7-B**

56

**Check Report****Date Range: 06/01/2020 - 06/30/2020**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: REBATES-02-Rebates: Use Only For Rebates</b>						
<b>Payment Type: Regular</b>						
19603	Tricia Jakic	06/26/2020	Regular	0.00	-500.00	37220
19624	Alexander J. Gray	06/26/2020	Regular	0.00	125.00	37348
19627	Amanda Ziegler-Freedman	06/26/2020	Regular	0.00	625.00	37349
19650	Anne D. McGowan	06/26/2020	Regular	0.00	500.00	37350
19632	B W Malek	06/26/2020	Regular	0.00	125.00	37351
19656	Bailey Purganan	06/26/2020	Regular	0.00	500.00	37352
19658	Barbara L Kiely	06/26/2020	Regular	0.00	500.00	37353
19613	Barbara Layne	06/26/2020	Regular	0.00	800.00	37354
19625	Barbara Roecker	06/26/2020	Regular	0.00	125.00	37355
19423	Benjamin Lazare	06/26/2020	Regular	0.00	99.00	37356
19670	Brandi Williamson	06/26/2020	Regular	0.00	500.00	37357
19669	Capreece Dunklin	06/26/2020	Regular	0.00	500.00	37358
19642	Catherine Ballesta	06/26/2020	Regular	0.00	500.00	37359
19664	Christine D. Warde	06/26/2020	Regular	0.00	200.00	37360
19636	Clinton Prior & Erin Drake-Prior	06/26/2020	Regular	0.00	500.00	37361
19640	Craig Coming	06/26/2020	Regular	0.00	500.00	37362
19637	Daniel Shapiro	06/26/2020	Regular	0.00	500.00	37363
19610	Dawn Buist	06/26/2020	Regular	0.00	75.00	37364
19643	Derek Elrod	06/26/2020	Regular	0.00	500.00	37365
19628	Emily Ventura	06/26/2020	Regular	0.00	125.00	37366
19646	Eric Carlson	06/26/2020	Regular	0.00	500.00	37367
19653	Fabiola Gonzales	06/26/2020	Regular	0.00	500.00	37368
19657	Freya Smith	06/26/2020	Regular	0.00	500.00	37369
19458	Glenn Tozier	06/26/2020	Regular	0.00	125.00	37370
19660	Graciela Wilcox	06/26/2020	Regular	0.00	500.00	37371
19630	Jerry W. Stengel	06/26/2020	Regular	0.00	125.00	37372
19616	Joe Cutrufelli	06/26/2020	Regular	0.00	271.95	37373
19620	Joe Indence	06/26/2020	Regular	0.00	75.00	37374
19654	John Galvin	06/26/2020	Regular	0.00	500.00	37375
19662	John Murphy	06/26/2020	Regular	0.00	500.00	37376
19623	Joseph Lucido	06/26/2020	Regular	0.00	125.00	37377
19621	Judith A. Rathbun	06/26/2020	Regular	0.00	75.00	37378
19619	Karen Calley	06/26/2020	Regular	0.00	75.00	37379
19668	Kathryn Rubiano	06/26/2020	Regular	0.00	500.00	37380
19634	Keith Krone	06/26/2020	Regular	0.00	500.00	37381
19652	Kim Weindorf	06/26/2020	Regular	0.00	500.00	37382
19661	Kirsten Hyde	06/26/2020	Regular	0.00	500.00	37383
19666	Korissa Singh	06/26/2020	Regular	0.00	500.00	37384
19639	Leigh Eck	06/26/2020	Regular	0.00	500.00	37385
19622	Linda Parise	06/26/2020	Regular	0.00	125.00	37386
19615	Lisa D. Gonzales	06/26/2020	Regular	0.00	75.00	37387
19633	Lucien Bruce Lindsey	06/26/2020	Regular	0.00	125.00	37388
19638	Mark Logterman	06/26/2020	Regular	0.00	500.00	37389
19614	Mark Pina	06/26/2020	Regular	0.00	75.00	37390
19629	Mary J Rose	06/26/2020	Regular	0.00	125.00	37391
19667	Melissa Barber	06/26/2020	Regular	0.00	500.00	37392
19635	Michael Cobler	06/26/2020	Regular	0.00	500.00	37393
19631	Nancy Abilgaard	06/26/2020	Regular	0.00	125.00	37394
19665	Nancy Phillips	06/26/2020	Regular	0.00	250.00	37395
19611	Nathaniel Milam	06/26/2020	Regular	0.00	75.00	37396
19649	Oscar Amaya	06/26/2020	Regular	0.00	500.00	37397
19618	Patrick LeMaster	06/26/2020	Regular	0.00	75.00	37398
19644	Paul Tamplin	06/26/2020	Regular	0.00	500.00	37399
19647	Paul Wetterau	06/26/2020	Regular	0.00	500.00	37400
19659	Richard Lundquist	06/26/2020	Regular	0.00	500.00	37401
19663	Robert Long	06/26/2020	Regular	0.00	500.00	37402
19617	Roger Stodola	06/26/2020	Regular	0.00	75.00	37403
19612	Roshan Patel	06/26/2020	Regular	0.00	300.00	37404
19648	Samuel Staton	06/26/2020	Regular	0.00	500.00	37405

**EXHIBIT 7-B**

57

**Check Report****Date Range: 06/01/2020 - 06/30/2020**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
19655	Shannon Ashley	06/26/2020	Regular	0.00	500.00	37406
19645	Sharon K Miller	06/26/2020	Regular	0.00	500.00	37407
19651	Shena Danko	06/26/2020	Regular	0.00	500.00	37408
19641	Sim Lou	06/26/2020	Regular	0.00	500.00	37409
19626	Susan Borrego	06/26/2020	Regular	0.00	125.00	37410
19603	Tricia Jakic	06/26/2020	Regular	0.00	500.00	37411
<b>Total Regular:</b>				<b>0.00</b>	<b>22,220.95</b>	

**Bank Code REBATES-02 Summary**

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	64	64	0.00	22,720.95
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-500.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>64</b>	<b>65</b>	<b>0.00</b>	<b>22,220.95</b>

## All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	186	158	0.00	1,402,950.70
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-500.00
Bank Drafts	24	16	0.00	102,710.14
EFT's	0	0	0.00	0.00
	<b>210</b>	<b>175</b>	<b>0.00</b>	<b>1,505,160.84</b>

## Fund Summary

Fund	Name	Period	Amount
99	POOL CASH FUND	6/2020	1,505,160.84
			<b>1,505,160.84</b>

**EXHIBIT 7-C**

Monterey Peninsula Water Management Dist

**Payroll Bank Transaction Report**

By Payment Number

Date: 6/1/2020 - 6/30/2020

Payroll Set: 01 - Monterey Peninsula Water Management District

Payment Number	Payment Date	Payment Type	Employee Number	Employee Name	Check Amount	Direct Deposit Amount	Total Payment
5126	06/05/2020	Regular	1024	Stoldt, David J	0.00	5,742.47	5,742.47
5127	06/05/2020	Regular	1025	Tavani, Arlene M	0.00	2,170.62	2,170.62
5128	06/05/2020	Regular	1044	Bennett, Corryn D	0.00	2,035.35	2,035.35
5129	06/05/2020	Regular	1018	Prasad, Suresh	0.00	4,019.48	4,019.48
5130	06/05/2020	Regular	1019	Reyes, Sara C	0.00	1,832.10	1,832.10
5131	06/05/2020	Regular	1075	Valencia, Mariel C	0.00	1,540.71	1,540.71
5132	06/05/2020	Regular	1042	Hamilton, Maureen C.	0.00	2,566.81	2,566.81
5133	06/05/2020	Regular	6063	Hampson, Larry M	0.00	1,688.49	1,688.49
5134	06/05/2020	Regular	1009	James, Gregory W	0.00	3,189.33	3,189.33
5135	06/05/2020	Regular	1011	Lear, Jonathan P	0.00	4,121.61	4,121.61
5136	06/05/2020	Regular	1012	Lindberg, Thomas L	0.00	2,605.05	2,605.05
5137	06/05/2020	Regular	1043	Suwada, Joseph	0.00	1,961.37	1,961.37
5138	06/05/2020	Regular	1045	Atkins, Daniel N	0.00	1,917.29	1,917.29
5139	06/05/2020	Regular	1004	Chaney, Beverly M	0.00	2,621.32	2,621.32
5140	06/05/2020	Regular	1005	Christensen, Thomas T	0.00	3,591.08	3,591.08
5141	06/05/2020	Regular	1007	Hamilton, Cory R	0.00	2,306.53	2,306.53
5142	06/05/2020	Regular	1048	Lumas, Eric M	0.00	1,765.96	1,765.96
5143	06/05/2020	Regular	1001	Bravo, Gabriela D	0.00	2,528.84	2,528.84
5144	06/05/2020	Regular	1076	Jakic, Tricia	0.00	2,410.47	2,410.47
5145	06/05/2020	Regular	1010	Kister, Stephanie L	0.00	2,621.28	2,621.28
5146	06/05/2020	Regular	1017	Locke, Stephanie L	0.00	3,397.95	3,397.95
5147	06/05/2020	Regular	1040	Smith, Kyle	0.00	2,231.13	2,231.13
5148	06/05/2020	Regular	1047	Timmer, Christopher	0.00	2,135.21	2,135.21
5149	06/05/2020	Regular	7015	Adams, Mary L	0.00	348.14	348.14
5150	06/05/2020	Regular	7014	Evans, Molly F	0.00	490.46	490.46
5151	06/05/2020	Regular	7017	Hoffmann, Gary D	0.00	374.02	374.02
5152	06/05/2020	Regular	7018	Riley, George T	0.00	498.69	498.69
5153	06/19/2020	Regular	1024	Stoldt, David J	0.00	5,742.48	5,742.48
5154	06/19/2020	Regular	1025	Tavani, Arlene M	0.00	2,170.64	2,170.64
5155	06/19/2020	Regular	1044	Bennett, Corryn D	0.00	2,035.37	2,035.37
5156	06/19/2020	Regular	1018	Prasad, Suresh	0.00	4,019.49	4,019.49
5157	06/19/2020	Regular	1019	Reyes, Sara C	0.00	1,832.11	1,832.11
5158	06/19/2020	Regular	1075	Valencia, Mariel C	0.00	1,540.71	1,540.71
5159	06/19/2020	Regular	1042	Hamilton, Maureen C.	0.00	2,566.81	2,566.81
5160	06/19/2020	Regular	6063	Hampson, Larry M	0.00	2,073.36	2,073.36
5161	06/19/2020	Regular	1009	James, Gregory W	0.00	3,189.33	3,189.33
5162	06/19/2020	Regular	1011	Lear, Jonathan P	0.00	4,121.62	4,121.62
5163	06/19/2020	Regular	1012	Lindberg, Thomas L	0.00	2,605.04	2,605.04
5164	06/19/2020	Regular	1043	Suwada, Joseph	0.00	1,961.38	1,961.38
5165	06/19/2020	Regular	1045	Atkins, Daniel N	0.00	1,917.30	1,917.30
5166	06/19/2020	Regular	1004	Chaney, Beverly M	0.00	2,621.32	2,621.32
5167	06/19/2020	Regular	1005	Christensen, Thomas T	0.00	3,591.09	3,591.09
5168	06/19/2020	Regular	1007	Hamilton, Cory R	0.00	2,306.55	2,306.55
5169	06/19/2020	Regular	1048	Lumas, Eric M	0.00	1,765.98	1,765.98
5170	06/19/2020	Regular	1001	Bravo, Gabriela D	0.00	2,528.84	2,528.84
5171	06/19/2020	Regular	1076	Jakic, Tricia	0.00	2,410.48	2,410.48
5172	06/19/2020	Regular	1010	Kister, Stephanie L	0.00	2,621.29	2,621.29
5173	06/19/2020	Regular	1017	Locke, Stephanie L	0.00	3,397.96	3,397.96
5174	06/19/2020	Regular	1040	Smith, Kyle	0.00	2,231.13	2,231.13
5175	06/19/2020	Regular	1047	Timmer, Christopher	0.00	2,135.22	2,135.22
37301	06/05/2020	Regular	7007	Byrne, Jeanne	498.69	0.00	498.69
37302	06/05/2020	Regular	7009	Edwards, Alvin	587.53	0.00	587.53
37303	06/05/2020	Regular	7004	Potter, David L	236.96	0.00	236.96
<b>Total:</b>					<b>1,323.18</b>	<b>124,097.26</b>	<b>125,420.44</b>





**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT**  
**STATEMENT OF REVENUES AND EXPENDITURES**  
**FOR THE MONTH JUNE 30, 2020**

	Mitigation	Conservation	Water Supply	Current Period Activity	FY 2019/2020 Year-to-Date Actual	FY 2019/2020 Annual Budget	Prior FY Year-to-Date Actual
<b>REVENUES</b>							
Property taxes	\$ -	\$ 11,685	\$ 84,133	\$ 95,818	\$ 2,210,330	\$ 2,050,000	\$ 2,054,056
Water supply charge	-	-	49,546	49,546	3,355,193	3,400,000	3,410,399
User fees	134,244	244,197	62,645	441,085	4,622,741	5,000,000	4,862,354
Mitigation revenue	-	-	-	-	-	-	-
Capacity fees	-	-	48,261	48,261	575,511	500,000	591,241
Permit fees	-	11,487	-	11,487	191,902	231,000	251,850
Investment income	1,512	4,143	1,816	7,471	256,222	230,000	327,035
Miscellaneous	130	82	104	316	6,585	15,000	1,887
<b>Sub-total district revenues</b>	<b>135,885</b>	<b>271,594</b>	<b>246,505</b>	<b>653,984</b>	<b>11,218,484</b>	<b>11,426,000</b>	<b>11,498,822</b>
Project reimbursements	29,706	20,515	49,002	99,224	1,697,824	1,681,000	973,715
Legal fee reimbursements	-	150	-	150	1,800	16,000	3,600
Grants	22,949	-	-	22,949	286,651	468,000	1,726,815
Recording fees	-	2,310	-	2,310	35,040	6,000	7,530
<b>Sub-total reimbursements</b>	<b>52,655</b>	<b>22,975</b>	<b>49,002</b>	<b>124,633</b>	<b>2,021,315</b>	<b>2,171,000</b>	<b>2,711,660</b>
Reserves	-	-	-	-	-	8,191,250	-
<b>Total revenues</b>	<b>188,541</b>	<b>294,569</b>	<b>295,507</b>	<b>778,617</b>	<b>13,239,799</b>	<b>21,788,250</b>	<b>14,210,483</b>
<b>EXPENDITURES</b>							
<b>Personnel:</b>							
Salaries	64,432	40,311	76,446	181,188	2,440,147	2,704,600	2,648,339
Retirement	5,972	3,734	7,076	16,782	557,913	588,500	504,013
Unemployment Compensation	-	-	-	-	3,417	3,000	2,649
Auto Allowance	92	92	277	462	5,770	6,000	6,000
Deferred Compensation	143	143	429	714	8,928	9,400	9,223
Temporary Personnel	-	-	-	-	58,961	55,100	76,411
Workers Comp. Ins.	1,782	156	1,324	3,262	46,307	71,300	50,235
Employee Insurance	14,827	9,474	14,185	38,487	449,887	479,100	431,287
Medicare & FICA Taxes	1,146	656	1,217	3,019	45,156	49,100	42,764
Personnel Recruitment	-	-	-	-	649	3,000	1,202
Other benefits	-	-	-	-	1,577	1,500	1,256
Staff Development	-	298	-	298	9,993	28,500	16,370
<b>Sub-total personnel costs</b>	<b>88,394</b>	<b>54,864</b>	<b>100,954</b>	<b>244,211</b>	<b>3,628,705</b>	<b>3,999,100</b>	<b>3,789,751</b>
<b>Services &amp; Supplies:</b>							
Board Member Comp	1,094	1,053	1,094	3,240	35,640	33,900	29,430
Board Expenses	1,719	69	88	1,876	15,368	5,100	6,703
Rent	985	230	915	2,130	25,810	23,200	22,001
Utilities	875	502	667	2,044	29,448	33,200	29,969
Telephone	1,781	1,208	980	3,969	42,115	50,700	71,965
Facility Maintenance	1,756	1,134	1,412	4,301	70,299	56,200	38,032
Bank Charges	843	535	679	2,056	17,457	3,900	5,438
Office Supplies	560	426	516	1,501	16,332	17,400	13,073
Courier Expense	52	33	42	126	5,782	6,100	4,190
Postage & Shipping	3	2	3	9	3,736	6,800	3,731
Equipment Lease	356	226	286	868	12,168	13,900	12,907
Equip. Repairs & Maintenance	-	-	-	-	7,239	7,000	5,038
Photocopy Expense	-	-	-	-	-	-	-
Printing/Duplicating/Binding	-	-	-	-	-	500	472
IT Supplies/Services	3,321	2,155	2,673	8,149	213,203	190,000	128,745
Operating Supplies	253	149	189	592	14,711	16,900	14,857
Legal Services	25,904	20,633	33,818	80,355	258,601	400,000	324,833



**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT**  
**STATEMENT OF REVENUES AND EXPENDITURES**  
**FOR THE MONTH JUNE 30, 2020**

	Mitigation	Conservation	Water Supply	Current Period Activity	FY 2019/2020 Year-to-Date Actual	FY 2019/2020 Annual Budget	Prior FY Year-to-Date Actual
Professional Fees	6,776	4,297	5,454	16,527	282,097	357,100	302,939
Transportation	1,744	203	39	1,986	27,269	35,000	31,290
Travel	-	-	-	-	12,907	31,100	24,533
Meeting Expenses	359	228	289	875	12,196	6,100	3,793
Insurance	2,397	1,520	1,930	5,847	70,265	65,100	59,983
Legal Notices	-	-	-	-	158	3,100	163
Membership Dues	205	130	165	500	36,368	34,900	32,041
Public Outreach	-	-	-	-	3,040	4,500	3,224
Assessors Administration Fee	-	-	-	-	28,562	20,000	28,406
Miscellaneous	-	-	-	-	379	3,000	17,155
<b>Sub-total services &amp; supplies costs</b>	<b>50,983</b>	<b>34,731</b>	<b>51,237</b>	<b>136,951</b>	<b>1,241,150</b>	<b>1,424,700</b>	<b>1,214,910</b>
Project expenditures	195,117	66,056	2,468,543	2,729,716	7,935,778	15,557,700	5,437,138
Fixed assets	942	597	758	2,296	45,213	213,900	425,271
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	-	-	221,004
Debt service: Principal	-	-	-	-	-	-	-
Debt service: Interest	-	-	-	-	125,979	230,000	128,961
Flood drought reserve	-	-	-	-	-	-	-
Capital equipment reserve	-	-	-	-	-	49,500	200,000
General fund balance	-	-	-	-	-	43,350	-
Pension reserve	-	-	-	-	-	100,000	100,000
OPEB reserve	-	-	-	-	-	100,000	100,000
Other	-	-	-	-	-	-	-
<b>Total expenditures</b>	<b>335,435</b>	<b>156,248</b>	<b>2,621,491</b>	<b>3,113,174</b>	<b>12,976,824</b>	<b>21,788,250</b>	<b>11,617,035</b>
<b>Excess (Deficiency) of revenues over expenditures</b>	<b>\$ (146,894)</b>	<b>\$ 138,321</b>	<b>\$ (2,325,984)</b>	<b>\$ (2,334,557)</b>	<b>\$ 262,975</b>	<b>\$ -</b>	<b>\$ 2,593,448</b>



**ITEM:           CONSENT CALENDAR****8.           CONSIDER ADOPTION OF TREASURER'S REPORT FOR JULY 2020**

<b>Meeting Date:</b>	<b>September 21, 2020</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</b>
--------------	---	------------------------------------	------------

<b>Prepared By:</b>	<b>Suresh Prasad</b>	<b>Cost Estimate:</b>	<b>N/A</b>
---------------------	----------------------	-----------------------	------------

**General Counsel Review:** N/A**Committee Recommendation:** The Administrative Committee considered this item on September 15, 2020 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 8-A comprises the Treasurer's Report for July 2020. Exhibit 8-B and Exhibit 8-C are listings of check disbursements for the period July 1-31, 2020. Check Nos. 37440 through 37576, the direct deposits of employee's paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$1,983,980.10. This amount included \$8,562.00 for conservation rebates. Exhibit 8-D reflects the unaudited version of the financial statements for the month ending July 31, 2020.

**RECOMMENDATION:** The Administrative Committee recommends that the Board adopt the July 2020 Treasurer's Report and financial statements, and ratification of the disbursements made during the month.

**EXHIBITS**

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



**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
TREASURER'S REPORT FOR JULY 2020**

<u>Description</u>	<u>Checking</u>	<u>MPWMD Money Market</u>	<u>L.A.I.F.</u>	<u>Wells Fargo Investments</u>	<u>Multi-Bank Securities</u>	<u>MPWMD Total</u>	<u>PB Reclamation Money Market</u>
<b>Beginning Balance</b>	<b>\$116,285.64</b>	<b>\$1,627,185.84</b>	<b>\$13,412,881.73</b>	<b>\$504,087.33</b>	<b>\$2,836,102.90</b>	<b>\$18,496,543.44</b>	<b>\$1,029,418.52</b>
Fee Deposits		973,208.22				973,208.22	307,337.13
MoCo Tax & WS Chg Installment Pymt						0.00	
Interest Received			49,220.80	7.20	10,022.88	59,250.88	
Transfer - Money Market/LAIF		300,000.00	(300,000.00)			0.00	
Transfer - Money Market/Checking	1,961,870.75	(1,961,870.75)				0.00	
Transfer - Money Market/Multi-Bank						0.00	
Transfer - Money Market/Wells Fargo						0.00	
Transfer to CAWD						0.00	(1,020,000.00)
Voided Checks						0.00	
Bank Corrections/Reversals/Errors						0.00	
Bank Charges/Other	(369.03)					(369.03)	
Credit Card Fees	(910.92)					(910.92)	
Returned Deposits	-					0.00	
Payroll Tax/Benefit Deposits	(524,959.94)					(524,959.94)	
Payroll Checks/Direct Deposits	(200,107.18)					(200,107.18)	
General Checks	(1,257,633.03)					(1,257,633.03)	
Bank Draft Payments	-					0.00	
<b>Ending Balance</b>	<b>\$94,176.29</b>	<b>\$938,523.31</b>	<b>\$13,162,102.53</b>	<b>\$504,094.53</b>	<b>\$2,846,125.78</b>	<b>\$17,545,022.44</b>	<b>\$316,755.65</b>



## Check Report

By Check Number

Date Range: 07/01/2020 - 07/31/2020



Monterey Peninsula Water Management Dist

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK	-Bank of America Checking					
Payment Type: Regular						
00249	A.G. Davi, LTD	07/02/2020	Regular	0.00	395.00	37440
00763	ACWA-JPIA	07/02/2020	Regular	0.00	358.54	37441
00760	Andy Bell	07/02/2020	Regular	0.00	711.00	37442
18321	CalDesal	07/02/2020	Regular	0.00	1,000.00	37443
01001	CDW Government	07/02/2020	Regular	0.00	1,913.35	37444
00281	CoreLogic Information Solutions, Inc.	07/02/2020	Regular	0.00	963.20	37445
00986	Henrietta Stern	07/02/2020	Regular	0.00	1,293.21	37446
04717	Inder Osahan	07/02/2020	Regular	0.00	1,293.21	37447
03857	Joe Oliver	07/02/2020	Regular	0.00	1,293.21	37448
00117	Marina Backflow Company	07/02/2020	Regular	0.00	75.00	37449
05829	Mark Bekker	07/02/2020	Regular	0.00	1,094.00	37450
01012	Mark Dudley	07/02/2020	Regular	0.00	540.00	37451
00242	MBAS	07/02/2020	Regular	0.00	208.00	37452
04728	Monterey County Business Council	07/02/2020	Regular	0.00	500.00	37453
16182	Monterey County Weekly	07/02/2020	Regular	0.00	1,726.00	37454
13396	Navia Benefit Solutions, Inc.	07/02/2020	Regular	0.00	662.49	37455
00251	Rick Dickhaut	07/02/2020	Regular	0.00	543.40	37456
00987	SDRMA - Prop & Liability Pkg	07/02/2020	Regular	0.00	96,278.52	37457
00988	SDRMA - Workers Comp. Insurance	07/02/2020	Regular	0.00	80,504.35	37458
00766	Standard Insurance Company	07/02/2020	Regular	0.00	1,419.65	37459
08105	Yolanda Munoz	07/02/2020	Regular	0.00	540.00	37460
00763	ACWA-JPIA	07/10/2020	Regular	0.00	358.54	37464
00767	AFLAC	07/10/2020	Regular	0.00	907.16	37465
00253	AT&T	07/10/2020	Regular	0.00	400.90	37466
00252	Cal-Am Water	07/10/2020	Regular	0.00	152.55	37467
00224	City of Monterey	07/10/2020	Regular	0.00	697.75	37468
00046	De Lay & Laredo	07/10/2020	Regular	0.00	63,073.00	37469
12655	Graphicsmiths	07/10/2020	Regular	0.00	238.80	37470
13431	Lynx Technologies, Inc	07/10/2020	Regular	0.00	1,650.00	37471
00242	MBAS	07/10/2020	Regular	0.00	465.00	37472
00274	Monterey One Water	07/10/2020	Regular	0.00	393,828.05	37473
00755	Peninsula Welding Supply, Inc.	07/10/2020	Regular	0.00	64.50	37474
00282	PG&E	07/10/2020	Regular	0.00	72.22	37475
00282	PG&E	07/10/2020	Regular	0.00	24.44	37476
00282	PG&E	07/10/2020	Regular	0.00	12.62	37477
00282	PG&E	07/10/2020	Regular	0.00	9.53	37478
13430	Premiere Global Services	07/10/2020	Regular	0.00	426.86	37479
18544	Psomas	07/10/2020	Regular	0.00	32,254.10	37480
00159	Pueblo Water Resources, Inc.	07/10/2020	Regular	0.00	8,109.65	37481
00262	Pure H2O	07/10/2020	Regular	0.00	65.24	37482
04709	Sherron Forsgren	07/10/2020	Regular	0.00	869.02	37483
04719	Telit IoT Platforms, LLC	07/10/2020	Regular	0.00	232.67	37484
09351	Tetra Tech, Inc.	07/10/2020	Regular	0.00	2,605.24	37485
17965	The Maynard Group	07/10/2020	Regular	0.00	1,530.70	37486
00271	UPEC, Local 792	07/10/2020	Regular	0.00	997.50	37487
00221	Verizon Wireless	07/10/2020	Regular	0.00	1,656.54	37488
18163	Wex Bank	07/10/2020	Regular	0.00	964.44	37489
01188	Alhambra	07/17/2020	Regular	0.00	116.63	37490
00022	BioAssessment Services	07/17/2020	Regular	0.00	5,730.00	37491
01001	CDW Government	07/17/2020	Regular	0.00	3,867.01	37492
00024	Central Coast Exterminator	07/17/2020	Regular	0.00	104.00	37493
11822	CSC	07/17/2020	Regular	0.00	5,000.00	37494
04041	Cynthia Schmidlin	07/17/2020	Regular	0.00	868.03	37495

**EXHIBIT 8-B**

68

**Check Report****Date Range: 07/01/2020 - 07/31/2020**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
19448	David Frank Stone	07/17/2020	Regular	0.00	32.17	37496
08109	David Olson, Inc.	07/17/2020	Regular	0.00	770.00	37497
00046	De Lay & Laredo	07/17/2020	Regular	0.00	33,297.50	37498
18734	DeVeera Inc.	07/17/2020	Regular	0.00	6,947.00	37499
00986	Henrietta Stern	07/17/2020	Regular	0.00	1,293.21	37500
00078	Michael Hutnak	07/17/2020	Regular	0.00	1,800.00	37501
00118	Monterey Bay Carpet & Janitorial Svc	07/17/2020	Regular	0.00	1,260.00	37502
00036	Parham Living Trust	07/17/2020	Regular	0.00	850.00	37503
00154	Peninsula Messenger Service	07/17/2020	Regular	0.00	126.00	37504
04736	Pitney Bowes Global Financial Svc, LLC	07/17/2020	Regular	0.00	399.35	37505
13394	Regional Government Services	07/17/2020	Regular	0.00	4,312.00	37506
17968	Rutan & Tucker, LLP	07/17/2020	Regular	0.00	17,812.50	37507
00225	Trowbridge Enterprises Inc.	07/17/2020	Regular	0.00	103.74	37508
12181	Val Strough Honda	07/17/2020	Regular	0.00	202.98	37509
01001	CDW Government	07/24/2020	Regular	0.00	381.28	37538
00024	Central Coast Exterminator	07/24/2020	Regular	0.00	104.00	37539
00224	City of Monterey	07/24/2020	Regular	0.00	1,369.81	37540
06268	Comcast	07/24/2020	Regular	0.00	196.23	37541
19765	Daniel Larson	07/24/2020	Regular	0.00	16.68	37542
00192	Extra Space Storage	07/24/2020	Regular	0.00	885.00	37543
00993	Harris Court Business Park	07/24/2020	Regular	0.00	721.26	37544
00277	Home Depot Credit Services	07/24/2020	Regular	0.00	222.96	37545
03857	Joe Oliver	07/24/2020	Regular	0.00	1,293.21	37546
19764	Katrina Herrmann	07/24/2020	Regular	0.00	40.25	37547
05829	Mark Bekker	07/24/2020	Regular	0.00	1,094.00	37548
01012	Mark Dudley	07/24/2020	Regular	0.00	540.00	37549
00274	Monterey One Water	07/24/2020	Regular	0.00	388,185.04	37550
00282	PG&E	07/24/2020	Regular	0.00	1,716.65	37551
00251	Rick Dickhaut	07/24/2020	Regular	0.00	543.40	37552
00176	Sentry Alarm Systems	07/24/2020	Regular	0.00	309.25	37553
00766	Standard Insurance Company	07/24/2020	Regular	0.00	1,426.70	37554
09425	The Ferguson Group LLC	07/24/2020	Regular	0.00	65.14	37555
00269	U.S. Bank	07/24/2020	Regular	0.00	1,689.32	37556
	**Void**	07/24/2020	Regular	0.00	0.00	37557
18163	Wex Bank	07/24/2020	Regular	0.00	177.72	37558
08105	Yolanda Munoz	07/24/2020	Regular	0.00	540.00	37559
00250	Bio-Oregon	07/31/2020	Regular	0.00	155.48	37560
00252	Cal-Am Water	07/31/2020	Regular	0.00	78.24	37561
00252	Cal-Am Water	07/31/2020	Regular	0.00	102.53	37562
01001	CDW Government	07/31/2020	Regular	0.00	230.11	37563
00230	Cisco Systems, Inc.	07/31/2020	Regular	0.00	290.00	37564
00235	Green Rubber- Kennedy AG	07/31/2020	Regular	0.00	205.85	37565
08929	HDR Engineering, Inc.	07/31/2020	Regular	0.00	14,748.51	37566
00277	Home Depot Credit Services	07/31/2020	Regular	0.00	374.01	37567
04717	Inder Osahan	07/31/2020	Regular	0.00	1,293.21	37568
01196	McDonald Refrigeration, Inc.	07/31/2020	Regular	0.00	1,006.79	37569
13396	Navia Benefit Solutions, Inc.	07/31/2020	Regular	0.00	662.49	37570
00282	PG&E	07/31/2020	Regular	0.00	19,668.88	37571
00159	Pueblo Water Resources, Inc.	07/31/2020	Regular	0.00	13,650.00	37572
19700	Shute, Mihaly & Weinberger LLP	07/31/2020	Regular	0.00	2,542.19	37573
09989	Star Sanitation Services	07/31/2020	Regular	0.00	90.71	37574
18737	U.S. Bank Equipment Finance	07/31/2020	Regular	0.00	871.82	37575
00221	Verizon Wireless	07/31/2020	Regular	0.00	1,711.04	37576
<b>Total Regular:</b>				<b>0.00</b>	<b>1,249,071.03</b>	

**EXHIBIT 8-B**

69

**Check Report****Date Range: 07/01/2020 - 07/31/2020**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Payment Type: Bank Draft</b>						
00266	I.R.S.	07/03/2020	Bank Draft	0.00	12,112.93	DFT0001663
00266	I.R.S.	07/03/2020	Bank Draft	0.00	2,480.90	DFT0001664
00267	Employment Development Dept.	07/03/2020	Bank Draft	0.00	4,814.90	DFT0001665
00266	I.R.S.	07/03/2020	Bank Draft	0.00	200.20	DFT0001666
00266	I.R.S.	07/10/2020	Bank Draft	0.00	87.59	DFT0001668
00266	I.R.S.	07/10/2020	Bank Draft	0.00	93.98	DFT0001669
00266	I.R.S.	07/10/2020	Bank Draft	0.00	401.76	DFT0001670
00266	I.R.S.	07/17/2020	Bank Draft	0.00	13,660.02	DFT0001672
00266	I.R.S.	07/17/2020	Bank Draft	0.00	2,647.82	DFT0001673
00267	Employment Development Dept.	07/17/2020	Bank Draft	0.00	5,531.01	DFT0001674
00266	I.R.S.	07/17/2020	Bank Draft	0.00	232.58	DFT0001675
00256	PERS Retirement	07/03/2020	Bank Draft	0.00	14,839.57	DFT0001676
00768	ICMA	07/03/2020	Bank Draft	0.00	2,520.09	DFT0001677
00256	PERS Retirement	07/10/2020	Bank Draft	0.00	389,817.00	DFT0001678
00256	PERS Retirement	07/10/2020	Bank Draft	0.00	2,383.00	DFT0001679
00769	Laborers Trust Fund of Northern CA	07/13/2020	Bank Draft	0.00	28,094.00	DFT0001680
00266	I.R.S.	07/31/2020	Bank Draft	0.00	15,705.20	DFT0001682
00266	I.R.S.	07/31/2020	Bank Draft	0.00	2,826.18	DFT0001683
00267	Employment Development Dept.	07/31/2020	Bank Draft	0.00	6,063.19	DFT0001684
00266	I.R.S.	07/31/2020	Bank Draft	0.00	358.40	DFT0001685
00256	PERS Retirement	07/17/2020	Bank Draft	0.00	16,178.33	DFT0001696
00256	PERS Retirement	07/10/2020	Bank Draft	0.00	499.20	DFT0001697
00256	PERS Retirement	07/10/2020	Bank Draft	0.00	792.00	DFT0001698
00768	ICMA	07/31/2020	Bank Draft	0.00	2,620.09	DFT0001701
<b>Total Bank Draft:</b>				<b>0.00</b>	<b>524,959.94</b>	

	Bank Code APBNK	Summary		
Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	131	105	0.00	1,249,071.03
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	32	24	0.00	524,959.94
EFT's	0	0	0.00	0.00
	163	130	0.00	1,774,030.97

**EXHIBIT 8-B**

70

**Check Report****Date Range: 07/01/2020 - 07/31/2020**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: REBATES-02-Rebates: Use Only For Rebates</b>						
<b>Payment Type: Regular</b>						
19686	Bradford Avilla	07/17/2020	Regular	0.00	500.00	37510
19677	Brenda Selsor	07/17/2020	Regular	0.00	150.00	37511
19692	Charles Bosso	07/17/2020	Regular	0.00	100.00	37512
19691	Craig Coons	07/17/2020	Regular	0.00	500.00	37513
19676	Dennis Farrey	07/17/2020	Regular	0.00	525.00	37514
19681	Dorothy M. Keir	07/17/2020	Regular	0.00	125.00	37515
19699	Elliott L. Hazen	07/17/2020	Regular	0.00	500.00	37516
19657	Freya Smith	07/17/2020	Regular	0.00	325.00	37517
19673	James Collignon	07/17/2020	Regular	0.00	75.00	37518
19696	James Wagoner	07/17/2020	Regular	0.00	912.00	37519
19674	Kenyon G A 2019 Trust	07/17/2020	Regular	0.00	75.00	37520
19683	Lesley Milton	07/17/2020	Regular	0.00	625.00	37521
19679	Marc N Goldman	07/17/2020	Regular	0.00	75.00	37522
19689	Marta Rojas	07/17/2020	Regular	0.00	500.00	37523
19698	Mast Realty	07/17/2020	Regular	0.00	75.00	37524
19697	Mast Realty	07/17/2020	Regular	0.00	75.00	37525
19684	Melissa Baskovich	07/17/2020	Regular	0.00	125.00	37526
19680	Michael Gomez	07/17/2020	Regular	0.00	25.00	37527
19675	Michele Maloney	07/17/2020	Regular	0.00	575.00	37528
19695	Mike Vanoli	07/17/2020	Regular	0.00	200.00	37529
19678	Miriam V. Mull	07/17/2020	Regular	0.00	75.00	37530
19693	Norbert Wu	07/17/2020	Regular	0.00	100.00	37531
19685	Patricia Areias	07/17/2020	Regular	0.00	500.00	37532
19690	Renee McCann	07/17/2020	Regular	0.00	500.00	37533
19687	Rob Aliotti	07/17/2020	Regular	0.00	500.00	37534
19682	Scott Harvey	07/17/2020	Regular	0.00	125.00	37535
19694	Sharon Enea	07/17/2020	Regular	0.00	200.00	37536
19688	Thomas M. Gould	07/17/2020	Regular	0.00	500.00	37537
<b>Total Regular:</b>				<b>0.00</b>	<b>8,562.00</b>	

**Bank Code REBATES-02 Summary**

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	28	28	0.00	8,562.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>28</b>	<b>28</b>	<b>0.00</b>	<b>8,562.00</b>



**All Bank Codes Check Summary**

<b>Payment Type</b>	<b>Payable Count</b>	<b>Payment Count</b>	<b>Discount</b>	<b>Payment</b>
Regular Checks	159	133	0.00	1,257,633.03
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	32	24	0.00	524,959.94
EFT's	0	0	0.00	0.00
	<b>191</b>	<b>158</b>	<b>0.00</b>	<b>1,782,592.97</b>

**Fund Summary**

<b>Fund</b>	<b>Name</b>	<b>Period</b>	<b>Amount</b>
99	POOL CASH FUND	7/2020	1,782,592.97
			<b>1,782,592.97</b>



**EXHIBIT 8-C**

Monterey Peninsula Water Management Dist

**Payroll Bank Transaction Report**

By Payment Number

Date: 7/1/2020 - 7/31/2020

Payroll Set: 01 - Monterey Peninsula Water Management District

Payment Number	Payment Date	Payment Type	Employee Number	Employee Name	Check Amount	Direct Deposit Amount	Total Payment
5176	07/03/2020	Regular	1024	Stoldt, David J	0.00	5,742.47	5,742.47
5177	07/03/2020	Regular	1025	Tavani, Arlene M	0.00	2,170.62	2,170.62
5178	07/03/2020	Regular	1044	Bennett, Corryn D	0.00	2,035.35	2,035.35
5179	07/03/2020	Regular	1018	Prasad, Suresh	0.00	4,019.48	4,019.48
5180	07/03/2020	Regular	1019	Reyes, Sara C	0.00	1,832.09	1,832.09
5181	07/03/2020	Regular	1075	Valencia, Mariel C	0.00	1,540.71	1,540.71
5182	07/03/2020	Regular	1042	Hamilton, Maureen C.	0.00	2,566.81	2,566.81
5183	07/03/2020	Regular	6063	Hampson, Larry M	0.00	1,201.43	1,201.43
5184	07/03/2020	Regular	1009	James, Gregory W	0.00	3,189.33	3,189.33
5185	07/03/2020	Regular	1011	Lear, Jonathan P	0.00	4,121.61	4,121.61
5186	07/03/2020	Regular	1012	Lindberg, Thomas L	0.00	2,605.04	2,605.04
5187	07/03/2020	Regular	1043	Suwada, Joseph	0.00	1,961.37	1,961.37
5188	07/03/2020	Regular	1045	Atkins, Daniel N	0.00	1,917.30	1,917.30
5189	07/03/2020	Regular	1004	Chaney, Beverly M	0.00	2,621.32	2,621.32
5190	07/03/2020	Regular	6042	Chaney, Spencer L	0.00	193.93	193.93
5191	07/03/2020	Regular	1005	Christensen, Thomas T	0.00	3,591.08	3,591.08
5192	07/03/2020	Regular	1007	Hamilton, Cory R	0.00	2,306.54	2,306.54
5193	07/03/2020	Regular	1048	Lumas, Eric M	0.00	1,765.96	1,765.96
5194	07/03/2020	Regular	1001	Bravo, Gabriela D	0.00	2,528.84	2,528.84
5195	07/03/2020	Regular	1076	Jakic, Tricia	0.00	3,039.24	3,039.24
5196	07/03/2020	Regular	1010	Kister, Stephanie L	0.00	2,621.28	2,621.28
5197	07/03/2020	Regular	1017	Locke, Stephanie L	0.00	3,397.95	3,397.95
5198	07/03/2020	Regular	1040	Smith, Kyle	0.00	2,231.12	2,231.12
5199	07/03/2020	Regular	1047	Timmer, Christopher	0.00	2,135.22	2,135.22
5200	07/10/2020	Regular	7015	Adams, Mary L	0.00	236.96	236.96
5201	07/10/2020	Regular	7014	Evans, Molly F	0.00	374.02	374.02
5202	07/10/2020	Regular	7017	Hoffmann, Gary D	0.00	249.34	249.34
5203	07/10/2020	Regular	7018	Riley, George T	0.00	498.69	498.69
5204	07/17/2020	Regular	1024	Stoldt, David J	0.00	5,764.57	5,764.57
5205	07/17/2020	Regular	1025	Tavani, Arlene M	0.00	2,476.13	2,476.13
5206	07/17/2020	Regular	1044	Bennett, Corryn D	0.00	4,214.96	4,214.96
5207	07/17/2020	Regular	1018	Prasad, Suresh	0.00	4,272.38	4,272.38
5208	07/17/2020	Regular	1019	Reyes, Sara C	0.00	2,153.38	2,153.38
5209	07/17/2020	Regular	1075	Valencia, Mariel C	0.00	1,705.99	1,705.99
5210	07/17/2020	Regular	1042	Hamilton, Maureen C.	0.00	2,824.82	2,824.82
5211	07/17/2020	Regular	6063	Hampson, Larry M	0.00	1,317.36	1,317.36
5212	07/17/2020	Regular	1009	James, Gregory W	0.00	3,301.46	3,301.46
5213	07/17/2020	Regular	1011	Lear, Jonathan P	0.00	4,289.30	4,289.30
5214	07/17/2020	Regular	1012	Lindberg, Thomas L	0.00	2,889.46	2,889.46
5215	07/17/2020	Regular	1043	Suwada, Joseph	0.00	2,050.56	2,050.56
5216	07/17/2020	Regular	1045	Atkins, Daniel N	0.00	2,010.26	2,010.26
5217	07/17/2020	Regular	1004	Chaney, Beverly M	0.00	2,942.82	2,942.82
5218	07/17/2020	Regular	6042	Chaney, Spencer L	0.00	290.55	290.55
5219	07/17/2020	Regular	1005	Christensen, Thomas T	0.00	3,936.26	3,936.26
5220	07/17/2020	Regular	1007	Hamilton, Cory R	0.00	2,644.61	2,644.61
5221	07/17/2020	Regular	1048	Lumas, Eric M	0.00	1,851.27	1,851.27
5222	07/17/2020	Regular	1001	Bravo, Gabriela D	0.00	3,062.82	3,062.82
5223	07/17/2020	Regular	1076	Jakic, Tricia	0.00	2,601.18	2,601.18
5224	07/17/2020	Regular	1010	Kister, Stephanie L	0.00	3,007.26	3,007.26
5225	07/17/2020	Regular	1017	Locke, Stephanie L	0.00	3,670.25	3,670.25
5226	07/17/2020	Regular	1040	Smith, Kyle	0.00	2,327.43	2,327.43
5227	07/17/2020	Regular	1047	Timmer, Christopher	0.00	2,228.99	2,228.99
5228	07/31/2020	Regular	1024	Stoldt, David J	0.00	10,381.96	10,381.96
5229	07/31/2020	Regular	1025	Tavani, Arlene M	0.00	2,227.86	2,227.86
5230	07/31/2020	Regular	1044	Bennett, Corryn D	0.00	2,209.06	2,209.06
5231	07/31/2020	Regular	1018	Prasad, Suresh	0.00	4,067.47	4,067.47
5232	07/31/2020	Regular	1019	Reyes, Sara C	0.00	1,891.34	1,891.34

Payment Number	EXHIBIT 8-C		Employee Number	Employee Name	Check Amount	Direct Deposit		Total Payment
	Payment Date	Payment Type				Amount	74	
5233	07/31/2020	Regular	1075	Valencia, Mariel C	0.00	1,583.04		1,583.04
5234	07/31/2020	Regular	1042	Hamilton, Maureen C.	0.00	2,653.44		2,653.44
5235	07/31/2020	Regular	6063	Hampson, Larry M	0.00	1,744.32		1,744.32
5236	07/31/2020	Regular	1009	James, Gregory W	0.00	3,266.44		3,266.44
5237	07/31/2020	Regular	1011	Lear, Jonathan P	0.00	4,230.75		4,230.75
5238	07/31/2020	Regular	1012	Lindberg, Thomas L	0.00	2,677.95		2,677.95
5239	07/31/2020	Regular	1043	Suwada, Joseph	0.00	2,011.60		2,011.60
5240	07/31/2020	Regular	1045	Atkins, Daniel N	0.00	1,965.51		1,965.51
5241	07/31/2020	Regular	1004	Chaney, Beverly M	0.00	2,702.77		2,702.77
5242	07/31/2020	Regular	6042	Chaney, Spencer L	0.00	377.02		377.02
5243	07/31/2020	Regular	1005	Christensen, Thomas T	0.00	3,685.21		3,685.21
5244	07/31/2020	Regular	1007	Hamilton, Cory R	0.00	2,373.15		2,373.15
5245	07/31/2020	Regular	6069	Herrmann, Katrina F	0.00	207.73		207.73
5246	07/31/2020	Regular	6070	Larson, Daniel K	0.00	91.95		91.95
5247	07/31/2020	Regular	1048	Lumas, Eric M	0.00	1,811.40		1,811.40
5248	07/31/2020	Regular	1001	Bravo, Gabriela D	0.00	2,610.27		2,610.27
5249	07/31/2020	Regular	1076	Jakic, Tricia	0.00	2,583.99		2,583.99
5250	07/31/2020	Regular	1010	Kister, Stephanie L	0.00	2,706.87		2,706.87
5251	07/31/2020	Regular	1017	Locke, Stephanie L	0.00	3,491.26		3,491.26
5252	07/31/2020	Regular	1040	Smith, Kyle	0.00	2,289.44		2,289.44
5253	07/31/2020	Regular	1047	Timmer, Christopher	0.00	2,190.68		2,190.68
37461	07/10/2020	Regular	7007	Byrne, Jeanne	498.69	0.00		498.69
37462	07/10/2020	Regular	7009	Edwards, Alvin	809.88	0.00		809.88
37463	07/10/2020	Regular	7004	Potter, David L	236.96	0.00		236.96
Total:					1,545.53	198,561.65		200,107.18



**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT**  
**STATEMENT OF REVENUES AND EXPENDITURES**  
**FOR THE MONTH JULY 31, 2020**

	Mitigation	Conservation	Water Supply	Current Period Activity	FY 2019/2020 Year-to-Date Actual	FY 2019/2020 Annual Budget	Prior FY Year-to-Date Actual
<b>REVENUES</b>							
Property taxes	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,050,000	\$ -
Water supply charge	-	-	-	-	-	3,300,000	-
User fees	563,575	218,475	130,594	912,644	912,644	4,250,000	-
Mitigation revenue	-	-	-	-	-	-	-
Capacity fees	-	-	21,667	21,667	21,667	400,000	22,071
Permit fees	-	15,686	-	15,686	15,686	198,000	16,934
Investment income	14,900	14,147	30,204	59,251	59,251	200,000	(34,074)
Miscellaneous	367	233	295	895	895	15,000	10
<b>Sub-total district revenues</b>	<b>578,842</b>	<b>248,540</b>	<b>182,761</b>	<b>1,010,143</b>	<b>1,010,143</b>	<b>10,413,000</b>	<b>4,941</b>
Project reimbursements	-	21,850	-	21,850	21,850	2,436,000	28,738
Legal fee reimbursements	-	-	-	-	-	16,000	150
Grants	-	-	-	-	-	2,495,400	-
Recording fees	-	3,520	-	3,520	3,520	6,000	3,190
<b>Sub-total reimbursements</b>	<b>-</b>	<b>25,370</b>	<b>-</b>	<b>25,370</b>	<b>25,370</b>	<b>4,953,400</b>	<b>32,078</b>
Reserves	-	-	-	-	-	9,055,400	-
<b>Total revenues</b>	<b>578,842</b>	<b>273,910</b>	<b>182,761</b>	<b>1,035,513</b>	<b>1,035,513</b>	<b>24,421,800</b>	<b>37,019</b>
<b>EXPENDITURES</b>							
<b>Personnel:</b>							
Salaries	99,997	65,336	121,749	287,082	287,082	2,651,200	93,228
Retirement	147,410	97,121	175,031	419,561	419,561	647,400	361,696
Unemployment Compensation	1,159	3,600	-	4,759	4,759	3,000	723
Auto Allowance	138	138	415	692	692	6,000	232
Deferred Compensation	214	214	643	1,071	1,071	9,400	358
Temporary Personnel	-	-	-	-	-	50,000	11,255
Workers Comp. Ins.	2,750	248	2,032	5,031	5,031	85,000	3,469
Employee Insurance	14,709	9,408	14,090	38,207	38,207	505,700	36,583
Medicare & FICA Taxes	1,784	1,038	1,850	4,673	4,673	46,800	3,023
Personnel Recruitment	-	-	-	-	-	3,000	-
Other benefits	41	26	33	100	100	1,500	70
Staff Development	-	-	-	-	-	29,700	845
<b>Sub-total personnel costs</b>	<b>268,202</b>	<b>177,130</b>	<b>315,844</b>	<b>761,176</b>	<b>761,176</b>	<b>4,038,700</b>	<b>511,482</b>
<b>Services &amp; Supplies:</b>							
Board Member Comp	1,316	1,276	1,323	3,915	3,915	33,900	2,565
Board Expenses	109	69	88	266	266	10,000	916
Rent	985	230	915	2,130	2,130	23,200	1,930
Utilities	986	607	799	2,392	2,392	33,200	732
Telephone	2,011	1,515	1,219	4,745	4,745	46,500	5,938
Facility Maintenance	169	107	136	413	413	56,300	3,168
Bank Charges	525	333	422	1,280	1,280	15,100	902
Office Supplies	34	444	27	505	505	17,700	1,395
Courier Expense	104	66	84	254	254	6,100	475
Postage & Shipping	98	62	79	240	240	6,800	825
Equipment Lease	521	331	419	1,271	1,271	13,900	1,325
Equip. Repairs & Maintenance	-	-	-	-	-	7,000	1,531
Photocopy Expense	-	-	-	-	-	-	-
Printing/Duplicating/Binding	-	-	-	-	-	500	-
IT Supplies/Services	7,696	4,880	6,194	18,770	18,770	220,000	13,832
Operating Supplies	29	-	-	29	29	16,100	999
Legal Services	10,414	7,601	13,038	31,052	31,052	400,000	21,411



**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT**  
**STATEMENT OF REVENUES AND EXPENDITURES**  
**FOR THE MONTH JULY 31, 2020**

	Mitigation	Conservation	Water Supply	Current Period Activity	FY 2019/2020 Year-to-Date Actual	FY 2019/2020 Annual Budget	Prior FY Year-to-Date Actual
Professional Fees	6,742	4,276	5,427	16,445	16,445	360,200	21,251
Transportation	1,016	38	87	1,142	1,142	34,000	1,740
Travel	57	-	-	57	57	26,100	30
Meeting Expenses	718	455	578	1,750	1,750	6,700	229
Insurance	-	-	-	-	-	98,000	5,848
Legal Notices	-	-	-	-	-	3,100	-
Membership Dues	673	427	592	1,691	1,691	38,300	1,421
Public Outreach	-	-	-	-	-	3,900	49
Assessors Administration Fee	-	-	-	-	-	20,000	-
Miscellaneous	-	-	-	-	-	3,000	-
<b>Sub-total services &amp; supplies costs</b>	<b>34,203</b>	<b>22,717</b>	<b>31,427</b>	<b>88,347</b>	<b>88,347</b>	<b>1,499,600</b>	<b>88,512</b>
Project expenditures	26,255	39,886	946,044	1,012,185	1,012,185	16,639,100	340,859
Fixed assets	1,722	1,092	1,386	4,199	4,199	220,000	-
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	-	200,000	-
Debt service: Principal	-	-	-	-	-	-	-
Debt service: Interest	-	-	-	-	-	230,000	-
Flood drought reserve	-	-	-	-	-	-	-
Capital equipment reserve	-	-	-	-	-	324,400	-
General fund balance	-	-	-	-	-	1,000,000	-
Pension reserve	-	-	-	-	-	100,000	-
OPEB reserve	-	-	-	-	-	100,000	-
Other	-	-	-	-	-	-	-
<b>Total expenditures</b>	<b>330,382</b>	<b>240,825</b>	<b>1,294,700</b>	<b>1,865,908</b>	<b>1,865,908</b>	<b>24,421,800</b>	<b>940,853</b>
<b>Excess (Deficiency) of revenues over expenditures</b>	<b>\$ 248,460</b>	<b>\$ 33,085</b>	<b>\$ (1,111,940)</b>	<b>\$ (830,394)</b>	<b>\$ (830,394)</b>	<b>\$ -</b>	<b>\$ (903,834)</b>

**ITEM: CONSENT CALENDAR****9. CONSIDER APPROVAL OF FOURTH QUARTER FISCAL YEAR 2019-2020 INVESTMENT REPORT**

<b>Meeting Date:</b>	<b>September 21, 2020</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</b>
<b>Prepared By:</b>	<b>Suresh Prasad</b>	<b>Cost Estimate:</b>	<b>N/A</b>

**General Counsel Review:** N/A**Committee Recommendation:** The Administrative Committee considered this item on September 15, 2020 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

**SUMMARY:** The District's investment policy requires that each quarter the Board of Directors receive and approve a report on investments held by the District. **Exhibit 9-A** is the report for the quarter ending June 30, 2020. District staff has determined that these investments do include sufficient liquid funds to meet anticipated expenditures for the next six months and as a result this portfolio is in compliance with the current District investment policy. This portfolio is in compliance with the California Government Code, and the permitted investments of Monterey County.

**RECOMMENDATION:** The Administrative Committee recommends that the Board approve the Fourth Quarter Fiscal Year 2019-2020 Investment Report.

**EXHIBIT****9-A** Investment Report as of June 30, 2020





**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
INVESTMENT REPORT AS OF JUNE 30, 2020**

**MPWMD**

Issuing Institution Security Description	Purchase Date	Maturity Date	Cost Basis	Par Value	Market Value	Annual Rate of Return	Portfolio Distribution
Local Agency Investment Fund	06/30/20	07/01/20	\$13,412,882	\$13,412,882	\$13,412,882	1.470%	72.52%
Bank of America:							
Money Market	06/30/20	07/01/20	1,627,186	1,627,186	1,627,186	0.000%	
Checking	06/30/20	07/01/20	116,286	116,286	116,286	0.000%	
			\$1,743,471	\$1,743,471	\$1,743,471		9.43%
Wells Fargo Money Market	06/30/20	07/01/20	504,087	504,087	504,087	0.010%	
Multi-Bank Securities Cash Account	06/30/20	07/01/20	357,103	357,103	357,103	0.000%	
Multi-Securities Bank Securities:							
Interest Bearing Certificate of Deposit	07/03/18	07/06/21	\$246,000	\$246,000	\$253,090	3.000%	
Interest Bearing Certificate of Deposit	07/03/18	07/06/21	\$246,000	\$246,000	\$253,090	3.000%	
Interest Bearing Certificate of Deposit	07/06/18	07/06/20	\$249,000	\$249,000	\$249,110	2.750%	
Interest Bearing Certificate of Deposit	08/17/18	02/17/21	\$249,000	\$249,000	\$253,191	2.800%	
Interest Bearing Certificate of Deposit	10/05/18	10/05/21	\$249,000	\$249,000	\$258,193	3.100%	
Interest Bearing Certificate of Deposit	11/21/18	11/22/21	\$246,000	\$246,000	\$256,568	3.250%	
Interest Bearing Certificate of Deposit	01/09/19	01/10/22	\$250,000	\$250,000	\$261,100	3.100%	
Interest Bearing Certificate of Deposit	02/06/20	02/06/23	\$247,000	\$247,000	\$256,719	1.800%	
Interest Bearing Certificate of Deposit	03/13/20	03/13/25	\$249,000	\$249,000	\$256,336	1.250%	
Interest Bearing Certificate of Deposit	03/30/20	03/31/25	\$248,000	\$248,000	\$259,306	1.600%	
			\$2,836,103	\$2,836,103	\$2,913,805	2.564%	15.33%
<b>TOTAL MPWMD</b>			<b>\$18,496,543</b>	<b>\$18,496,543</b>	<b>\$18,574,245</b>	<b>1.459%</b>	

**CAWD/PBCSD WASTEWATER RECLAMATION PROJECT**

Issuing Institution Security Description	Purchase Date	Maturity Date	Cost Basis	Par Value	Market Value	Annual Rate of Return	Portfolio Distribution
US Bank Corp Trust Services:							0.11%
Certificate Payment Fund	06/30/20	07/01/20	818	818	818	0.000%	
Interest Fund	06/30/20	07/01/20	338	338	338	0.000%	
Rebate Fund	06/30/20	07/01/20	19	19	19	0.000%	
			\$1,176	\$1,176	\$1,176	0.000%	
Bank of America:							99.89%
Money Market Fund	06/30/20	07/01/20	1,029,419	1,029,419	\$1,029,419	0.000%	
<b>TOTAL WASTEWATER RECLAMATION PROJECT</b>			<b>\$1,030,594</b>	<b>\$1,030,594</b>	<b>\$1,030,594</b>	<b>0.000%</b>	

These investments do include sufficient liquid funds to meet anticipated expenditures for the next six months as reflected in the FY 2019-2020 annual budget adopted on June 17, 2019.



**ITEM: PUBLIC HEARING****14. CONSIDER APPROVAL OF APPLICATION TO AMEND CALIFORNIA-AMERICAN WATER COMPANY SYSTEM PERMITS FOR THE RYAN RANCH AND BISHOP UNITS TO CHANGE THE SOURCE OF SUPPLY AND AUTHORIZE PERMANENT CONNECTION TO THE MAIN CALIFORNIA AMERICAN WATER SYSTEM TO RECEIVE DELIVERIES OF NATIVE SEASIDE BASIN GROUNDWATER FROM THE COASTAL SUBAREA**

<b>Meeting Date:</b>	<b>September 21, 2020</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</b>
<b>Prepared By:</b>	<b>Stephanie Locke</b>	<b>Cost Estimate:</b>	<b>N/A</b>

**General Counsel Review: Counsel has reviewed****Committee Recommendation: N/A**

**CEQA Compliance:** Class 1 Categorical Exemption for minor alterations to existing facilities for an investor-owned public utility applies to this action (CEQA Guidelines 15301-(b)). Pipeline project was analyzed in revised Monterey Peninsula Water Supply Project EIR.

---

**SUMMARY:** The Board will consider an amendment to the California-American Water Company (CAW) Main, Ryan Ranch, and Bishop Water Distribution Systems (WDS). Application #20200501CAW (**Exhibit 14-A**) was submitted by CAW on July 8, 2020, requesting Board approval to permanently interconnect the Main CAW System to its satellite systems (Ryan Ranch and Bishop Units) to supply native Seaside Coastal Groundwater Basin water in place of Laguna Seca Subarea groundwater. Environmental review of this Project was completed in the amended MPWSP EIR that was submitted by CAW to the California Public Utilities Commission (CPUC) on March 14, 2016. The interconnection was approved by the CPUC in the September 13, 2018 *Decision Approving a Modified Monterey Peninsula Water Supply Project, Adopting Settlement Agreements, Issuing Certificate of Public Convenience and Necessity and Certifying Combined Environmental Report* (D.18-09-017) as a secondary objective of the Monterey Peninsula Water Supply Project (MPWSP). The interconnection will improve system reliability, ensure adequate water supplies are available to serve the existing needs of the Ryan Ranch Unit and the Bishop Unit, and provide system redundancy to ensure adequate water supplies during emergencies (e.g. fire suppression). No other changes to the systems are proposed.

CAW has a recognized Standard Production Allocation in the Seaside Basin Adjudication Decision (Adjudication Decision). As a result of the Adjudication Decision, CAW's subunits in the Laguna Seca Subarea had their production from the Laguna Seca Subarea ramped down to zero in 2018. Since that time, CAW has continued pumping from the subarea and has relied on replenishment assessments to comply with the Adjudication Decision.

There are currently emergency interties between the Main CAW System and the Ryan Ranch Unit and between the Ryan Ranch Unit and the Bishop Unit. The intertie between the Main CAW

System and Ryan Ranch was approved in the 1990's and has been regularly used in recent years to transfer Water Entitlements to Ryan Ranch for two Community Hospital of the Monterey Peninsula projects, as well as to augment supply in the Ryan Ranch Unit, as the Ryan Ranch System has struggled with Well water production for a number of years.

In 2015, the District approved an emergency intertie between the Bishop Unit and the Ryan Ranch Unit to improve supply to Ryan Ranch. Bishop water was moved into the Ryan Ranch system for over a year in 2018-19, which prompted District staff in 2019 to press CAW to complete a permanent solution to the supply issues in the Laguna Seca Subarea.

The new 1.1-mile pipeline from the Main CAW System through the Ryan Ranch Unit and to the Bishop Unit system will provide additional benefits to both systems, including:

- Increased reliability and fire protection for both Ryan Ranch and Bishop water systems;
- More uniform type of operations for Ryan Ranch and Bishop Units;
- Lower Total Dissolved Solids (TDS) for Ryan Ranch and Bishop Units;
- Lower salt concentrations for Bishop wastewater system (used to irrigate the golf course).

CAW's operation of the interconnection will not conflict with the State Water Resource Control Board's (SWRCB) Water Right Order No. 2016-0016 (CDO) provided that the water delivered through the interconnection to the Ryan Ranch and Bishop Units is accounted for as native groundwater from the Seaside Coastal Subarea. The Adjudication Decision expressly authorizes CAW to deliver or transfer native groundwater from the Seaside Coastal Subarea for use in place of Laguna Seca Subarea water where Ryan Ranch and Bishop subdivisions are located. The Adjudication Decision requires CAW to account for this production as Coastal Subarea production and not as production from the Laguna Seca Subarea.

The CDO directs CAW to maximize groundwater use over Carmel River diversions in order to reduce Carmel River diversions to authorized limits, and it prohibits CAW from increasing Carmel River diversions in order to offset loss in production from the Basin. The 2016 CDO established an Effective Diversion Limit (EDL) of 8,310 Acre Feet Annually (AFA). As such, CAW cannot exceed the EDL as a result of either reduced groundwater availability from the Seaside Groundwater Basin or increased groundwater demands in the Seaside Groundwater Basin.

The delivery of Seaside Coastal Subarea groundwater through the interconnection will not change CAW's obligations under the CDO, including the EDL limit, and CAW must abide by the other terms and conditions in the CDO and prior SWB Orders – Water Right Orders 95-10 and 2009-0060. Those orders identify the Seaside Groundwater Basin as one of CAW's important sources of supply, and they discuss the availability of the Seaside Groundwater Basin supply in relation to Carmel River diversions, noting the Adjudication Decision's required pumping reductions and the diminishing groundwater supply available to CAW over time as result of the reductions. The SWRCB Orders address CAW's total rights to the Seaside Basin, but do not differentiate between Coastal and Laguna Seca Subarea allocations. Nor do the orders impose restrictions on CAW's ability to use the Seaside Basin groundwater as authorized under the Seaside Basin Decision.

There are conditions in the CDO regarding the use of ASR and PWM supplies as it relates to

CAW's Carmel River diversions and the EDL, but the CDO does not condition CAW's use of native groundwater. As such, it will be important for CAW to account for its deliveries through the interconnection as native Seaside Coastal Basin groundwater and debited from CAW's Coastal Basin allocation and Watermaster reporting. This accounting should be done monthly, so that CAW does not exceed its annual Coastal Subarea allocation.

District staff met with the Chairman of the Seaside Watermaster to discuss the use of Coastal Subarea groundwater in place of Laguna Seca Subarea water. The conclusion was that the Adjudication Decision allows the water right to be produced from either location, and given the completion of the ramp-down in the Laguna Seca area to zero for CAW, producing native groundwater from the Seaside Coastal Subarea is logical.

**MPWMD CEQA Compliance:** The Board's action focuses on approving the connection of the Ryan Ranch and Bishop Units to the Main CAW System. A Class 1 Categorical Exemption for minor alterations to existing facilities for an investor-owned public utility applies to this action (CEQA Guidelines 15301-(b)). For a Class 1 exemption, CEQA Guidelines 15301 states: "The key consideration is whether the project involves negligible or no expansion of an existing use" beyond that existing at the time of the lead agency's determination.

The rationale for the Class 1 exemption is based on the following facts:

- There will be no change in the System Limits (Production Limit and Expansion Capacity Limit) for either system.
- Emergency transfer of water from the Bishop Unit to Ryan Ranch and from the Main CAW System to Ryan Ranch already occurs when physical supplies and/or treatment capability at Ryan Ranch is inadequate or to transfer Water Entitlements to projects in Ryan Ranch.
- This action would change the Source of Supply from the Laguna Seca Subarea to native groundwater in the Seaside Coastal Subarea.

**RECOMMENDATION:** Staff recommends the Board authorize the change in the Source of Supply for the Ryan Ranch Unit and the Bishop Unit of CAW from the Laguna Seca Subarea to native groundwater from the Seaside Coastal Subarea to be provided by a permanent main extension from the bottom of Ragsdale Drive in Monterey to the Bishop Unit on York Road in Monterey. District staff recommends that the Board take the following actions:

1. Adopt the MPWMD Findings of Approval for Application #20200501CAW for the CAW/Ryan Ranch and Bishop Units Amendment (**Exhibit 14-B**).
2. Approve Application #20200501CAW; authorize amendment of MPWMD Permit #M15-03-L3-A for CAW's Ryan Ranch and Bishop Units to connect to the Main CAW System with amended Conditions of Approval for both the Ryan Ranch and Bishops Units, shown as (**Exhibit 14-C**) and (**Exhibit 14-D**), respectively.
3. Direct staff to file a Notice of Exemption with the Monterey County Clerk.

**EXHIBITS**

- 14-A** Application for Amendment
- 14-B** Findings of Approval
- 14-C** Conditions of Approval for the Ryan Ranch Unit
- 14-D** Conditions of Approval for the Bishop Unit



**CALIFORNIA  
AMERICAN WATER**

July 8, 2020

California American Water - Monterey  
511 Forest Lodge Road, Suite 100  
Pacific Grove, CA 93950  
amwater.com

Stephanie Locke, Water Demand Manager  
Monterey Peninsula Water Management District  
5 Harris Court, Building G  
Monterey, CA 93940

**SUBJECT: CALIFORNIA AMERICAN WATER – WATER DISTRIBUTION SYSTEM  
PERMIT AMENDMENT**

Dear Ms. Locke,

Please find enclosed California American Water's ("CalAm") application to amend CalAm's existing Water Distribution System ("WDS") Permit (WDS #M16-03-L3) to incorporate the Ryan Ranch Unit and Bishop Unit as part of CalAm's main system.

This amendment would allow CalAm to connect the Ryan Ranch Unit and Bishop Unit into CalAm's main WDS to improve system reliability, ensure adequate water supplies are available to serve the existing needs of the Ryan Ranch Unit and the Bishop Unit, and provide system redundancy to ensure adequate water supplies during emergencies (e.g., fire suppression). The Ryan Ranch Unit and Bishop Unit will be served solely from groundwater originating from the Seaside Groundwater Basin. The proposed amendment would not: 1) change the total number of connections served by CalAm; 2) result in an increase in system capacity beyond existing levels currently permitted under existing WDS Permit No. M15-03-L3; or, 3) result in any additional environmental effects beyond those previously disclosed in the Monterey Peninsula Water Supply Project Final Environmental Impact Report/Environmental Impact Statement.

The enclosed application consists of the following attachments identified below:

- Attachment 1. Monterey Peninsula Water Management District Application to Amend a Water Distribution System
- Attachment 2. Ryan Ranch Unit and Bishop Unit Assessor Parcel Number Lists
- Attachment 3. CalAm Water Distribution System Permit Amendment Memorandum

CalAm looks forward to continuing to work with the MPWMD on this important project. If you have any questions, please do not hesitate to contact me.

Thank you in advance for your time.

Sincerely,

Tim O'Halloran, PE  
California American Water, Engineering Manager

CC: Aman Gonzales, California American Water



## APPLICATION for a PERMIT to CREATE or AMEND a WATER DISTRIBUTION SYSTEM or MOBILE WDS

For detailed guidance, please visit the District website at:

<http://www.mpwmd.net/regulations/wells-water-systems/water-distribution-systems/>  
(click on "2014 Implementation Guidelines").

For staff assistance, contact 831-658-5601 or [skister@mpwmd.net](mailto:skister@mpwmd.net) or [gabby@mpwmd.net](mailto:gabby@mpwmd.net)

Form received on \_\_\_\_\_ by \_\_\_\_\_.

Fee Received: \_\_\_\_\_ \$1,200 (Level 1 or 2); \_\_\_\_\_ \$3,000 (Level 3)

ID# WDS- \_\_\_\_\_

Please complete the table below (attach extra sheets as needed):

#	QUESTIONS	FILL IN ANSWERS BELOW
1	System Name	California American Water ("CalAm") Main Water System
2	Assessor's Parcel ## (list all)	If multiple parcel, identify APN for well/facility location and APN of parcels receiving water from WDS or Mobile WDS.  See Attached.
3	Physical Address or Location	City of Monterey and unincorporated Monterey County
4	Name of Applicant	California American Water Company
5	Mailing Address	511 Forest Lodge Rd #100
6	City, State, Zip	Pacific Grove, CA 93950
7	Phone/fax/email:	(831) 646-3205
8	Agent (if applicable)	Tim O'Halloran
9	Agent mailing address	511 Forest Lodge Road #100
10	Agent City, State, Zip	Pacific Grove, CA 93950
11	Agent phone/fax/email	Email: Tim.Ohalloran@amwater.com Office Phone: (619) 446-4786
12	Hydrogeologist (if applicable)	(e.g., licensed professional who has conducted well testing and evaluation)  Not applicable
13	Hydro mailing address	Not applicable
14	Hydro City, State, Zip	Not applicable
15	Hydro phone/fax/email	Not applicable
16	Is this an amendment to an existing WDS?	<b>YES</b> or NO. If yes, identify previous MPWMD permit #, if any. # <u>M16-03-L3</u> Describe planned changes.  YES. This is an amendment to permit number #M16-03-L3. This amendment would modify CalAm's existing main system Water Distribution System (WDS) Permit to incorporate the Ryan Ranch and Bishop Units.
17	Is this a Mobile WDS?	YES OR <b>NO</b> . If yes, go to Row 42.





		<b>NO.</b>
18	<b>Is this a water Well?</b>	YES OR <b>NO</b> . If no, go to Row 21. <b>NO.</b>
19	<b>MCEHB<sup>1</sup> Permit # and issuance date</b>	(One for each well) <b>Not applicable.</b>
20	<b>DWR Well Completion Report # and date</b>	(One for each well) <b>Not applicable.</b>
21	<b>Within MPWRS<sup>2</sup>?</b>	<b>YES</b> or <b>NO</b> . Consult with District staff if unsure; see definition in footnote. <b>YES.</b>
22	<b>&gt;1,000 ft. MPWRS?</b>	YES or <b>NO</b> . Consult with District staff if unsure. See Section 4.0 of 2014 Implementation Guidelines. <b>NO.</b>
23	<b>≤1,000 ft. MPWRS?</b>	YES or <b>NO</b> . Consult with District staff if unsure. Staff will assess well log re: potential impacts; additional testing may be required. See Section 4.2 of 2014 Implementation Guidelines. <b>NO.</b>
24	<b>Seaside Basin source?</b>	<b>YES</b> or <b>NO</b> . If yes, Adjudication documentation and/or approval from Watermaster are required. See Section 5.0 of 2014 Implementation Guidelines. <b>YES.</b>
25	<b>CV Alluvium source?</b>	<b>NO</b> . <b>YES.</b>
26	<b>Fractured rock spring or seep?</b>	YES or <b>NO</b> . If yes, state if onsite or offsite use, and if potable (drinking water) or non-potable use. See Section 7.0 of 2014 Implementation Guidelines. <b>NO.</b>
27	<b>River/tributary direct diversion?</b>	YES or <b>NO</b> . If yes, water rights documentation is required. See Section 7.0 of 2014 Implementation Guidelines. Describe system. <b>NO.</b>
28	<b>Dam/reservoir?</b>	YES or <b>NO</b> . If yes, water rights documentation and EIR is required. See Section 7.0 of 2014 Implementation Guidelines. <b>NO.</b>
29	<b>Desal plant?</b>	YES or <b>NO</b> . If yes, describe facilities, annual production and recipients. EIR required. See Section 7.0 of 2014 Implementation Guidelines. <b>NO.</b>
30	<b>Reclamation plant?</b>	YES or <b>NO</b> . If yes, describe facilities, annual production and recipients. EIR required. See Section 7.0 of 2014 Implementation Guidelines.

<sup>1</sup> MCEHB= Monterey County Environmental Health Bureau

<sup>2</sup> MPWRS= Monterey Peninsula Water Resource System (i.e., Carmel Valley Alluvial Aquifer, Carmel River/tributaries, and Seaside Basin)



		<b>NO.</b>
31	<b>Rainwater harvest + offsite delivery?</b>	YES or <b>NO</b> . If yes, describe. See Section 7.0 of 2014 Implementation Guidelines. <b>NO.</b>
32	<b>Other water systems?</b>	YES or <b>NO</b> . Describe. See Section 7.0 of 2014 Implementation Guidelines.  <b>NO. This application consists of an amendment to CalAm's existing WDS permit for its main system to incorporate the Ryan Ranch Unit and Bishop Units into CalAm's main system. The proposed amendment does not entail any non-well situations beyond those associated with existing system operations.</b>
33	<b>Estimated production</b>	Unit is acre-feet per year (AFY). See Section 2.9 of 2014 Implementation Guidelines.  <b>The proposed amendment would not affect the estimated production limits associated with either the Ryan Ranch or Bishop Units. The Ryan Ranch Unit's production limit would remain 72 AFY and the Bishop Unit's production limit would remain 295 AFY. The proposed amendment would not affect the total estimated production for either of the existing units, although the main WDS production limit would increase to account for the incorporation of the production limits associated with both units.</b>
34	<b>Total acreage served</b>	(Break out acreage of each parcel served)  <b>The proposed amendment would increase the total acreage served by CalAm's main system as follows: 1) 210 acres associated with the Ryan Ranch Unit; and, 2) 1,036 acres associated with the Bishop Unit. The proposed amendment would increase the total acreage served by the CalAm main system by 1,246 acres.</b>
35	<b>Type of water use?</b>	(e.g., drinking water, irrigation only).  <b>Drinking and irrigation.</b>
36	<b>Type of land use?</b>	(e.g., residential, commercial, agriculture).  <b>Existing residential and commercial development currently served as part of CalAm's existing Ryan Ranch and Bishop Units.</b>
37	<b>New subdivision?</b>	YES or <b>NO</b> . CEQA document from lead agency is required.  <b>NO.</b>
38	<b>In CAW<sup>3</sup> service area?</b>	<b>YES</b> or NO.  <b>YES.</b>
39	<b>Active CAW service?</b>	What is currently served by CAW on the property (e.g. home or business)?  <b>YES. Currently served by CalAm as part of existing Ryan Ranch and Bishop Units.</b>
40	<b>What is Zoning?</b>	<b>The Ryan Ranch area is located within the City of Monterey and is zoned for industrial uses; the Bishop area is located within the County of Monterey and zoned for residential, residential/commercial, and public/quasi-public.</b>
41	<b>Environmental information</b>	Describe CEQA documentation and Lead Agency, if applicable.  <b>The California Public Utilities Commission ("CPUC"), as CEQA Lead Agency, evaluated the effects of the Ryan Ranch – Bishop Interconnection Project as a component of the Monterey Peninsula Water Supply ("MPWSP") Environmental Impact Report/Environmental Impact Statement ("EIR/EIS"). An</b>

<sup>3</sup> CAW = California American Water Company



		<p>electronic copy of the MPWSP EIR/EIS is available here:  <a href="https://www.cpuc.ca.gov/Environment/info/esa/mpwsp/feir-eis_toc.html">https://www.cpuc.ca.gov/Environment/info/esa/mpwsp/feir-eis_toc.html</a></p>
42	Is Mobile WDS source within MPWMD?	<p>YES or <b>NO</b>. If yes, describe source and location. See Rows 21 - 32 for possibilities.</p> <p><b>Not applicable.</b></p>
43	Is water source outside MPWMD?	<p>YES or <b>NO</b>. If yes, describe source and location.</p> <p><b>Not applicable.</b></p>
44	Source agency and approval	<p>If outside MPWMD, identify source agency with authority. Attach written documentation that the source water may be exported to serve applicant.</p> <p><b>Not applicable.</b></p>
45	Describe intended use (long-term)	<p>Mobile WDS may only be non-potable (e.g., irrigation, pools only) unless an emergency.</p> <p><b>Not applicable.</b></p>
46	# Parcels served?	<p>Use Request for Exemption form if service is to 3 or fewer parcels from a source outside MPWMD.</p> <p><b>CalAm currently serves both the Ryan Ranch Unit and Bishop Unit as separate units from CalAm's main system. The proposed amendment would incorporate existing parcels currently served in the Ryan Ranch Unit and Bishop Unit into CalAm's main system as follows:</b></p> <p><b>Ryan Ranch: 190 parcels</b></p> <p><b>Bishop: 454 parcels</b></p> <p><b>Total: 644 parcels</b></p>
47	Emergency drinking water service?	<p>YES or <b>NO</b>. If yes, describe situation.</p> <p><b>NO.</b></p>
48	Other relevant information or unique considerations?	<p>Refer to Question #. Attach explanatory sheets as needed.</p> <p><b>See attached.</b></p>
	<b>ATTACHMENTS</b>	
A1	Parcel Maps	<b>See Attached.</b>
A2	MCEHB permit(s)	<b>Not applicable.</b>
A3	DWR Well log(s)	<b>Not applicable.</b>
A4	Well registration forms	<b>Not applicable.</b>
A5	Well meter sign-offs	<b>Not applicable.</b>
A6	Grant deed	<b>Not applicable.</b>
A7	Water rights docs.	<b>Not applicable.</b>
A8	Environmental docs.	<p>Monterey Peninsula Water Supply Project Final EIR/EIS.</p> <p><a href="https://www.cpuc.ca.gov/Environment/info/esa/mpwsp/feir-eis_toc.html">https://www.cpuc.ca.gov/Environment/info/esa/mpwsp/feir-eis_toc.html</a></p>
A9	Mobile WDS approval	<b>Not applicable.</b>
A10	Application fee (check)	



A11	Other	
-----	-------	--

*This Application for a Permit must be signed by the person who is identified in a recorded Deed as the owner of the parcel on which the well or other water producing facility is located. If multiple owners, at least two must sign.*

**Under penalty of perjury, I verify that the above information is accurate to the best of my knowledge and understanding.**

  
\_\_\_\_\_  
**Signature of Applicant/System Owner**

4/30/2020  
\_\_\_\_\_  
**Date**

Printed name of Applicant: \_\_\_\_\_

\_\_\_\_\_  
**Signature of Applicant/System Owner**

\_\_\_\_\_  
**Date**

Printed name of Applicant: \_\_\_\_\_

**Attachment 2  
Ryan Ranch Unit and Bishop  
Unit Assessor Parcel Number Lists**



CALIFORNIA  
AMERICAN WATER

### Ryan Ranch Service Area Assessor Parcel Numbers

APN
259031003000
259221005000
259031053000
259031069000
259031055000
259071005000
259051022000
259071006000
259031072000
259071007000
259031071000
259181008000
259031040000
259031044000
259031068000
259031056000
259181006000
259031051000
259183001000
259031064000
259061011000
259031061000
259031043000
259031050000
259031018000
259031021000
259031059000
259141006000
259151006000
259081004000
259141003000
259031060000
259221001000
259041016000
259031066000
259041015000
259041018000
259041017000
259221004000
259041014000
259071008000

259041009000
259041004000
259071002000
259071004000
259141004000
259041006000
259071003000
259183002000
259071001000
259041013000
259041008000
259221002000
259041007000
259041005000
259141005000
259141001000
259221015000
259141002000
259183003000
259031011000
259151004000
259152001000
259151005000
259184004000
259061007000
259181004000
259081003000
GOVT LAND
259152002000
259081001000
259081002000
259151003000
259061006000
259051014000
259222004000
259222007000
259222010000
259185001000
259182003000
259184003000
259182001000
259185003000
259222011000
259185004000
259222009000
259051012000
259051011000
259051010000
259051005000
259051019000

259051002000
259184001000
259033003000
259222003000
259185011000
259061001000
259152003000
259051009000
259051013000
259185006000
259051008000
259185005000
259185002000
259051020000
259051021000
259185010000
259062010000
259061008000
259061010000
259051015000
259051016000
259062005000
259182007000
259222006000
259062001000
259062006000
259033002000
259182006000
259062007000
259061013000
259062003000
259182005000
259222006000
259062009000
259222001000
259222001000
259062004000
259182004000
259185009000
259185007000
259185008000
259222002000
259051001000
259222008000
259033004000
259051003000
259033001000
259062008000
259222005000
259184002000



259222005000
259033008000
259033006000
259033010000
259062002000
259033012000
259032003000
259032001000
259032010000
259032008000
259032002000
259185012000
259033013000
259032006000
259032014000
259032015000
259033009000
259185019000
259032012000
259033011000
259032013000
259032007000
259032004000
259032005000
259032011000
259185016000
259152006000
259152004000
259152005000
259033005000
259185018000
259033015000
259032016000
259033016000
259185027000
259033014000
259185025000
259185014000
259185013000
259185015000
259185017000
259185020000
259185021000
259185022000
259185023000
259185032000
259185029000
259185028000
259185030000
259185031000

259185026000
259033007000
259032009000
259185024000



CALIFORNIA  
AMERICAN WATER

### Bishop Service Area Assessor Parcel Numbers

APN
173071048000
173072041000
173075028000
173073052000
173075027000
173071056000
173071057000
173071008000
173061003000
173141006000
173072042000
173073040000
173073051000
173101052000
173074075000
173074070000
173101050000
173074073000
173072045000
173075020000
173075030000
173072043000
173071042000
173101051000
173074076000
173072049000
173075026000
173072040000
173075024000
173073048000
173072044000
173076042000
173084001000
173075021000
173074072000
173074074000
173072037000
173101012000
173073043000
173141005000
173101036000

173101028000
173101041000
173071041000
173101034000
173073044000
173101040000
173121021000
173101030000
173101042000
173101033000
173101031000
173101023000
173101011000
173121023000
173101006000
173121020000
173101032000
173101013000
173101049000
173101026000
173091001000
173101035000
173101024000
173121014000
173101029000
173101048000
173101017000
173101007000
173101018000
173141002000
173101016000
173101043000
173101022000
173075014000
173141001000
173101014000
173121013000
173141004000
173101055000
173101019000
173101039000
173141003000
173101001000
173101027000
173124005000
173101037000
173101025000
173123012000
173121005000
173121002000

173101005000
173101056000
173101010000
173121026000
173101015000
173074027000
173101002000
173075010000
173121003000
173075008000
173101008000
173075011000
173075025000
173073041000
173074006000
173075009000
173101047000
173101044000
173101038000
173101057000
173072030000
173101054000
173101046000
173101045000
173074051000
173101009000
173121004000
173077055000
173074050000
173072034000
173074048000
173074044000
173074045000
173074057000
173074017000
173091006000
173074049000
173071039000
173075016000
173074056000
173121012000
173075017000
173074052000
173074010000
173075018000
173121016000
173072033000
173081006000
173073030000
173073029000

173074058000
173075012000
173072038000
173072001000
173072035000
173073028000
173121009000
173121017000
173075015000
173074055000
173074023000
173074024000
173074047000
173074053000
173074028000
173073001000
173074042000
173074025000
173074079000
173121015000
173074020000
173072002000
173075001000
173073027000
173077073000
173091005000
173073026000
173074034000
173074001000
173073031000
173074030000
173073024000
173073036000
173074029000
173074021000
173074039000
173074038000
173131029000
173073037000
173073019000
173073023000
173091013000
173074011000
173074007000
173074022000
173075029000
173074071000
173121018000
173072003000
173074043000

173071040000
173074046000
173074035000
173073022000
173074054000
173082005000
173074015000
173074036000
173073017000
173121011000
173073018000
173073032000
173073009000
173074003000
173073035000
173072031000
173082003000
173091011000
173074002000
173074026000
173074063000
173073053000
173074062000
173091008000
173074032000
173082008000
173074016000
173073050000
173074078000
173083004000
173073020000
173074013000
173074033000
173074005000
173074012000
173073033000
173074004000
173073012000
173073013000
173091007000
173075003000
173074014000
173074064000
173072032000
173083003000
173072026000
173091012000
173074040000
173121008000
173091004000

173073010000
173101053000
173074061000
173131028000
173072039000
173073034000
173072004000
173073038000
173083002000
173073021000
173074041000
173073008000
173074060000
173072018000
173072008000
173082002000
173072025000
173091010000
173074037000
173074066000
173075004000
173074031000
173072023000
173082007000
173073016000
173073006000
173091002000
173091017000
173091003000
173075031000
173074067000
173075006000
173073014000
173073011000
173072007000
173081005000
173083008000
173074059000
173074065000
173075005000
173081003000
173073003000
173082001000
173083013000
173081002000
173072013000
173072017000
173074019000
173074068000
173072012000



173073054000
173091009000
173074069000
173073039000
173073015000
173072024000
173072029000
173081004000
173075002000
173091015000
173072014000
173091014000
173072021000
173073002000
173072019000
173083014000
173082006000
173083005000
173072005000
173072016000
173083006000
173074018000
173083016000
173072027000
173072006000
173072028000
173084002000
173072020000
173082004000
173083009000
173073007000
173084008000
173072022000
173083007000
173091016000
173072015000
173083001000
173084007000
173083010000
173083015000
173076036000
173072048000
173072046000
GOVT LAND
173076035000
173076037000
173072047000
173076034000
173076038000
173124002000

173073046000
173076033000
173076031000
173076030000
173076028000
173077045000
173077069000
173076032000
173077063000
173076039000
173076025000
173076026000
173077046000
173077051000
173076024000
173076029000
173077050000
173077056000
173077044000
173076027000
173077052000
173076023000
173077067000
173077075000
173077041000
173131027000
173077074000
173077071000
173131010000
173077039000
173076040000
173077062000
173077040000
173077043000
173124004000
173077070000
173077060000
173077042000
173076022000
173077054000
173077066000
173077059000
173124001000
173077038000
173071047000
173077049000
173071054000
173077047000
173077061000
173077057000

173124003000
173077058000
173077068000
173077053000
173131026000
173131007000
173077065000
173131009000
173076041000
173077064000
173077048000
173131008000
173131025000
173131017000
173131011000
173121022000
173131022000
173131004000
173131023000
173131006000
173131019000
173131005000
173131014000
173131024000
173131020000
173131013000
173131015000
173131016000
173131001000
173131021000
173131012000
173131003000
173131018000
173131002000
173077072000
173122001000
173122003000
173122004000
173122002000
173123011000
173123005000
173071049000
173071051000
173123010000
173123007000
173071050000
173071043000
173123001000
173123009000
173123004000

173123003000
173123006000
173071052000
173123008000
173123002000

**Attachment 3**  
**CalAm Water Distribution System Permit**  
**Amendment Memorandum**



California American Water - Monterey  
511 Forest Lodge Road, Suite 100  
Pacific Grove, CA 93950  
amwater.com

## Memorandum

**DATE:** April 27, 2020  
**TO:** Dave Stoldt, Monterey Peninsula Water Management District  
Stephanie Locke, Monterey Peninsula Water Management District  
**FROM:** Tim O'Halloran, California American Water  
**SUBJECT:** California American Water – Water Distribution System Permit Amendment

---

### I. INTRODUCTION

On September 13, 2018, the California Public Utilities Commission (“CPUC”) certified the Monterey Peninsula Water Supply Project (“MPWSP” or “Project”) Final Environmental Impact Report/Environmental Impact Statement (“EIR/EIS”), approved a modified version of the Project (6.4 million gallon per day [mgd]), adopted settlement agreements, and issued a Certificate of Public Convenience and Necessity (Decision 18-09-017). As a component of the MPWSP, California American Water (“CalAm”) is in the process of constructing the Ryan Ranch – Bishop Interconnection Project. This component of the MPWSP would connect the Ryan Ranch and Bishop Units into CalAm’s main water system.

The purpose of this memorandum is to provide supporting background information to the Monterey Peninsula Water Management District (“MPWMD” or “District”) as part of CalAm’s request to amend the existing Water Distribution System (“WDS”) Permit No. M16-03-L3. More specifically, CalAm proposes to amend CalAm’s existing WDS Permit (WDS #M16-03-L3) to incorporate the Ryan Ranch Unit and Bishop Unit as part of CalAm’s main system. This amendment would allow CalAm to connect the Ryan Ranch Unit and Bishop Unit into CalAm’s main WDS to improve system reliability, ensure adequate water supplies are available to serve the existing needs of the Ryan Ranch Unit and the Bishop Unit, and provide system redundancy to ensure adequate water supplies during emergencies (e.g., fire suppression). The proposed amendment would not: 1) change the total number of connections served by CalAm; 2) result in an increase in system capacity beyond existing levels currently permitted under existing WDS Permit No. M15-03-L3; or, 3) result in any additional environmental effects beyond those previously disclosed in the MPWSP Final EIR/EIS.

This memorandum is organized as follows: Section I. describes the general purpose of this memorandum; Section II. provides background of the existing WDS Permit for the Ryan Ranch Unit and Bishop Unit; Section III. describes the project modifications which require a WDS Permit amendment; Section IV. explains the environmental review associated with the proposed amendment, and Section V. provides a general conclusion summarizing the memorandum.

## II. BACKGROUND

In June 2015, MPWMD approved a WDS Permit amendment for the Ryan Ranch Unit and Bishop Unit WDS (#M15-L3-03). This amendment authorized CalAm to make an emergency connection between the two units when existing infrastructure was unable to serve system demand. The following is a brief overview of the Ryan Ranch Unit and Bishop Unit, including system capacity, expansion capacity limits, service area, and zoning designation.

### a. Ryan Ranch Unit

The Ryan Ranch Unit serves the Ryan Ranch Office Park located in the City of Monterey, which is comprised of industrial and commercial buildings. The Ryan Ranch Unit serves an average of 158 active connections and has a system capacity of 72-acre-feet-per-year (“AFY”). Additionally, the Ryan Ranch Unit has the expansion capacity limit to serve up to 190 connections within its 210-acre service area. **Figure 1. California American Water - Ryan Ranch Unit APN Map** identifies the applicable parcels within the Ryan Ranch Unit.

### b. Bishop Unit

The Bishop Unit is located in unincorporated Monterey County and serves the area directly east of the Ryan Ranch Unit. This unit consists of residential, commercial, and public/quasi-public land uses. The Bishop Unit serves an average of 406 active connections and has a system capacity of 295 AFY. Additionally, the Bishop Unit has the expansion capacity limit to serve up to 454 total connections within its 1,036-acre service area. **Figure 2. California American Water - Bishop Unit APN Map** identifies the applicable parcels within the Bishop Unit.

## III. PROPOSED AMENDMENT

The proposed amendment consists of the interconnection of the Ryan Ranch and Bishop Units into the main CalAm water system. As previously mentioned, CalAm is currently permitted (WDS Permit No. M15-L3-03) to provide an emergency interconnection between the Bishop Unit and the Ryan Ranch Unit to ensure system reliability and continuity of service. The proposed amendment would allow CalAm to permanently connect the Ryan Ranch Unit and the Bishop Unit into CalAm’s main system. This connection would ensure that sufficient water supplies are available to permanently serve the Ryan Ranch Unit and Bishop Unit. More specifically, the proposed amendment would ensure the reliability of service to meet existing demand within these units while reducing demand on existing infrastructure currently serving the Bishop Unit and Ryan Ranch Unit (i.e., wells). This amendment would improve system reliability and ensure the adequacy of supply during emergencies.

The proposed amendment would not increase the total number of connections served by CalAm, nor would the proposed amendment result in an increase in system capacity or expansion capacity limits beyond the levels currently permitted under CalAm’s existing WDS permits. CalAm is currently permitted to serve both the Ryan Ranch Unit and Bishop Unit. CalAm assumes that the system capacity for the Ryan Ranch Unit would remain 72 AFY. Similarly, CalAm anticipates that the system capacity for the Bishop Unit would remain 295 AFY. Similarly, the proposed amendment would not increase the total amount of acreage served by CalAm. CalAm would continue to serve the approximately 210-acre Ryan Ranch Unit and approximately 1,036-acre Bishop Unit, although these units would now be incorporated as part of CalAm’s

main system. While the proposed amendment would not increase the system capacity or total acreage served in either unit, the proposed amendment would increase the system capacity and total acreage served within CalAm's existing main system. This would not, however, affect the total system capacity or acreage currently served by CalAm. Rather, the proposed amendment would allow CalAm to continue to serve these connections while utilizing other available water supply sources as necessary to augment existing sources currently serving the Ryan Ranch Unit and Bishop Unit. The Ryan Ranch Unit and Bishop Unit will be served solely from water originating in the Seaside Groundwater Basin that is surplus to and cannot physically be delivered to offset unlawful diversions from the Carmel River.

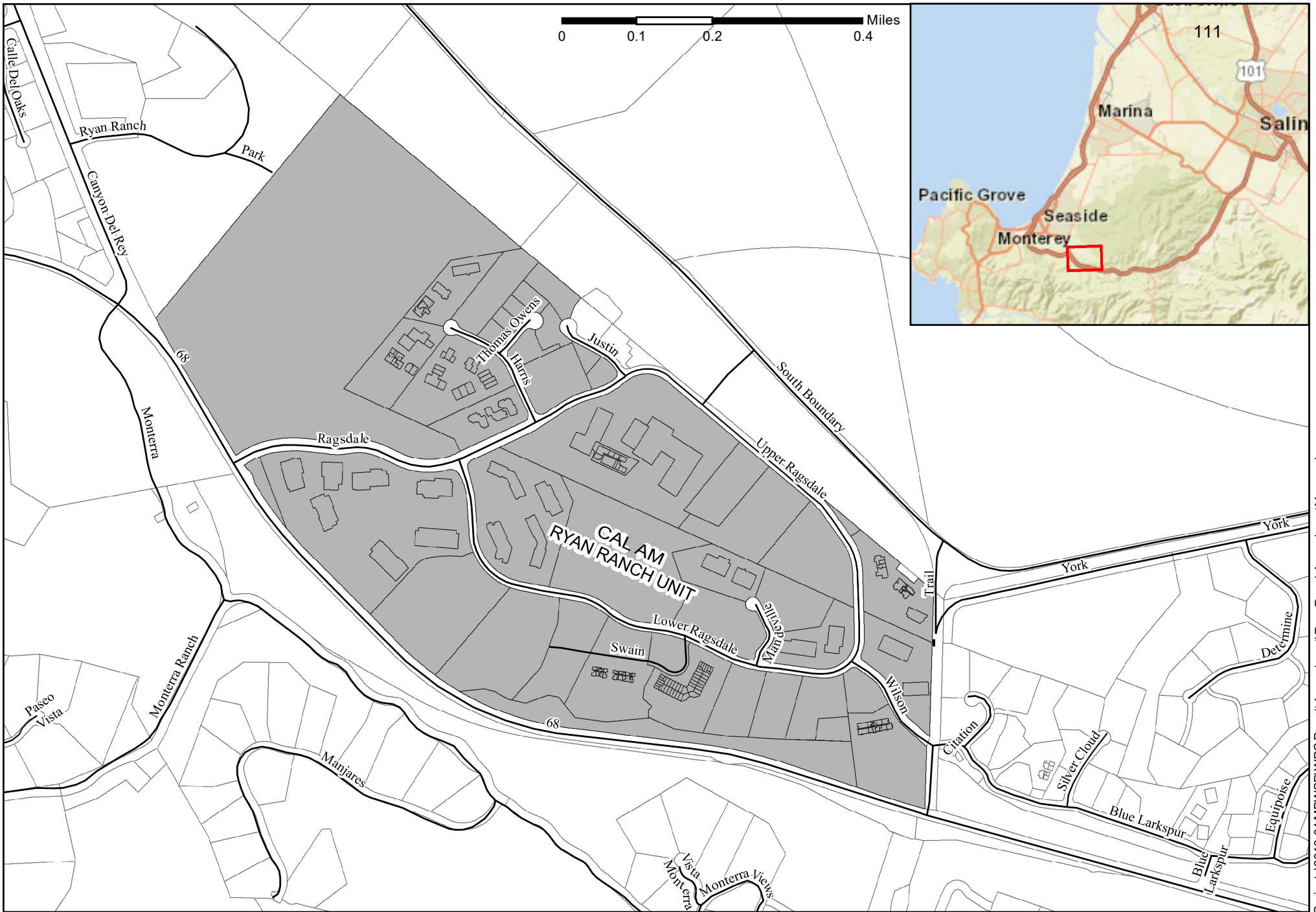
#### **IV. CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") REVIEW**

As noted above, the CPUC previously evaluated the environmental effects associated with the construction and operation of the Ryan Ranch – Bishop Interconnection Project as part of the MPWSP EIR/EIS, which the CPUC certified on September 13, 2018. As a result, the CPUC, as CEQA Lead Agency, evaluated the environmental effects associated with the Ryan Ranch – Bishop Interconnection Project, which is currently under construction. Where appropriate, the CPUC also identified mitigation measures to minimize potential environmental effects. The MPWSP Final EIR/EIS appropriately evaluated the potential environmental effects associated with the construction and operation of the Ryan Ranch – Bishop Interconnection Project. The proposed amendment would not result in any additional environmental effects beyond those previously identified in the MPWSP Final EIR/EIS. As a result, additional environmental review is not warranted. The CPUC fully evaluated the potential environmental effects associated with the Ryan Ranch – Bishop Interconnection Project and the CPUC has been monitoring construction related activities to ensure that the applicable mitigation measures are being implemented throughout the duration of construction.

#### **V. CONCLUSION**

CalAm requests that the MPWMD amend CalAm's existing WDS Permit No. #M16-03-L3 to allow the permanent connection of the Ryan Ranch Unit and Bishop Unit into CalAm's main system. The proposed amendment would ensure that there is a sufficient water supply for the Ryan Ranch and Bishop areas, without having to rely on underperforming wells. This would ensure system reliability under normal operating conditions, as well as ensure available water supplies during emergencies. Additionally, no additional environmental review would be required and the total water allocation to the areas would remain the same. Therefore, CalAm respectfully requests that MPWMD approve CalAm's proposed amendment.





California American Water - Ryan Ranch Unit  
APN Map

Date: 4/8/2020  
Scale: 1 inch = 20 feet  
Project: CalAm WDS

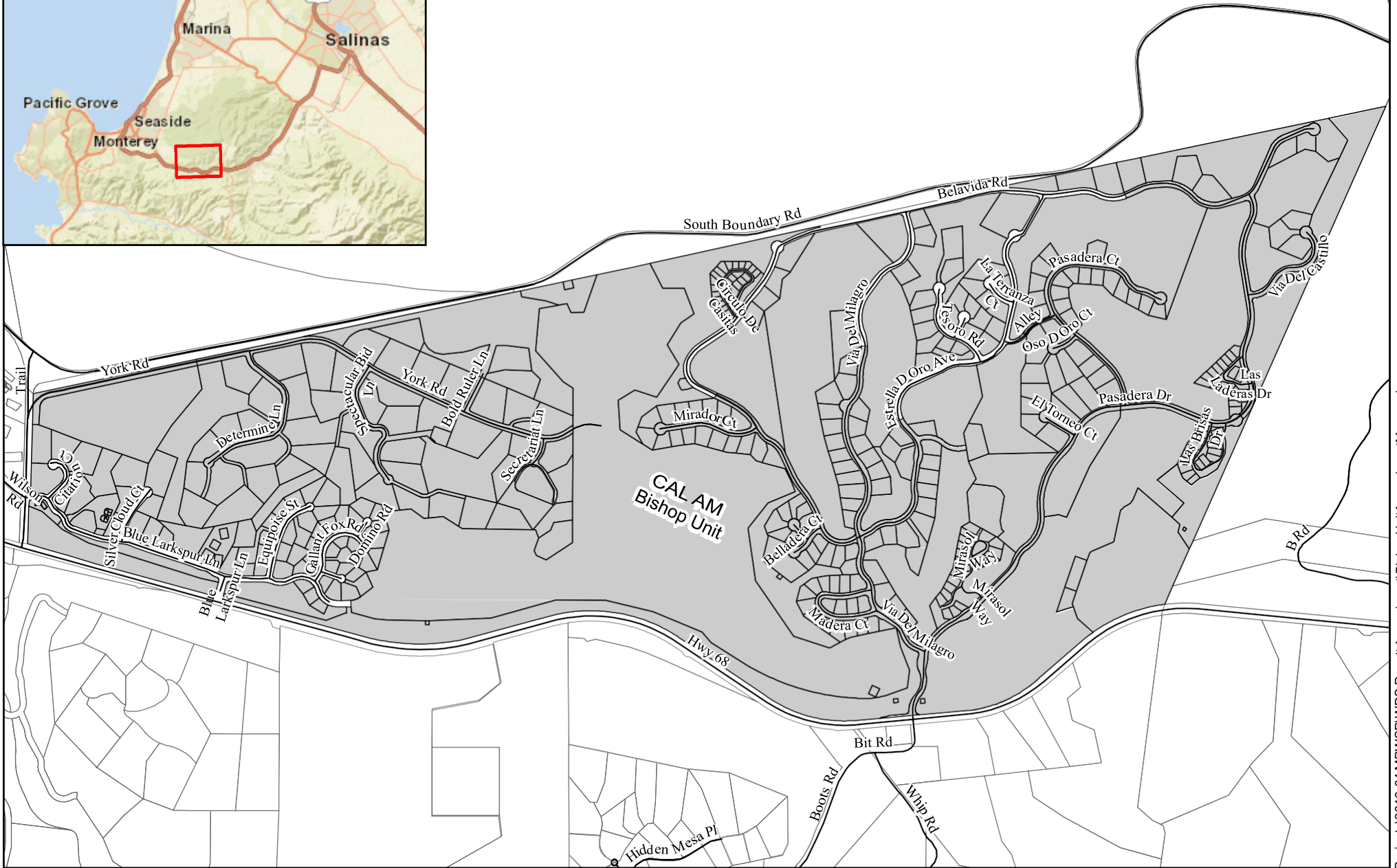
Monterey | San Jose  
**Denise Duffy & Associates, Inc.**  
Environmental Consultants    Resource Planners  
947 Cass Street, Suite 5  
Monterey, CA 93940  
(831) 373-4341

Figure  
112  
**1**



0 0.125 0.25 0.5 Miles

113



California American Water - Bishop Unit APN Map	Date: 4/8/2020 Scale: 1 inch=20 feet Project: CalAm WDS	Monterey   San Jose <b>Denise Duffy &amp; Associates, Inc.</b> Environmental Consultants    Resource Planners 947 Cass Street, Suite 5 Monterey, CA 93940 (831) 373-4341	114 Figure 2
--	---	---	--------------------



## **EXHIBIT 14-B**

### **FINDINGS of APPROVAL**

#### **CONSIDER APPROVAL OF APPLICATION TO AMEND CALIFORNIA-AMERICAN WATER COMPANY (CAW) SYSTEM PERMITS FOR THE RYAN RANCH AND BISHOP UNITS TO CHANGE THE SOURCE OF SUPPLY AND AUTHORIZE PERMANENT CONNECTION TO THE MAIN CAW SYSTEM TO RECEIVE DELIVERIES OF NATIVE SEASIDE BASIN GROUNDWATER FROM THE COASTAL SUBBASIN**

**Donor Service Area: California-American Water Company Main System**

**Recipient Service Areas: Ryan Ranch and Bishop Units**

**Application #WDS-20200501CAW, Permit #M15-03-L3-A2**

**Adopted by the MPWMD Board of Directors on September 21, 2020**

It is hereby found and determined as follows:

1. **FINDING:** Applicant California-American Water Company (CAW), a California Corporation, is the current owner and operator of two separate Water Distribution Systems (WDS) known as the Ryan Ranch Unit and the Bishop Unit. The 312-acre Ryan Ranch Unit is located within the City of Monterey and serves Non-Residential uses. The 1,036-acre Bishop Unit is located within unincorporated Monterey County, and serves both Residential subdivisions and Non-Residential uses. Both Units have Water Supply Permits from the State of California and are considered valid WDS by the Monterey Peninsula Water Management District (MPWMD or District). In 2009, MPWMD reduced the System Capacity and instituted a moratorium on new Connections in the Ryan Ranch Unit due to insufficient supply. In most years, emergency augmentation is needed in summer/fall from the “main” CAW water system that draws water from the Monterey Peninsula Water Resource System (Carmel River Basin and Coastal Subarea of the Seaside Groundwater Basin). CAW requests an amendment to its WDS Permit to allow the Ryan Ranch and Bishop Units to connect to the main system, referred to herein as the “CAW/Ryan Ranch and Bishop Units Amendment.”

EVIDENCE: Application #20200501CAW submitted July 8, 2020, including Site maps, lists of Parcels, County and State Permits and other materials. California Department of Public Health Services, *Certificate of Issuance of a Water Supply Permit to California American Water Company – Ryan Ranch Water System*, Permit #0524134 dated May 24, 2013; California Department of Public Health Services, *Certificate of Issuance of a Water Supply Permit to California American Water Company – Bishop Water System*, Permit #02-05P-2701882 dated February 1, 2013. MPWMD *Conditions of Approval in Support of the Cal-Am request to Annex the Ryan Ranch Mutual Water Company as a Subunit of the Cal-Am System*, dated November 13, 1989; MPWMD *Conditions of Approval for Application for Annexation of Laguna Seca Ranch Subdivision Into the Bishop Water Company Service Area*, dated October 21, 1996. MPWMD *Final Findings, Conclusions and Decision [regarding Ryan Ranch Unit] Hearing on Insufficient Supplies*, dated June 18, 2009; MPWMD *Annual Water Production Summary for Ryan Ranch Unit (1990-2019)*, dated October 1, 2019. Staff agenda package prepared for MPWMD Board of Directors Public Hearing (Item 12 on September 21, 2020).

2. FINDING: Both the Ryan Ranch and Bishop Units are within CAW’s Monterey Division, but are operated as separate independent units from CAW’s “main” WDS. The Ryan Ranch and Bishop Units (along with the Hidden Hills Unit) comprise the three CAW “satellite systems” in the Laguna Seca Subarea of the Seaside Groundwater Basin. The Seaside Groundwater Basin is an adjudicated basin governed by the Seaside Basin Watermaster in compliance with a 2006 Decision by the Monterey County Superior Court.

EVIDENCE: Permit application materials specified in Finding #1. Map of CAW Service Area. Seaside Groundwater Basin Adjudication Judgment dated March 27, 2006, as amended, Monterey Superior Court Case #M66343, *California American Water vs. City of Seaside et al.* (referred to herein as the “Adjudication Decision”).

3. FINDING: The Applicant has applied for an amendment to the WDS Permit to allow both Ryan Ranch and Bishop Units to connect to CAW’s main system and change the Source of Supply from the Laguna Seca Subarea for the two units to native groundwater from the Seaside Coastal Subarea of the CAW System. No other changes to the Ryan Ranch Unit or Bishop Unit WDS are proposed.

EVIDENCE: Permit application materials specified in Finding #1; MPWMD Permit #M15-03-L3-A2, Amended Conditions of Approval #1 through #4, and #13 for both the Ryan Ranch Unit and Bishop Unit WDS; Special Condition #27 for the Ryan Ranch Unit.

4. FINDING: Approval of the Application for the permanent connection to CAW's main system does not change the current System Limits for either the Ryan Ranch Unit or Bishop Unit WDS.  
  
EVIDENCE: Permit application materials specified in Finding #1. MPWMD Permit #M15-03-L3-A2, Amended Condition of Approval #3 for both the Ryan Ranch Unit and Bishop Unit WDS; Special Condition #27 for the Ryan Ranch Unit.
5. FINDING: CAW's operation of the interconnection will not conflict with the State Water Resource Control Board's (SWRCB) Water Right Order No. 2016-0016 (CDO) provided that the water delivered through the interconnection to the Ryan Ranch and Bishop Units is accounted for as native groundwater from the Seaside Coastal Subarea.  
  
EVIDENCE: The Adjudication Decision expressly authorizes CAW to deliver or transfer native groundwater from the Seaside Coastal Subarea for use in place of Laguna Seca Subarea water where Ryan Ranch and Bishop subdivisions are located. The Adjudication Decision requires CAW to account for this production as Coastal Subarea production and not as production from the Laguna Seca Subarea.
6. FINDING: The CDO directs CAW to maximize groundwater use over Carmel River diversions in order to reduce Carmel River diversions to authorized limits, and it prohibits CAW from increasing Carmel River diversions in order to offset loss in production from the Basin.  
  
EVIDENCE: The 2016 CDO established an Effective Diversion Limit (EDL) of 8,310 Acre Feet Annually (AFA). As such, CAW cannot exceed the EDL as a result of either reduced groundwater availability from the Seaside Groundwater Basin or increased groundwater demands in the Seaside Groundwater Basin.
7. FINDING: The delivery of Seaside Coastal Subarea groundwater through the interconnection will not change CAW's obligations under the CDO, including the EDL limit, and CAW must abide by the other terms and conditions in the CDO and prior SWB Cease – Water Right Orders 95-10 and 2009-0060.  
  
EVIDENCE: Water Right Orders 95-10 and 2009-0060 identify the Seaside Groundwater Basin as one of CAW's important sources of supply, and they discuss the availability of the Seaside Groundwater Basin supply in relation to Carmel River diversions, noting the Adjudication Decision's required pumping reductions and the diminishing groundwater supply available to CAW over time as result of the reductions. The SWRCB Orders address CAW's total rights to the Seaside Basin, but do not

differentiate between Coastal and Laguna Seca Subbasin allocations. Nor do the orders impose restrictions on CAW's ability to use the Seaside Basin groundwater as authorized under the Seaside Basin Decision.

8. FINDING: There are conditions in the CDO regarding the use of ASR and PWM supplies as it relates to CAW's Carmel River diversions and the EDL, but the CDO does not condition CAW's use of native groundwater.

EVIDENCE: CAW must account for its deliveries through the interconnection as native Seaside Coastal Basin groundwater and debit such from CAW's Coastal Basin allocation and Watermaster reporting. This accounting must be done monthly, so that CAW does not exceed its annual Coastal Subbasin allocation.

9. FINDING: The application for CAW/Ryan Ranch and Bishop Units Amendment, along with supporting materials, is in accordance with District Rule 21 and Rule 22.

EVIDENCE: Permit application materials specified in Finding #1; "Notice of Public Hearing" letter to CAW from MPWMD dated September 11, 2020; MPWMD Rules and Regulations.

#### **Required Findings (MPWMD Rule 22-B)**

10. FINDING: The approval of the Permit would not cause unnecessary duplication of Potable water service within any existing system. The proposed CAW/Ryan Ranch and Bishop Units Amendment to allow connection to CAW's main system will improve system reliability and ensure adequate water supplies are available to serve the existing needs of the Ryan Ranch Unit and the Bishop Unit. [Rule 22-B-1]

EVIDENCE: Permit application materials specified in Finding #1. MPWMD Permit #M15-03-L3-A2, Amended Conditions of Approval #1 through #4, and #13 for both the Ryan Ranch Unit and Bishop Unit WDS.

11. FINDING: The approval of the Permit would not result in water importation or exportation to or from the District, respectively. The referenced water systems are located wholly within the MPWMD and are within the Seaside Groundwater Basin. [Rule 22-B-2]

EVIDENCE: District boundary location maps.

12. FINDING: Approval of the application would not result in significant adverse impacts to "Sensitive Environmental Receptors" (SER) as defined by MPWMD Rule 11. [Rule 22-B-3]



- EVIDENCE: Permit application materials specified in Finding #1. MPWMD Permit #M15-03-L3-A2, Amended Condition of Approval #13 for both the Ryan Ranch Unit and Bishop Unit WDS; Seaside Basin Adjudication Decision referenced in Finding #2.
13. FINDING: The CAW has specified water rights as determined by the Superior Court as part of the Seaside Basin Adjudication Decision. [Rule 22-B-4]
- EVIDENCE: Adjudication Decision specified in Finding #2.
14. FINDING: The Source of Supply for Ryan Ranch and Bishop Unit Wells is changing from the Laguna Seca Subarea to native groundwater from the Coastal Subarea of the Seaside Groundwater Basin. The cumulative effects of issuance of this WDS Permit do not result in significant adverse impacts to the Source of Supply or the species and habitats dependent on the Source of Supply due to compliance with the Adjudication Decision issued by the Superior Court. [Rule 22-B-6]
- EVIDENCE: MPWMD Permit #M15-03-L3-A2, Amended Conditions of Approval #1 through #4, and #13 for both the Ryan Ranch Unit and Bishop Unit WDS; Adjudication Decision specified in Finding #2.
15. FINDING: The Source of Supply for the Ryan Ranch and Bishop Units is not derived from the Carmel Valley Alluvial Aquifer. The Source of Supply is not within the jurisdiction of the State Water Resources Control Board (SWRCB) and has not been determined to be tributary to the Source of Supply for any other system. The Source of Supply is from native groundwater in the Coastal Subarea of the Seaside Groundwater Basin. [Rule 22-B-7]
- EVIDENCE: MPWMD maps showing boundaries of project area and jurisdiction of the SWRCB; MPWMD hydrogeologic maps on file; MPWMD Permit #M15-03-L3-A2, Amended Conditions of Approval #1 through #4, and #13 for Ryan Ranch Unit and Bishop Unit WDS.
16. FINDING: MPWMD Permit #M15-03-L3-A2 allows CAW's Ryan Ranch and Bishop Units to connect to CAW's main system to improve system reliability; this may be viewed as an environmental benefit. Any CAW Source of Supply may be used in a fire emergency. [Rule 22-B-8]
- EVIDENCE: Permit application materials specified in Finding #1; MPWMD Permit #M15-03-L3-A2, Amended Conditions of Approval #1 and through #4, and #13 for both the Ryan Ranch Unit and Bishop Unit WDS.
17. FINDING: A back-flow protection device to prevent contamination of the CAW system is not necessary as CAW is the water purveyor. All Units are certified by the State of California. [Rule 22-B-9]

EVIDENCE: Permit application materials specified in Finding #1. MPWMD Permit #M15-03-L3-A2, Amended Conditions of Approval #13, #14 and #15 for both the Ryan Ranch Unit and Bishop Unit WDS.

**Minimum Standards for Granting a Permit (MPWMD Rule 22-C)**

18. FINDING: The application adequately identifies the Responsible Party as California-American Water Company, a California Corporation. [Rule 22-C-1]

EVIDENCE: Permit application materials specified in Finding #1.

19. FINDING: The application meets the definition of a “Multiple-Parcel Connection System” as water will be provided by CAW, a regulated Public Utility with roughly 40,000 customers, for Non-Residential, Residential and/or landscape use on Ryan Ranch Unit and Bishop Unit Parcels. Compliance with California Title 22 water quality standards is the authority of the SWRCB Division of Drinking Water. [Rule 22-C-2]

EVIDENCE: Permit application specified in Finding #1. MPWMD Permit #M15-03-L3-A2, Conditions of Approval #1, #2, #3, and #15. California Administrative Code, Title 22.

20. FINDING: The application identifies the location of the Source of Supply for the Ryan Ranch and Bishop Units as native groundwater in the Coastal Subarea of the Seaside Groundwater Basin. [Rule 22-C-3]

EVIDENCE: Permit application materials specified in Finding #1; MPWMD Permit #M15-03-L3-A2, Amended Condition of Approval #4 for both the Ryan Ranch Unit and Bishop Unit WDS.

21. FINDING: The approval of the application would not create an Overdraft or increase an existing Overdraft of a Groundwater basin. The Superior Court has determined the “natural safe yield” and specified pumping rights of property owners in the Seaside Basin as part of the Adjudication Decision. [Rule 22-C-4]

EVIDENCE: Adjudication Decision specified in Finding #2. MPWMD Permit #M15-03-L3-A2, Amended Conditions of Approval #1 through #4, and #13 for Ryan Ranch Unit and Bishop Unit WDS.

22. FINDING: The approval of the application would not adversely affect the ability of existing systems to provide water to Users due to conditions of approval that limit future water use to a reasonable and acceptable amount, consistent with the Seaside Basin Adjudication. [Rule 22-C-5]

EVIDENCE: Adjudication Decision specified in Finding #2; MPWMD Permit #M15-03-L3-A2, Amended Conditions of Approval #1 through #4, and #13 for Ryan Ranch Unit and Bishop Unit WDS; California Water Code.

### **Compliance with California Environmental Quality Act (CEQA)**

23. FINDING: In the review of this application, MPWMD has followed those guidelines adopted by the State of California and published in the California Administrative Code, Title 14, Section 15000, *et seq.* Specifically, the MPWMD as a lead agency under CEQA determined that a Class 1 Categorical Exemption is applicable due to minor alterations to existing facilities that involve “negligible expansion” of an existing use, as defined in CEQA Guidelines Section 15301(b). This decision is based on facts regarding current water use, and negligible changes expected in the future with the approval of the subject application.

EVIDENCE: CEQA and CEQA Guidelines, Section 15301; CEQA Guidelines Section 15300.2. MPWMD Notice of Exemption for CAW/Ryan Ranch Bishop Units Amendment signed September 21, 2020. Staff agenda package prepared for MPWMD Board of Directors Public Hearing (Item 12) on September 21, 2020. Minutes of MPWMD Board of Directors Public Hearing (Item 21) conducted on September 21, 2020. MPWMD Permit #M15-03-L3-A2, Amended Conditions of Approval #1 through #5, and #13, and Special Conditions for Ryan Ranch Unit and Bishop Unit WDS.

U:\staff\Boardpacket\2020\20200921\PublicHearings\14\Item-14-Exh-B.docx





### **EXHIBIT 14-C**

## **AMENDED CONDITIONS OF APPROVAL FOR CALIFORNIA-AMERICAN WATER COMPANY, RYAN RANCH UNIT**

**Application to Amend California-American Water Company System Permits  
for the Ryan Ranch and Bishop Units to Change the Source of Supply and  
Authorize Permanent Connection to the Main California American Water  
System to Receive Deliveries of Native Seaside Bain Groundwater from the  
Coastal Subarea**

**Permittee: California-American Water Company, a California Corporation  
Permitted System: California-American Water Company, Ryan Ranch Unit  
Service area: Ryan Ranch Unit**

### **Mandatory Conditions of Approval**

1. The California-American Water Company (CAW) Water Distribution System, Ryan Ranch Unit (Permitted System) is authorized by the Monterey Peninsula Water Management District (MPWMD or District) by action and amendments on June 15, 2009, June 15, 2019, August 26, 2019, and September 21, 2020, to provide water service to Non-Residential customers within the Ryan Ranch Unit Service Area, which comprises approximately 312 acres in the City of Monterey. The Ryan Ranch Unit Service Area boundary map and current list of Assessor Parcel Numbers is shown in Attachment 1, which may be updated as needed. This action is referred to herein as the "CAW/Ryan Ranch and Bishop Units Amendment." [Rule 22-D-1-a]
2. This Permit authorizes the Permitted System to provide Potable water supply to the Parcels referenced in Condition #1, in compliance with the current moratorium on new Connections imposed by the District Board on June 15, 2009. [Rule 22-D-1-b]
3. The System Limits for the Permitted System are set at 79.17 Acre-Feet Annually (AFA) (Production Limit) and 190 Connections (Expansion Capacity Limit), as approved by the MPWMD Board of Directors on August 26, 2019. [Rule 22-D-1]
4. The Source of Supply for the Permitted System is native groundwater from the Seaside



Groundwater Basin's Coastal Subarea supplied through a permanent Connection at the nexus of the Main CAW System and the Ryan Ranch Unit with a backup supply of percolating Groundwater available from two Bishop Unit Wells located within the Laguna Seca Subarea of the Seaside Groundwater Basin, as follows: Bishop #1 (MCEHB Permit #99-120, DWR #701026 completed 8/4/1999); and Bishop #3 (MCEHB Permit #10-11766, DWR #e0116033 completed 12/28/2010). [Rule 22-C-3]

5. No other agency approvals are specifically identified as being required before this Permit is valid. [Rule 22-D-1-c]
6. Permittee shall execute an Indemnification Agreement, provided separately, which holds the District harmless and promises to defend the District from any claims, demands, or expenses of any nature or kind arising from or in any way related to the District approval of the Permitted System or the adequacy of the system water supply. This Permit is not valid until the Indemnification Agreement is signed by both the Permittee and MPWMD. [Rule 22-D-1-d]
7. Permittee shall comply with District rules relating to water Well registration, metering and annual reporting of production (MPWMD Rules 52 and 54). [Rule 22-D-1-e; Rule 22-D-2]
8. Permittee shall report production by the Water Meter Method (MPWMD Rule 56) for the Wells designated in Condition #4. Refer to Special Conditions #29 and #30 for additional Well reporting requirements. [Rule 22-D-1-e; Rule 22-D-2]
9. Permittee shall comply with all MPWMD water efficiency rules that pertain to CAW customers, as applicable, (e.g., Regulations XIV and Regulation XV). [Rule 22-D-1-f]
10. No new Connections to the Permitted System may be set until a Water Permit has been secured from MPWMD for each Connection in accordance with MPWMD regulations governing issuance of Water Permits. [Regulation II, Permits]
11. Any Intensification or Expansion of Use within the Permitted System shall require a Water Permit pursuant to MPWMD Regulation II.
12. Any new Water Gathering Facilities, Source of Supply, expansion of Service Area boundaries, changed conditions regarding water service by other entities, increase in the System Limits set in Condition #3, or other changes described in MPWMD Rule 22-E shall require a Permit to amend the Permitted System. [Rule 22-E]



13. Until the SWRCB CDO is lifted, the interconnection to the Main CAW System for the benefit of the Ryan Ranch Unit can only be used to provide native groundwater from the Seaside Coastal Subarea of the Seaside Groundwater Basin.
14. A back-flow protection device to prevent contamination of the CAW system is not required as the Ryan Ranch Parcels will be served by California American Water. [Rule 22-D-1-h]
15. Because the Permittee and Permitted System is a regulated Public Utility, compliance with California Title 22 drinking water standards is already required by the State Water Resources Control Board, Division of Drinking Water. [Rule 22-C-2]
16. Permittee is not required to carry out specific mitigation measures by MPWMD to offset adverse environmental impacts above and beyond those actions already required by the "Physical Solution" specified by the Superior Court in the Seaside Basin Adjudication Decision or by the Seaside Basin Watermaster. [Rule 22-D-1-i]
17. Because the Permittee and Permitted System is a regulated Public Utility, Permittee is not required to provide an agreement to serve water to Parcels in the Ryan Ranch Unit. [Rule 22-D-1-j]
18. Upon District approval of this Permit, Permittee shall pay to the District the invoiced cost for MPWMD staff, attorney and consultant time spent to process the Permit after the application date, if required. Actual costs will be compared to the initial Application Fee. The Permittee will be separately provided documentation to support the invoiced amount. This Permit is not valid until payment for the invoiced amount is received by MPWMD. [Rule 22-D-1-l]
19. Upon finalization of these conditions, the Permittee shall sign and notarize an Acceptance of Permit Conditions Form associated with the approval of the Permitted System. By signing the form, Permittee acknowledges that Permittee understands and accepts these conditions as a binding part of the Permit approval and agrees to carry them out faithfully. [Rule 22-D-1-m]
20. Permittee shall disclose to any future owner, successors and assigns of the California American Water, Ryan Ranch Unit (described in Condition #1) the requirements for the Permitted System associated with this Permit. MPWMD shall be advised in a timely manner of any changes in system ownership, system name, or other substantive changes to the system to facilitate accurate record-keeping. [Rule 22-D-2]



21. Permittee shall execute a Notice of Agreement by MPWMD regarding the limitation on water use as set forth in these conditions. Permittee shall pay all fees associated with preparation, review and recording of the Notice of Agreement. The Notice of Agreement must be signed and notarized by the Permittee and accepted by the Monterey County Recorder. [Rule 22-D-1-n]
22. Upon notice to the Permittee in writing, e-mail or by telephone, reasonable access shall be given to MPWMD staff or its designated representative to inspect and document Water-Gathering Facilities and Water-Measuring Devices, obtain hydrogeologic data, and take readings from Water Measuring Devices within the Permitted System. [Rule 22-D-1-o]
23. The Permit granted herein is subject to revocation in the event the Permittee does not fully comply with each condition set forth in this Permit. [Rule 22-D-1-p]
24. Nothing in this Permit shall be construed to grant or confirm any water right.
25. This Permit does not authorize any act that results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code Sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. Sections 1531 to 1544). If a "take" will result from any act authorized under this Permit, the Permittee shall obtain authorization for an incidental take prior to construction or operation of the project. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this Permit.

### **Special Conditions of Approval**

26. The Permittee is authorized by MPWMD under this Permit to provide Potable water for Non-Residential use and associated landscaping to the Parcels referenced in Condition #1.
27. Production Wells that previously supplied the Ryan Ranch Unit shall be destroyed or converted to Monitor Wells within one year of issuance of this Permit.
28. A Water Measuring Device shall be installed and maintained at the Ryan Ranch Unit Connection to the Main CAW System. Water delivered from the Main CAW System to the Ryan Ranch Unit shall be reported to the District monthly and annually after the conclusion of the Water Year.





29. The Permittee shall report annually at the conclusion of the Water Year in the form and manner prescribed by the District (1) the quantity of water delivered from each Source of Supply, (2) the total water produced, (3) the maximum number of Connections in the system, (4) the number of new Connections and disconnections, (5) provide a map or maps of the Service Area, and (6) list the identity and address of each Responsible Party as of the conclusion of the reported Water Year. This report shall be submitted to the District by November 30.
30. The Permittee shall report annually at the conclusion of the Water Year in the form and manner by the District (1) the metered sales of water by classification (i.e., Residential, Multi-Family Residential, Commercial/Industrial, Public Authority, Golf Course, and Non-Revenue, (2) by month, and (3) for the Water Year. This report shall be submitted to the District by December 31.

#### ATTACHMENT 1 - Service area map and list of Parcels in Ryan Ranch Unit

U:\staff\Boardpacket\2020\20200921\PublicHearings\14\Item-14-Exh-C.docx





### **EXHIBIT 14-D**

## **AMENDED CONDITIONS OF APPROVAL FOR CALIFORNIA-AMERICAN WATER COMPANY, BISHOP UNIT**

### **Application to Amend Bishop Unit Water Distribution System (California-American Water Company) to Change the Source of Supply and Authorize Permanent Connection to the Main System to Receive Deliveries of Native Seaside Basin Groundwater from the Coastal Subarea**

**Permittee: California-American Water Company, a California Corporation**

**Permitted System: California-American Water Company, Bishop Unit**

**Service area: Bishop Unit**

### **Mandatory Conditions of Approval**

1. The California-American Water Company (CAW) Water Distribution System, Bishop Unit (Permitted System) is authorized by the Monterey Peninsula Water Management District (MPWMD or District) by action and amendments on April 15, 1996, October 21, 1996, June 15, 2015, September 15, 2020, and September 21, 2020, to provide water service to Residential subdivisions and Non-Residential customers within the Bishop Unit area, which comprises approximately 1,036 acres in the unincorporated County of Monterey. The Bishop Unit Service Area boundary map and a current list of Assessor Parcel Numbers is shown in **Attachment 1**, which may be updated as needed. This action is referred to herein as the “CAW/Ryan Ranch and Bishop Units connection to Main System.” [Rule 22-D-1-a]
2. This Permit authorizes the Permitted System to provide Potable water supply to the Parcels referenced in Condition #1 and does not include water service for golf course turf and golf course landscape irrigation. [Rule 22-D-1-b]
3. The System Limits for the Permitted System continues to be 306 Acre-Feet Annually (AFA) (Production), and 559 Connections (Expansion Capacity Limit), as approved by the MPWMD Hearing Officer on September 15, 2020. [Rule 22-D-1]
4. The Source of Supply for the Permitted System is native groundwater from the Seaside Groundwater Basin’s Coastal Subarea supplied through a permanent Connection at the nexus of the Main CAW System and the Ryan Ranch Unit with a backup supply of



percolating Groundwater available from two Bishop Unit Wells located within the Laguna Seca Subarea of the Seaside Groundwater Basin, as follows: Bishop #1 (MCEHB Permit #99-120, DWR #701026 completed 8/4/1999); and Bishop #3 (MCEHB Permit #10-11766, DWR #e0116033 completed 12/28/2010). [Rule 22-C-3]

5. Permittee shall execute an Indemnification Agreement, provided separately, which holds the District harmless and promises to defend the District from any claims, demands, or expenses of any nature or kind arising from or in any way related to the District approval of the Permitted System or the adequacy of the system water supply. This Permit is not valid until the Indemnification Agreement is signed by both the Permittee and MPWMD. [Rule 22-D-1-d]
6. Permittee shall comply with District rules relating to water Well registration, metering and annual reporting of production (MPWMD Rules 52 and 54). [Rule 22-D-1-e; Rule 22-D-2]
7. Permittee shall report production by the Water Meter Method (MPWMD Rule 56) for the Wells designated in Condition #4. Refer to Special Conditions #28 and #29 for additional Well reporting requirements. [Rule 22-D-1-e; Rule 22-D-2]
8. Permittee shall comply with all MPWMD water efficiency rules that pertain to CAW customers, as applicable, (e.g., Regulations XIV and Regulation XV). [Rule 22-D-1-f]
9. No new Connections to the Permitted System may be set until a Water Permit has been secured from MPWMD for each Connection in accordance with MPWMD regulations governing issuance of Water Permits. [Regulation II, Permits]
10. Any Intensification of Use within the Permitted System shall require a Water Permit pursuant to MPWMD Regulation II.
11. Any new Water Gathering Facilities, Source of Supply, expansion of Service Area boundaries, changed conditions regarding water service by other entities, increase in the System Limits set in Condition #3, or other changes described in MPWMD Rule 22-E shall require a Permit to amend the Permitted System. [Rule 22-E]
12. Until the SWRCB CDO is lifted, the interconnection to the Main CAW System for the benefit of the Bishop Unit can only be used to provide native groundwater from the Seaside Coastal Subarea of the Seaside Groundwater Basin. [Rule 22-D-1-h]



13. A back-flow protection device to prevent contamination of the CAW Bishop Unit system is not required as the Bishop Unit Parcels will be served by California American Water. [Rule 22-D-1-h]
14. Because the Permittee and Permitted System is a regulated Public Utility, compliance with California Title 22 drinking water standards is already required by the State Water Resources Control Board, Division of Drinking Water. [Rule 22-C-2]
15. Permittee is not required to carry out specific mitigation measures by MPWMD to offset adverse environmental impacts above and beyond those actions already required by the "Physical Solution" specified by the Superior Court in the Seaside Basin Adjudication Decision or by the Seaside Basin Watermaster. [Rule 22-D-1-i]
16. Because the Permittee and Permitted System is a regulated Public Utility, Permittee is not required to provide an agreement to serve water to Parcels within the Bishop Unit. [Rule 22-D-1-j]
17. Upon District approval of this Permit, Permittee shall pay to the District the invoiced cost for MPWMD staff, attorney and consultant time spent to process the Permit subsequent to the application date, if required. Actual costs will be compared to the initial Application Fee. The Permittee will be separately provided documentation to support the invoiced amount. This Permit is not valid until payment for the invoiced amount is received by MPWMD. [Rule 22-D-1-l]
18. Upon finalization of these conditions, the Permittee shall sign and notarize an Acceptance of Permit Conditions Form associated with the approval of the Permitted System. By signing the form, Permittee acknowledges that Permittee understands and accepts these conditions as a binding part of the Permit approval and agrees to carry them out faithfully. [Rule 22-D-1-m]
19. Permittee shall disclose to any future owner, successors and assigns of the California American Water, Bishop Unit described in Condition #1 the requirements for the Permitted System associated with this Permit. MPWMD shall be advised in a timely manner of any changes in system ownership, system name, or other substantive changes to the system to facilitate accurate record-keeping. [Rule 22-D-2]
20. Permittee shall execute a Notice of Agreement prepared by MPWMD regarding the limitation on water use as set forth in these conditions. Permittee shall pay all fees associated with preparation, review and recording of the Notice of Agreement. The Notice



of Agreement must be signed and notarized by the Permittee and accepted by the Monterey County Recorder. [Rule 22-D-1-n]

21. Upon notice to the Permittee in writing, e-mail or by telephone, reasonable access shall be given to MPWMD staff or its designated representative to inspect and document Water-Gathering Facilities and Water-Measuring Devices, obtain hydrogeologic data, and take readings from Water Measuring Devices within the Permitted System. [Rule 22-D-1-o]
22. The Permit granted herein is subject to revocation in the event the Permittee does not fully comply with each condition set forth in this Permit. [Rule 22-D-1-p]
23. Nothing in this Permit shall be construed to grant or confirm any water right.
24. This Permit does not authorize any act that results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code Sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. Sections 1531 to 1544). If a "take" will result from any act authorized under this Permit, the Permittee shall obtain authorization for an incidental take prior to construction or operation of the project. Permittee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this Permit.

#### **Special Conditions of Approval**

25. The Permittee is authorized by MPWMD under this Permit to provide Potable water for Residential and Non-Residential use and associated landscaping to the Parcels referenced in Condition #1 upon submittal of applicable Water Permits for Connection to the Bishop Unit.
26. The Permittee shall install and maintain a Water Measuring Device at the Connection to the Bishop Unit. Water delivered to the Bishop Unit from the Main CAW System shall be reported to the District on a monthly basis and annually at the conclusion of the Water Year.
27. For each Well specified in Condition #4, Permittee shall continue to provide monthly reports of water production that identify production on a daily basis.
27. For each Well specified in Condition #4, Permittee shall continue to obtain monthly measurements of water levels in each Well, and measure water levels in monitoring Wells



within the Bishop Unit, and report these data to the District along with the monthly production report described in Condition #26.

28. The Permittee shall report annually at the conclusion of the Water Year (September 30) in the form and manner prescribed by the District (1) the quantity of water delivered from each Source of Supply, (2) the total water produced, (3) the maximum number of Connections in the system, (4) the number of new Connections and disconnections, (5) provide a map or maps of the Service Area, and (6) list the identity and address of each Responsible Party as of the conclusion of the reported Water Year. This report shall be submitted to the District by November 30.
29. The Permittee shall report annually at the conclusion of the Water Year (September 30) in the form and manner by the District (1) the metered sales of water by classification (i.e., Residential, Multi-Family Residential, Commercial/Industrial, Public Authority, Golf Course, and Non-Revenue, (2) by month, and (3) for the Water Year. This report shall be submitted to the District by December 31.

#### ATTACHMENT 1- Service area map and list of Parcels in Bishop Unit

U:\staff\Boardpacket\2020\20200921\PublicHearings\14\Item-14-Exh-D.docx





**ITEM: PUBLIC HEARING****15. CONSIDER ADOPTION OF RESOLUTION NO. 2020-13 MODIFYING RULE 160 – REGULATORY WATER PRODUCTION TARGETS FOR CALIFORNIA AMERICAN WATER SYSTEMS****Meeting Date:** September 20, 2020 **Budgeted:** N/A**From:** David J. Stoldt,  
General Manager **Program/** N/A  
**Line Item No.:****Prepared By:** Jonathan Lear **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** Exempt from environmental review per SWRCB Order Nos. 95-10 and 2016-0016, and the Seaside Basin Groundwater Basin adjudication decision, as amended and Section 15268 of the California Environmental Quality Act (CEQA) Guidelines, as a ministerial project; Exempt from Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources.

**SUMMARY:** District Rule 160 specifies the regulatory water production targets that are used in the District's *Expanded Water Conservation and Standby Rationing Plan* to trigger higher stages of water conservation to facilitate California American Water (Cal-Am) compliance with the production limits set by State Water Resources Control Board (SWRCB) Orders 95-10 and 2016-0016 and the Seaside Groundwater Basin adjudication decision, as amended. Specifically, Table XV-1 in **Exhibit 15-A** shows monthly and year-to-date at month-end targets for all Cal-Am systems that derive their source of supply or rely on production offsets from the Monterey Peninsula Water Resource System (MPWRS). Similarly, Table XV-2 in **Exhibit 15-A** breaks out monthly and year-to-date at month-end targets for Cal-Am satellite systems that derive their source of supply from the Laguna Seca Subarea of the Seaside Groundwater Basin, which is part of the MPWRS. It should be noted that in WY 2021, the Seaside Adjudication decision lowers the limit in the satellite systems to 0 Acre Feet, however the compliance of CalAm with the Adjudication decision limits are calculated using production limits set for the entire Basin. In addition, Table XV-3 in **Exhibit 15-A** breaks out monthly and year-to-date at month-end targets for Cal-Am Carmel River system sources and is included to provide additional clarification as to the production target maximums for this component of the MPWRS.

Rule 160 authorizes modifications to Tables XV-1, XV-2 and XV-3 to account for changes in the amount of water that Cal-Am is allowed to divert from the Carmel River System under the pertinent SWRCB Orders and the amount of water that Cal-Am is allowed to produce from the Seaside Groundwater Basin under the Seaside Basin Decision, as administered by the Seaside Basin Watermaster. Any modifications to these tables must be made by Board resolution.

Resolution 2020-13 (**Exhibit 15-A**) modifies Tables XV-1, XV-2 and XV-3 of Rule 160 to account for the projected change in allowable diversions by Cal-Am from the Carmel River and Seaside

Groundwater Basins for Water Year 2021.

**RECOMMENDATION:** District staff recommends adoption of Resolution 2020-13 (**Exhibit 15-A**) modifying Rule 160.

**EXHIBIT**

**15-A** Resolution 2020-13 Modifying Rule 160 – Regulatory Water Production Targets for California American Water Systems

**EXHIBIT 15-A**

**RESOLUTION NO. 2020-13  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
MODIFYING RULE 160 – REGULATORY PRODUCTION TARGETS FOR  
CALIFORNIA AMERICAN WATER SYSTEMS**

**WHEREAS**, the Monterey Peninsula Water Management District has developed a set of rules to facilitate compliance by California American Water systems with the regulatory and legal water production limits set by the State Water Resources Control Board and the Seaside Basin Adjudication as administered by the Seaside Groundwater Basin Watermaster;

**WHEREAS**, District Rule 160 specifies the regulatory water production targets that are used to trigger higher stages of water conservation to ensure compliance with these legal and regulatory water production limits;

**WHEREAS**, these limits are subject to change by action of the State Water Resources Control Board and Seaside Groundwater Basin Watermaster;

**WHEREAS**, the State Water Resources Control Board adopted Order WR 2016-0016 on July 19, 2016, which requires California American Water to divert no more than 8,310 acre-feet in Water Year 2020 from its Carmel River system sources;

**WHEREAS**, the Monterey County Superior Court adopted an Amended Decision in the Seaside Groundwater Basin Adjudication on February 9, 2007 (*California American Water v. City of Seaside, et al.*, Case No. M66343), which requires California American Water to divert no more than 1,474 acre-feet from the Coastal Subareas and 0 acre-feet from the Laguna Seca Subarea of the Seaside Groundwater Basin in Water Year 2021;

**WHEREAS**, the Seaside Groundwater Basin Watermaster has not yet determined the amount of carryover credit, if any, that California American Water has from Water Year 2020 that will be available for diversion in Water Year 2021; and

**WHEREAS**, it is necessary to modify the monthly and year-to-date at month-end water production targets in Tables XV-1, XV-2 and XV-3 to reflect the projected quantities of production available to California American Water for diversion from the Carmel River and Seaside Groundwater Basins for Water Year 2021.

**NOW THEREFORE, BE IT RESOLVED:**

1. District staff shall modify Tables XV-1, XV-2 and XV-3 of District Rule 160 to reflect the projected quantities of production available to California American Water for diversion from the Carmel River and Seaside Groundwater Basins for Water Year 2021.
2. Specifically, District staff shall replace the monthly and year-to-date at month-end values presently shown in Tables XV-1, XV-2 and XV-3 of Rule 160 with the monthly and year-to-date at month-end values shown on the attached tables (**Attachment 1**).

On motion of Director \_\_\_\_\_, and second by Director \_\_\_\_\_, the foregoing resolution is duly adopted this 16th day of September 2020, by the following votes:

AYES:

NAYES:

ABSENT:

I, David J. Stoldt, Secretary of the Board of Directors of the MPWMD, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted on the 19th day of September 2020.

Witness my hand and seal of the Board of Directors, this \_\_\_\_\_ day of September, 2017.

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

**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)

<b>Month</b>	<b>Monthly Target</b>	<b>Year-to-Date at Month-End Target</b>
October	893	893
November	731	1,624
December	676	2,300
January	740	3,040
February	662	3,702
March	772	4,474
April	776	5,250
May	883	6,133
June	882	7,015
July	945	7,960
August	948	8,908
September	876	9,784
<b>TOTAL</b>	<b>9,784</b>	<b>---</b>

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) 2020 from Carmel River sources per State Water Resources Control Board Order WR 2016-0016 (8,310 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 2020. This combined total (9,784 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.

**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 2021 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)

<b>Month</b>	<b>Monthly Target</b>	<b>Year-to-Date at Month-End Target</b>
October	759	759
November	620	1,378
December	575	1,954
January	629	2,583
February	562	3,145
March	656	3,800
April	659	4,459
May	750	5,210
June	749	5,958
July	803	6,761
August	805	7,566
September	744	8,310
TOTAL	8,310	---

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) 2021 from its Carmel River system sources per State Water Resources Control Board Order WR 2016-0016 (8,310 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.





**ITEM: PUBLIC HEARING****16. CONSIDER ADOPTION OF OCTOBER THROUGH DECEMBER 2020  
QUARTERLY WATER SUPPLY STRATEGY AND BUDGET****Meeting Date:** September 21, 2020 **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:** CEQA Compliance: Notice of Exemption, CEQA, Article 19, Section 15301 (Class 1)**ESA Compliance:** Consistent with the September 2001 and February 2009 Conservation Agreements between the National Marine Fisheries Service and California American Water to minimize take of listed steelhead in the Carmel River and Consistent with SWRCB WR Order Nos. 95-10, 98-04, 2002-0002, and 2016-0016.

**SUMMARY:** The Board will accept public comment and take action on the **October through December 2020** Quarterly Water Supply Strategy and Budget for California American Water's (Cal-Am's) Main System within the Monterey Peninsula Water Resources System (MPWRS). The proposed budget, which are included as **Exhibits 16-A**, shows monthly production by source of supply that is required to meet projected customer demand in Cal-Am's Main System during the **October through December 2020** period. The proposed strategy and budget is designed to maximize the long-term production potential and protect the environmental quality of the Seaside Groundwater and Carmel River Basins.

**Exhibit 16-A** shows the anticipated production by Cal-Am's Main system for each production source and the actual production values for the water year to date through the end of **December 2020**. Cal-Am's annual Main system production for Water Year (WY) 2021 will not exceed 9,784 acre-feet (AF). Sources available to meet customer demand are 1,474 AF from the Coastal Subareas of the Seaside Groundwater Basin as set by the Seaside Basin Adjudication Decision and 8,310 AF from the Carmel River as set by WRO 2016-16. I should be noted that there are several CDO milestones that if missed could potentially reduce the Effective Diversion Limit on the Carmel River by 1,000 AF per missed milestone. There are potentially 2 milestones that could affect WY 2021. The current water budget does not assume these reductions, but they will be taken into account in the future quarters if they are enacted. If production for **September 2020** occurs as planned, Cal-Am will enter WY 2021 with approximately 1,190 AF of carry over ASR storage. This carryover was planned at the WY 2020 4<sup>th</sup> quarter QWB meeting to provide an excess source of water in summer 2021 if conditions are drier than WY 2020. The schedule of production from the Carmel Valley Alluvial Aquifer is consistent with State Water Resources Control Board (SWRCB) Order Nos. 95-10, 98-04, 2002-0002, and 2016-0016. In compliance with WRO 2016-0016, any water diverted under these rights must be used to reduce unlawful diversion from the Carmel River Basin. This Quarterly Water Budget also has Cal-Am

scheduled to produce Pure Water Monterey Water roughly on the schedule that the highly purified water is injected into the Seaside Groundwater Basin.

**RECOMMENDATION:** The Board should receive public input, close the Public Hearing, and discuss the proposed quarterly water supply budget. District staff recommends adoption of the proposed budget. The budget is described in greater detail in **Exhibit 16-B**, Quarterly Water Supply Strategy Report: **October – December 2020**.

**BACKGROUND:** The Water Supply Strategy and Budget prescribes production within Cal-Am's Main and Laguna Seca Subarea systems and is developed on a quarterly schedule. Staff from the District, Cal-Am, the National Marine Fisheries Services (NMFS), State Water Resources Control Board's Division of Water Rights (SWRCB-DWR), and the California Department of Fish and Wildlife (CDFW) cooperatively develop this strategy to comply with regulatory requirements and maximize the environmental health of the resource system while meeting customer demand. To the greatest extent pumping in the Carmel Valley is minimized in the summer months and the Seaside wells are used to meet demand by recovering native water and banked Carmel River water. Also, it was agreed that Cal-Am will operate its wells in the Lower Carmel Valley in a downstream to upstream order.

When flows decline below 20 cfs at the District's Don Juan Gage, Cal-Am will stop production from its Upper Carmel Valley Wells. The permitted diversion season for ASR is between December 1 and May 31. ASR recovery will begin when flows decline to shift production away from the river. Pure Water Monterey recovery will also be used to shift pumping away from the river during the Low-Flow Period and will be recovered roughly at the rate it is injected because the injection of purified water writes down the Effective Diversion Limit for the Carmel River as the water is injected. This schedule is estimated with normal year streamflow conditions and daily demand for Carmel Valley. There is also a projected goal of producing 25 AF of treated brackish groundwater from the Sand City Desalination Plant in each of these three months. The group did discuss reducing this amount, but the majority of the entities decided to keep the goal of 25 AF per month to reduce pumping on the Carmel River to the maximum extent possible.

Rule 101, Section B of the District Rules and Regulations requires that a Public Hearing be held at the time of determination of the District water supply management strategy. Adoption of the quarterly water supply strategy and budget is categorically exempt from the California Environmental Quality Act (CEQA) requirements as per Article 19, Section 15301 (Class 1). A Notice of Exemption will be filed with the Monterey County Clerk's office, pending Board action on this item.

## **EXHIBITS**

**16-A** Quarterly Water Supply Strategy and Budget for Cal-Am Main System: October – December 2020

**16-B** Quarterly Water Supply Strategy and Budget Report: October – December 2020

**California American Water Main Distribution System**  
**Quarterly Water Supply Strategy and Budget: October - December 2020**  
**Proposed Production Targets by Source and Projected Use in Acre-Feet**

SOURCE/USE	MONTH			YEAR-TO-DATE		
	Oct-20	Nov-20	Dec-20	Oct-19 - Aug-20	% of YTD	% of Annual Budget
<b><u>Source</u></b>						
<u>Carmel Valley Aquifer</u>						
Upper Subunits (95-10)	0	0	0	684	NA	NA
Lower Subunits (95-10)	202	198	552	6,180	80.3%	80.2%
Diversions for Injection (ASR)	0	0	145	917	NA	NA
Upper and Lower (Table 13)	0	0	24	153	NA	NA
<b>Total</b>	<b>202</b>	<b>198</b>	<b>721</b>			
<b>Total to count against CDO</b>	<b>202</b>	<b>198</b>	<b>721</b>			
<u>Seaside Groundwater Basin</u>						
Coastal Subareas	366	207	0	1,880	126.8%	103.3%
ASR Recovery	0	0	0	430	107.5%	79.2%
Sand City Desalination	25	25	25	144	52.2%	47.9%
Pure Water Monterey	300	300	100	0	NA	NA
<b>Total</b>	<b>691</b>	<b>532</b>	<b>125</b>			
<b>Total for All Sources</b>	<b>893</b>	<b>730</b>	<b>846</b>			
<b><u>Use</u></b>						
Customer Service (95-10 & SGB)	893	730	677			
ASR Injection	0	0	145			
Customer Service (Table 13)	0	0	24			
<b>Total</b>	<b>893</b>	<b>730</b>	<b>846</b>			

Notes:

1. The annual budget period corresponds to the Water Year, which begins on October 1 and ends on September 30 of the following Calendar Year.
2. Total monthly production for "Customer Service" in CAW's main system was calculated by multiplying total annual production (9,784 AF) times the average percentage of annual production for October, November, and December 9.1%, 7.5%, and 6.7% , respectively). According to District Rule 160, the annual production total was based on the assumption that production from the Coastal Subareas of the Seaside Groundwater Basin would not exceed 1,474 AF and production from Carmel River sources would not exceed 8,310 AF in WY 2021. The average production percentages were based on monthly data for customer service from WY 2013 to 2018.
3. Anticipated production for ASR injection is based on an average diversion rate of approximately 4,500 gallons per minute (gpm) or 19.9 AF per day from CAW's sources in the Carmel River Basin. "Total" monthly CAW "Use" includes water for customer service and water for injection into the Seaside Basin.
4. The production targets for CAW's wells in the Upper Subunits of the Carmel Valley Aquifer are set at 0 assuming low flow periods.
5. The production target for CAW's wells in the Seaside Coastal Subareas in December is based on the assumption that sufficient flow will occur in the Carmel River at the targeted levels, to support ASR injection. It is planned that Coastal Subarea pumping will not occur, or will be proportionally reduced, if ASR injection does not occur at targeted levels.
6. The production targets for CAW's wells in the Seaside Coastal Subareas are based on the need for CAW to produce its full native water allocation during WY 2018 to be in compliance with SWRCB WRO No 2016-0016.
7. It should be noted that monthly totals for Carmel Valley Aquifer sources may be different than those shown in MPWMD Rule 160, Table XV-3. These differences result from monthly target adjustments needed to be consistent with SWRCB WRO 98-04, which describes how the Cal-Am Seaside Wellfield is to be used to offset production in Carmel Valley during low-flow periods. Adjustments are also made to the Quarterly Budgets to ensure that compliance is achieved on an annual basis with MPWMD Rule 160 totals.
8. Table 13 values reflect source/use estimates based on SWRCB Permit 21330, which allows diversions from the CVA for "in Basin use" (3.25 AFD) when flows in the River exceed threshold values.
9. According to SWRCB WRO No 2016-0016, the first 600 AF diverted from the CVAA will count as diversions against the CDO limit.



## **EXHIBIT 16-B**

### **Quarterly Water Supply Strategy and Budget Report California American Water Main Water Distribution System: October – December 2020**

#### **1. Management Objectives**

The Monterey Peninsula Water Management District (District) desires to maximize the long-term production potential and protect the environmental quality of the Carmel River and Seaside Groundwater Basins. In addition, the District desires to maximize the amount of water that can be diverted from the Carmel River Basin and injected into the Seaside Groundwater Basin while complying with the instream flow requirements recommended by the National Marine Fisheries (NMFS) to protect the Carmel River steelhead population. To protect the River, ASR water banked in the winter will be recovered in the summer months. To accomplish these goals, a water supply strategy and budget for production within California American Water's (Cal-Am's) Main water distribution system is reviewed quarterly to determine the optimal strategy for operations, given the current hydrologic and system conditions, and legal constraints on the sources and amounts of water to be produced.

#### **2. Quarterly Water Supply Strategy: October - December 2020**

On September 10, 2020 the Quarterly Water Budget Group met and discussed the proposed water supply strategy and related topics for upcoming quarter. The Group consists of staff from the District, Cal-Am, State Water Resources Control Board's Division of Water Rights (SWRCB-DWR), National Marine Fisheries Services (NMFS), and the California Department of Fish and Wildlife (CDFW)

**Carmel River Basin** Cal-Am will operate its wells in the Lower Carmel Valley in a downstream to upstream sequence, as needed to meet customer demand. For this quarterly water budget, it was agreed that CalAm will continue to produce water from the Lower Valley Wells as required by the "Low Flow" regime. To the maximum extent, pumping will be shifted away from the river wells and Seaside Native Water and recovery of Pure Water Monterey will be used to meet the demand in the fall months. Any new sources of water reduce the water available to be pumped from the river on a one to one basis consistent with SBO 2016-0016. Upon the first storms, MPWMD and Cal-Am will cooperate to begin preparation for ASR season and when instream flow requirements are met, Carmel River water injection will begin. On December 1<sup>st</sup>, ASR permits allow for diversion to injection if instream flow requirements are met.

**Seaside Groundwater Basin** Cal-Am will continue to produce water from the Coastal Subareas of the Seaside Basin during this period, as necessary to meet system demand and reduce pumping from the Carmel River wells. The Water pumped from this area will be a combination of Native Seaside Groundwater and Pure Water Monterey recovery. There is also a goal to produce 25 AF of treated brackish groundwater from the Sand City Desalination Plant in each of these three months. It is recognized that, based on recent

historical use, Cal-Am's production from the Laguna Seca Subarea during this period cannot be reduced to zero, as is set by Cal-Am's allocation specified in the Seaside Basin Adjudication Decision. In this context, the production targets represent the maximum monthly production that should occur so that Cal-Am remains within its adjudicated allocation for the Laguna Seca Subarea. Under the amended Seaside Basin Decision, Cal-Am is allowed to use production savings in the Coastal Subareas to offset over-production in the Laguna Seca Subarea. However, the quarterly budget was developed so that Cal-Am would produce all native groundwater in the Coastal Subareas and Laguna Seca production would be over the Adjudication allotment.

**ITEM: ACTION ITEM****17. CONSIDER FUNDING AND REMEDIATION PLAN FOR PURE WATER MONTEREY BASELINE PROJECT (PHASE 1) INJECTION FACILITIES**

<b>Meeting Date:</b>	<b>September 21, 2020</b>	<b>Budgeted:</b>	<b>No</b>
<b>From:</b>	<b>David J. Stoldt, General Manager</b>	<b>Program/ Line Item No.:</b>	<b>n/a</b>
<b>Prepared By:</b>	<b>David J. Stoldt</b>	<b>Cost Estimate:</b>	<b>\$4,070,000 including 10% contingency</b>

**General Counsel Approval: N/A****Committee Recommendation: The Water Supply Planning Committee has unanimously recommended pursuing a fourth deep well for Pure Water Monterey Phase 1.****The Administrative Committee has unanimously recommended funding a fourth deep well, but has asked for more information.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

---

**SUMMARY:** Final deep well commissioning for Deep Injection Well (DIW)-1 & DIW-2 started on August 17th when the first deep well was taken off-line to begin the swabbing process and final conditioning. Only one existing deep well will be off-line at a time. Final commissioning should be completed by early to mid-October. Test borings for deep wells at two more already approved sites have been completed and indicate good potential.

To ensure adequate long-term recharge capacity, District and Monterey One Water (M1W) staff have recommended a third deep well (DIW-3), and possibly a fourth, to be added to the overall injection well facilities. The additional capacity will help ensure the District does not breach the Water Purchase Agreement delivery guarantees, provide operational flexibility, and create redundancy.

On August 31, 2020 the M1W Board approved proceeding with a third deep well and supports a fourth if the District will participate financially. Two days later, on September 2<sup>nd</sup>, at the District's Water Supply Planning Committee, the Committee recommended pursuing a DIW-4 strategy subject to funding approval by the District Board. At the September 15, 2020 Administrative Committee meeting the Committee unanimously recommended funding of this project, but asked for more information, including the following that staff hopes to be able to report on at the Board meeting:

- If Kennedy Jenks was at the 30% design point when the decision was made to go to two well pairs, yet they fully designed the other two, why is design for DIW 3 & 4 so expensive?

- Was there a 2016 consultants' engineering report that identified the number of injection wells that were determined to be necessary to fully accommodate the water production from the initial phase of Pure Water Monterey that went into the Point of Delivery in the Water Purchase Agreement?
- Was there any record of the decision to go to only 2 well pairs?
- How will the USBR grant be used and what is the impact on the cost of water?
- What is the plan if bids come in higher and what are MPWMD options if they do?

Final design of DIW-3 and the associated mechanical-electrical-instrumentation hardware was advertised for construction on September 8th; the bid package will be called, Injection Wells Phase 3. DIW-4 is being designed and will be added as a bid amendment on or about September 24<sup>th</sup> if the District approves funding

Final design for stabilizing the two existing shallow well pads is nearing completion. Construction of the shallow well improvements is initially being pursued as a change order under the current injection well construction contract. If necessary, the shallow well improvements can also be included in the DIW-3 bid package. Funding for the additional injection well facilities improvements, including DIW-3, is being expedited as a \$6.1M amendment to the existing PWM Clean Water State Revolving Fund (SRF) loan agreement. DIW-4 is not budgeted within the SRF loan amendment.

In the District's FY2020-21 budget, \$3 million was set aside for potential new deep wells. However, as can be seen in the preliminary budget attached as **Exhibit 17-A**, DIW-4 is expected to cost \$3.7 million. (Improved estimates will be provided at the September 15<sup>th</sup> meeting if available.)

M1W has suggested that to minimize budget impacts to the District, they would look to cover some of the construction management, engineering services, and conditioning with their SRF loan, but it is advisable that the District recognize that it may have to pay all or a portion of those costs.

The project is expected to fall across two fiscal years, hence the District could budget the remainder of the cost in next year's budget or in a mid-year budget adjustment. The cost would be paid from the District's Water Supply Charge. The District can later make a decision to attempt to recover its investment in the cost of water, over time, or to leave it as a pay-as-you-go project in the manner of this initial funding proposal. However, current staff recommendation is the latter.

In a positive development, this would represent a District 46%/M1W 54% cost sharing ratio, instead of the traditional 75%/25%.

**RECOMMENDATION:** The Administrative Committee and the Water Supply Planning Committee recommend that the Board approve the funding of DIW-4 at an amount of \$3,700,000 and a 10% contingency (or other amount if new information is available.)



**EXHIBIT****17-A Preliminary Budget for DIW-3 and DIW-4**

U:\staff\Boardpacket\2020\20200921\ActionItems\17\Item-17.docx



**DIW-4 at Well Site 4**

<b>Item</b>	<b>Cost</b>
Construction Cost	\$3,100,000
Final Well Conditioning	\$100,000
Engineering Design	\$201,691
Bid Phase Support	\$0
Engineering Services During Construction	\$132,000
Construction Management	\$127,580
<b>Total</b>	<b>\$3,700,000</b>

**DIW-3 at Well Site 1**

<b>Item</b>	<b>Cost</b>
Construction Cost	\$3,600,000
Final Well Conditioning	\$100,000
Engineering Design	\$205,024
Bid Phase Support	\$20,000
Engineering Services During Construction	\$264,000
Construction Management	\$144,094
<b>Total</b>	<b>\$4,300,000</b>



**ITEM: ACTION ITEM****18. DISCUSS BASELINE FOR WATER SUPPLY CHARGE AND CONSIDER POLICY FOR SUNSET BASED ON USER FEE PERFORMANCE****Meeting Date: September 21, 2020****Budgeted: N/A****From: David J. Stoldt  
General Manager****Program/  
Line Item No.: N/A****Prepared By: David J. Stoldt****Cost Estimate:****General Counsel Approval: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

---

**DISCUSSION:** On January 25, 2016 the California Supreme Court filed its opinion in the suit the District brought against the California Public Utilities Commission (CPUC), determining the CPUC should reinstate the District's User Fee. After protracted discussions with the CPUC and Cal-Am, the Use Fee was finally reinstated in July 2017.

District Ordinance No. 152 which established the Water Supply Charge states in its Section 10.C(b) that the District shall not collect a Water Supply Charge *"to the extent alternative funds are available via a charge collected on the California American Water Company bill."*

At its April 2016 meeting, the District Board approved a plan that encompassed collecting both charges for at least 3 years. This was done for 4 key reasons: (i) the User Fee would primarily fund programs already in Cal-Am surcharges (District conservation and river mitigation), so there is little or unknown "surplus" revenue; (ii) the Monterey Peninsula Taxpayers Association lawsuit over the Water Supply Charge remained unresolved at that time, hence that revenue remained at risk; (iii) there were still large near-term expenditures required on water supply projects; and (iv) Cal-Am had a recent history of significant revenue undercollection, so the viability of the User Fee was at risk until the CPUC rules on a more stable rate design, and the predictability of the User Fee revenue was better known. Collection of the User Fee began in July 2017, hence full collection of both was slated to continue through June 2020, although payment from Cal-Am is usually approximately 45 days in arrears. In its budget deliberations this year, the Board determined collection of both fees is warranted in FY 2020-21 due to ongoing water supply project needs.

To establish a baseline for available surplus User Fee, it is first necessary to determine what the previous Conservation Surcharge and Mitigation Program Surcharge expenses are now being covered by the User Fee.

The previous Conservation Surcharge was used to fund 1 ½ positions in the Water Demand Division and all of the equipment given away to residents (showerheads, aerators, etc.) For the 2020-21 budget year that amount is \$341,728.

The previous Mitigation Program Surcharge was used to fund all of the activities of the District's mitigation cost center. For the 2020-21 budget year that amount is \$6,190,750, but approximately \$2,514,700 is reimbursed from grants or others, leaving a net of \$3,676,050.

Hence, the total of District FY 2020-21 expenses that would previously have been funded through separate surcharges before the User Fee was reinstated is \$4,017,778.

The District adopted a budget for FY 2020-21 with the expectation of \$4,250,000 in User Fee revenue. Therefore, there is just over \$200,000 of "excess" relative to pre-reinstatement conditions. The "excess" could be used to sunset a portion of the Water Supply Charge, but must also be viewed in the context of other competing needs such as other District cost centers, setting of reserves for pension, OPEB, capital replacement, and so forth. Further, the process for adjusting the Water Supply Charge is cumbersome, so minor annual adjustments are not very workable. Certainly, as Cal-Am rates rise, the District's User Fee revenues will rise, creating greater flexibility.

**RECOMMENDATION:** The Board is encouraged to adopt a policy that if User Fee collections in a fiscal year exceed the budget, then the excess will be applied in the following fiscal year budget in the following priority: First, to repay reserves used for water supply project costs; Second, to deposit into a sinking fund to pay off the Mechanic's Bank loan; Third, to build a fund that can be used to offset and sunset the Water Supply Charge.

## **EXHIBITS**

**18-A** Sample Cal-Am Bills Before and After Reinstatement of User Fee

**18-B** Three-Year History of User Fee Collections

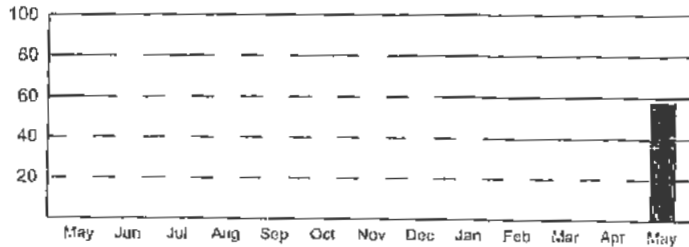
**Meter Reading and Usage Summary**

Meter No.	Measure	Size	From Date	To Date	Previous Read	Current Read	Meter Units	Billing Units	Total Gallons
[REDACTED]	100 gal	5/8"	04/03/2020	05/04/2020	179 (A)	237 (A)	58	58.00	5,800
A = Actual E = Estimate		1 Billing Unit = 100 gallons					Total Gallons:		5,800

**Billed Usage History (graph shown in 100 gallons)**

- 5,800 gallons = usage for this period
- 4,338 gallons = usage for same period last year

2019 2020


 Next Scheduled Read Date: on or about June 02, 2020  
 Account Type: Residential

 Average  
daily use for  
this period is:  
(32 days)

**181**

Year to Date Billed Usage: 20,600 gallons

**Account Detail**

Account No. [REDACTED]

Service To [REDACTED]

Prior Billing	161.53
Payments	-161.53
Total payments as of Apr 28. Thank you!	-161.53
<b>Balance Forward</b>	<b>0.00</b>

**Service Related Charges - 04/03/20 to 05/04/20**

<b>Water Service</b>	<b>93.83</b>
Water Service Charge	21.22
Water Usage Charge (29.9 x \$1.0078)	30.13
(28.1 x \$1.5117)	42.48
<b>Other Charges</b>	<b>31.33</b>
Conservation Surcharge (58 x \$0.0751)	4.36
TCJA ADIT Surcredit	-1.47
Payment Assistance Surcharge Water	1.81
Pre-2015 WRAM Surcharge (1 x \$10.08)	10.08
Post-2015 WRAM/MCBA Surcharge (58 x \$0.2219)	12.87
Consolidated Expense Balancing Account (58 x \$0.0686)	3.98
TCJA ADIT - Plant Surcredit	-0.30

**Total Service Related Charges 125.16**

<b>Pass Through Charges</b>	<b>7.81</b>
MPWMD User Fee (\$93.83 x 8.33%)	7.81
<b>Taxes</b>	<b>2.87</b>
County Franchise Taxes	1.29
Commission Surcharge	1.58
<b>Total Current Period Charges</b>	<b>135.84</b>

**Total Amount Due \$135.84**
**Understanding Your Bill**

The information below defines some of the new terms you may find on your bill:

- Service Related Charges:** This section includes charges for services related to water (or wastewater) service, if applicable, credits and debits for correction to previously billed charges are itemized in this section.
- Fees and Adjustments:** This section provides details related to additional charges or adjustments for the service period referenced. Fees, when applicable, would include items such as service activation and late payment charges.
- Surcharges:** Surcharges are used to recover changes to costs that occur between ratemaking cycles. Common surcharges include Purchased Water, Consolidated Expenses, Conservation, Intervenor Compensation and Payment Assistance.
- Billing Units:** One billing unit equals 100 gallons of water used. If the meter serving your property measures your water use in cubic feet or a different unit of measure, we convert the usage to gallons to make it easier to understand.
- Average Daily Use:** The gallons shown in the water droplet above represent your average daily water use for the current billing period. Tracking the amount of water you use can help you manage your overall water use from month to month.
- Still have questions?** We are here to help. Our customer service representatives are available M-F, 7 a.m. to 7 p.m. More information on understanding your bill and charges can also be found on our website. See the link below.

 For more information about your charges and rates, please visit:  
<https://amwater.com/en/arrates>



# CALIFORNIA AMERICAN WATER

PO Box 7150, Pasadena, CA 91109-7150

For Service To: 9TH LINCOLN N E 52

☐ Check this box for address changes and  
note new address on back.

00010152200039934000000000000005488016

Account Number	[REDACTED]
Due Date	July 31, 2015
Total Due	\$54.88

Amount Enclosed \$

STEPHANIE LOORE

PO BOX 1875

CARMEL, CA 93921-4875

CALIFORNIA AMERICAN WATER

PO BOX 7150

PASADENA, CA 91109-7150



Please tear along the dotted line and return this portion with your payment.

## BILLING PERIOD AND METER READINGS

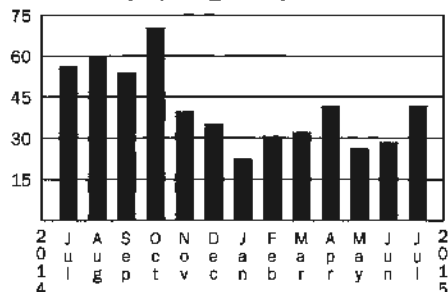
- Billing date: July 9, 2015
- Due Date: **July 31, 2015**
- Billing period: Jun 05 to Jul 07 (33 Days)
- Next reading on or about: Aug 06, 2015
- Customer Type: Residential
- Meter Reading Measurement:  
1 unit = 10 CF or 74.8 gallons of water
- Billing Measurement: 100 gallons (CGL)

Meter No.	[REDACTED]
Size of meter	5/8"
Current Read	4,346 (Actual)
Previous Read	4,290 (Actual)
Total water used this billing period	56 units (4,188 gallons)

## Total Water Use Comparison (in 100 gallons)

- Current billing period 2015: 41.88 CGL
- Same billing period 2014: 56.10 CGL

## Billed Use Graph (100 gallons)



## BILLING SUMMARY

For Service To: [REDACTED]

For Account: [REDACTED]

Prior Balance	
• Balance from last bill	37.67
• Payments as of Jun 15. Thank you!	-37.67

**Balance Forward 0.00**

Current Water Service	
• Water Service Charge	9.67
• Water Usage Charge (\$0.60540000 x 33.66)	20.38
(\$1.08430000 x 8.22)	8.91
<b>Total Water Service Related Charges</b>	<b>38.96</b>

## Other Charges

• Carmel River Mitigation Surcharge (38.96 x 4.64%)	1.81
• Conservation Surcharge (\$0.02450000 x 41.88)	1.03
• Payment Assistance Surcharge Water	1.54
• Consolidated Expense Balancing Account (\$0.08760000 x 41.88)	3.67
• Coastal Water Project Surcharge (38.96 x 15.00%)	5.84
• MPWMD Cnsvn Surcharge	0.40
• Seaside Basin BA Surcharge	0.37
<b>Total Other Charges</b>	<b>14.66</b>

## Taxes

• County Franchise Taxes	0.50
• Commission Surcharge	0.76
<b>Total Taxes</b>	<b>1.26</b>

**TOTAL CURRENT CHARGES 54.88**

**TOTAL AMOUNT DUE ➡ \$54.88**

## Important messages from California American Water

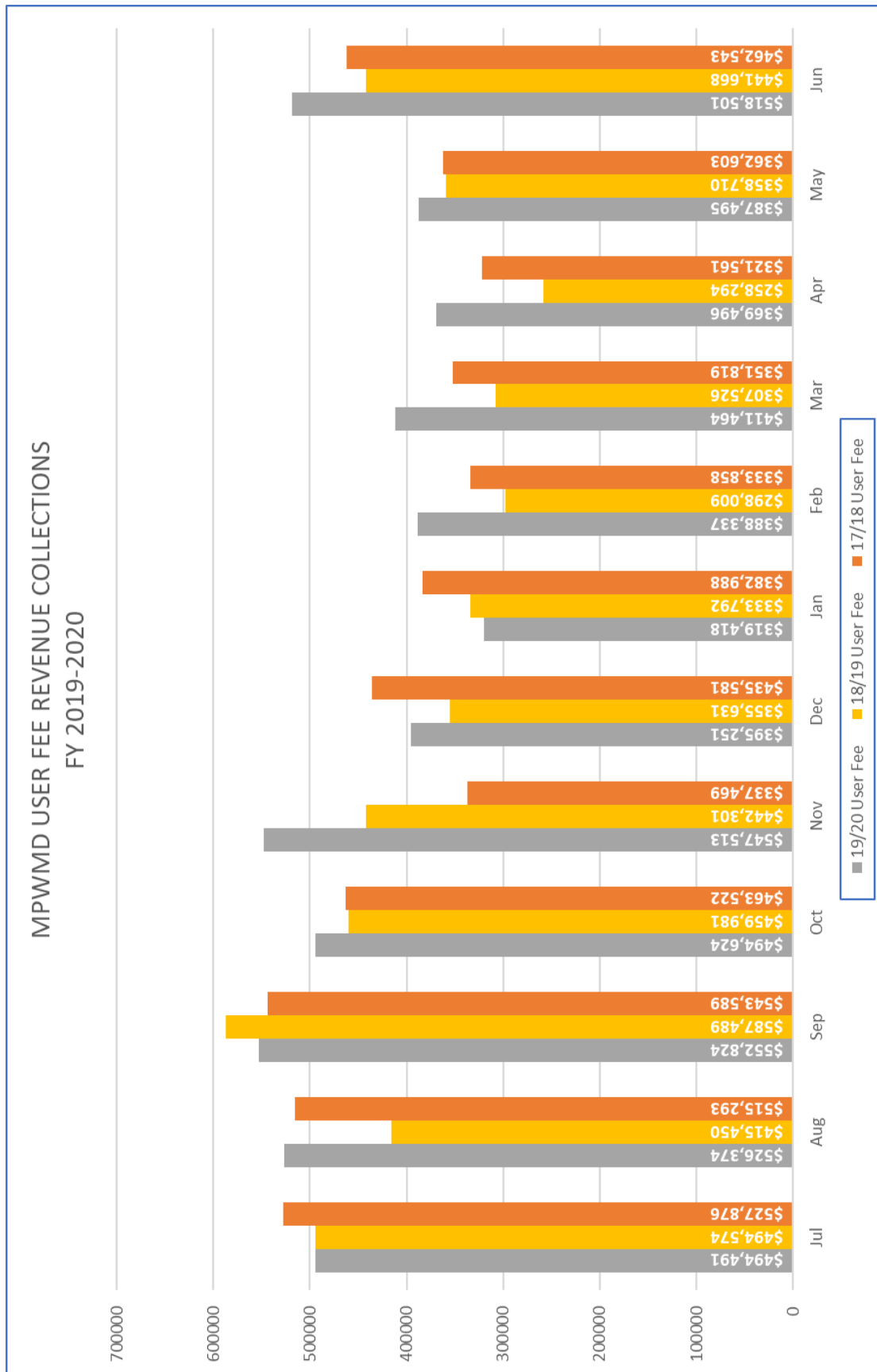
- Tiered Consumption Amount (CGL)
- Tier 1 - 33.66 | Tier 2 - 33.66 | Tier 3 - 33.66 | Tier 4 - 33.66 | Tier 5 - All Other Usage
- Contact California American Water's local conservation department at 831.646.3205 to take advantage of rebates, water wise house calls and more. For more information visit [www.montereywaterinfo.org](http://www.montereywaterinfo.org).
- Go paperless. Reduce clutter with paperless billing, and save time and money with our automatic payment program. These are convenient, secure and environmentally friendly ways to receive and pay your bill. To get started, log on to [www.amwater.com/myh2o](http://www.amwater.com/myh2o).
- The Low Income Discount Program has been revised and eligible customers now receive a 20 percent discount on their water service charge and the first two tiers of the water usage charge.
- We want to help you better understand your water bill - why you are paying the amount you are, and where the money is going. A large part of your water bill is invested directly into the water system to make sure it is reliably delivering quality water when you need it. To learn more, visit [www.californiaamwater.com/aboutyourbill](http://www.californiaamwater.com/aboutyourbill).

Customer Service: **1-888-237-1333**

M-F 7am to 7pm Emergency: 24/7

[www.californiaamwater.com](http://www.californiaamwater.com)  
622500852572



**EXHIBIT 18-B**



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****19. MONTHLY INFORMATIONAL PROGRESS REPORT – SANTA MARGARITA WATER TREATMENT FACILITY.**

**Meeting Date:** September 21, 2020      **Budgeted:** N/A

**From:** David J. Stoldt      **Program/** N/A  
**General Manager**      **Line Item:**

**Prepared By:** Maureen Hamilton      **Cost Estimate:** N/A

**General Counsel Review:** N/A

**Committee Recommendation:** The Administrative Committee reviewed this item on September 15, 2020.

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

---

**SUMMARY:** This progress report is provided for information only, no action is required.

Work conducted after the previous progress report:

- Doors and hardware completed
- Unloading pad installed
- Exterior chemical unloading panels installed
- Installing interior piping and pumps
- Constructed remaining columns to support gates
- Asphalt delivery road and parking installed

No new change orders were issued since the previous progress report.

The Contractor submitted 4 notices of delay due to chemical room electrical strut material backorder, lead time for Motor Control Center main disconnect component added in Change Order 4, 2.5" PVC coated rigid steel electrical fitting backorder, and another Covid 19 infection.

All parties are working to mitigate the delays so that handover to Cal Am happens the end of this month. A startup planning meeting is scheduled for Thursday September 10, 2020.

**EXPENDITURES:**

Base Contract:	\$4,649,400.00
Change Orders:	\$ 108,246.94 (2.3%) <sup>1</sup>
Total:	\$4,757,646.94
 Paid:	 \$2,370,988.50 (50%) <sup>2</sup>

---

<sup>1</sup> Percent of base contract

<sup>2</sup> Percent of base contract plus change orders

**EXHIBIT**

None

U:\staff\Boardpacket\2020\20200921\Informational\Items\19\Item-19.docx

**ITEM: INFORMATIONAL ITEM/STAFF REPORT****20. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER \$25,000**

**Meeting Date:** September 21, 2020      **Budgeted:** N/A

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

**Prepared By:** Suresh Prasad      **Cost Estimate:** N/A

**General Counsel Review:** N/A

**Committee Recommendation:** The Administrative Committee reviewed this item on September 15, 2020.

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

---

**SUMMARY:** Attached for review is **Exhibit 20-A**, monthly status report on contracts over \$25,000 for the period June & July 2020. This status report is provided for information only, no action is required.

**EXHIBIT**

**20-A** Status on District Open Contracts (over \$25k)



**EXHIBIT 20-A**

165

**Monterey Peninsula Water Management District  
Status on District Open Contracts (over \$25K)  
For The Period June 2020**

Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending	Total Expended To Date	Expected Completion	Current Period Activity	P.O. Number
1	Martin B. Feeney, PG, CHG	Construction Management of PWM final well comissioning	8/17/2020	\$ 53,820.00	\$ -	\$ -	\$ -		PO02403
2	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Contract Operations	12/16/2019	\$ 87,000.00		\$ -			PO02398
3	Weston Solutions, Inc.	UXO Support Services	6/15/2020	\$ 26,378.70		\$ -			PO02371
4	Denise Duffy & Assoc. Inc.	CEQA addendum for ASR Parallel Pipeline	4/20/2020	\$ 28,567.00	\$ -	\$ 8,526.00	\$ 8,526.00	Current period billing for CEQA addendum work related to ASR pipeline	PO02363
5	Lynx Technologies, Inc	Geographic Information Systems contractual services	6/15/2020	\$ 35,000.00		\$ -			PO02357
6	Regional Government Services	Human Resouces contractual services	6/15/2020	\$ 70,000.00		\$ -			PO02356
7	DeVeera Inc.	BDR Datto Services Contract FY 2020/2021	9/16/2019	\$ 26,352.00		\$ -			PO02349
8	DeVeera Inc.	IT Managed Services Contract for FY 2020/2021	6/15/2020	\$ 57,012.00		\$ -			PO02348
9	The Ferguson Group LLC	2020-21 - Legislative and Administrative Services	6/15/2020	\$ 99,500.00		\$ -			PO02339
10	JEA & Associates	Contract for Legislative and Administrative Services - FY 20-21	6/15/2020	\$ 35,000.00		\$ -			PO02338
11	MBAS	ASR Water Quality	6/15/2020	\$ 40,000.00		\$ -			PO02330
12	Pueblo Water Resources, Inc.	ASR Operations Support	6/15/2020	\$ 75,000.00		\$ -			PO02320
13	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/MAI Services	6/15/2020	\$ 120,000.00	\$ -	\$ 30,000.00	\$ 30,000.00	Current period billing for appraisal/rate related to phase 2 Measure J	PO02316
14	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Rate Study Phase II	12/16/2019	\$ 200,000.00	\$ 73,293.75	\$ 54,000.00	\$ 127,293.75	Current period billing for appraisal/rate related to phase 2 Measure J	PO02282
15	De Lay & Laredo	Measure J/Rule 19.8 Operations Plan - Phase II	12/16/2019	\$ 145,000.00	\$ -	\$ 14,182.50	\$ 14,182.50	Current period billing for operations plan related to phase 2 Measure J	PO02281
16	University of California, Berkeley	Hastings Ford Removal on Finch Creek	3/16/2020	\$ 100,000.00	\$ -	\$ 100,000.00	\$ 100,000.00	Payment to UC Berkeley related to Hastings Ford removal project	PO02277
17	De Lay & Laredo	Measure J/Rule 19.8 CEQA Services Consultant	12/16/2019	\$ 129,928.00	\$ 99,879.60		\$ 99,879.60		PO02273
18	Rutan & Tucker, LLP	Rule 19.8 Eminent Domain Legal Services Phase II	12/16/2019	\$ 200,000.00	\$ 47,098.50	\$ 28,575.00	\$ 75,673.50	Current period billing for eminent domain work related to phase 2 Measure J	PO02236
19	Norton Rose Fulbright	Cal-Am Desal Structuring & Financing Order	4/20/2015	\$ 307,103.13	\$ 38,557.29		\$ 38,557.29		PO02197
20	Pueblo Water Resources, Inc.	ASR SMWTF Engineering Services During Construction	10/21/2019	\$ 148,100.00	\$ 104,606.31	\$ 12,698.15	\$ 117,304.46	Current period billing related to ASR enginerring services	PO02163
21	Specialty Construction, Inc.	ASR SMWTF Construction	10/21/2019	\$ 4,649,400.00	\$ 1,625,836.57	\$ 740,151.93	\$ 2,365,988.50	Current period billing related to ASR construction management services	PO02162
22	Psomas	ASR Construction Management Services	8/19/2019	\$ 190,280.00	\$ 67,088.94	\$ 65,381.70	\$ 132,470.64	Current period billing related to ASR construction management services	PO02160
23	U.S. Bank Equipment Finance	Copier machine leasing - 60 months	7/15/2019	\$ 52,300.00	\$ 8,759.86	\$ 867.83	\$ 9,627.69	6/30/2024 Current period billing for photocopy machine lease	PO02108
24	Monterey One Water	Supplemental EIR Costs for PWM Expansion Project	3/18/2019	\$ 750,000.00	\$ -		\$ -		PO02095
25	Monterey One Water	Pre-Construction Costs for PWM Expansion Project	11/13/2017	\$ 360,000.00	\$ 312,617.94		\$ 312,617.94		PO02094
26	Deveera Inc.	IT Managed Services	9/16/2019	\$ 46,120.00	\$ 41,508.00	\$ 4,612.00	\$ 46,120.00	6/30/2020 Current period billing for IT managed services	PO02091
27	Hopkins Technical Products, Inc.	ASR Chemical feed skids	8/11/2019	\$ 96,563.14	\$ 81,716.16		\$ 81,716.16		PO02071

# EXHIBIT 20-A

166

## Monterey Peninsula Water Management District Status on District Open Contracts (over \$25K) For The Period June 2020

Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending	Total Expended To Date	Expected Completion	Current Period Activity	P.O. Number
28	Lynx Technologies, Inc	Geographic Information Systems contractual services	6/17/2019	\$ 35,000.00	\$ 15,375.00	\$ 1,650.00	\$ 17,025.00	Current period billing for GIS services	PO02065
29	Regional Government Services	Human Resources contractual services	6/17/2019	\$ 70,000.00	\$ 37,057.85	\$ 4,312.00	\$ 41,369.85	Current period billing for HR services	PO02064
30	Pueblo Water Resources, Inc.	ASR operations support	7/15/2019	\$ 70,000.00	\$ 9,593.48		\$ 9,593.48		PO02063
31	MBAS	ASR Water Quality	7/15/2019	\$ 60,000.00	\$ 37,603.00	\$ 3,350.00	\$ 40,953.00	Current period billing for ASR water quality testing	PO02062
32	TBC Communications & Media	Public Outreach services retainer	6/17/2019	\$ 42,000.00	\$ 28,000.00		\$ 28,000.00		PO02055
33	The Ferguson Group LLC	2019-20 - Legislative and Administrative Services	6/17/2019	\$ 100,000.00	\$ 89,098.30	\$ 8,065.14	\$ 97,163.44	Current period retainer	PO02028
34	John Arriaga	Contract for Legislative and Administrative Services - FY 19-20	6/17/2019	\$ 35,000.00	\$ 27,500.00	\$ 2,500.00	\$ 30,000.00	Current & prior period retainer	PO02026
35	DUDEK	Consulting Services for Prop 1 grant proposal	4/15/2019	\$ 95,600.00	\$ 94,315.05		\$ 94,315.05		PO01986
36	Denise Duffy & Associates	Consulting Services IRWM plan update	12/17/2018	\$ 55,000.00	\$ 53,322.32		\$ 53,322.32		PO01985
37	Colantuono, Highsmith, & Whatley, PC	Legal Services for MCWD vs PUC Matter for FY 2018-2019	7/1/2018	\$ 60,000.00	\$ 54,628.80		\$ 54,628.80	6/30/2020	PO01874
38	Ecology Action of Santa Cruz	IRWM HEART Grant	4/16/2018	\$ 152,600.00	\$ 86,362.33		\$ 86,362.33		PO01824
39	Pueblo Water Resources, Inc.	ASR Backflush Basin Expansion, CM services	7/16/2018	\$ 96,034.00	\$ 68,919.39		\$ 68,919.39		PO01778
40	Rural Community Assistance Corporation	IRWM DAC Needs Assessment	4/16/2018	\$ 100,000.00	\$ 69,095.92		\$ 69,095.92		PO01777
41	Mercer-Fraser Company	Sleepy Hollow Intake upgrade project	7/16/2018	\$ 1,802,835.00	\$ 1,786,834.91		\$ 1,786,834.91		PO01726
42	Fort Ord Reuse Authority	ASR Backflush basin expansion project UXO support	7/16/2018	\$ 55,215.00	\$ 8,241.72		\$ 8,241.72		PO01686
43	Pueblo Water Resources, Inc.	ASR operations support	1/24/2018	\$ 70,000.00	\$ 68,652.56		\$ 68,652.56		PO01645
44	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	\$ 68,679.00	\$ 36,795.25		\$ 36,795.25		PO01628
45	Big Sur Land Trust	Update of the IRWMP Plan	4/16/2018	\$ 34,000.00	\$ 12,305.67		\$ 12,305.67		PO01620
46	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	\$ 94,437.70	\$ 44,318.11		\$ 44,318.11		PO01510
47	Normandeau Associates, Inc.	Assistance with IFIM Study	11/13/2017	\$ 35,000.00	\$ 24,050.00		\$ 24,050.00		PO01509
48	Accela Inc.	Acquisition of Water Demand Database System	11/13/2017	\$ 676,377.00	\$ 669,227.81		\$ 669,227.81	6/30/2020	PO01471
49	Balance Hydrologics, Inc	Design Work for San Carlos Restoration Project	6/19/2017	\$ 51,360.00	\$ 50,894.32		\$ 50,894.32		PO01321
50	AECOM Technical Services, Inc.	Los Padres Dam Alternatives Study	1/25/2017	\$ 700,700.00	\$ 505,766.50		\$ 505,766.50		PO01268
51	Denise Duffy & Assoc. Inc.	MMRP Services for Monterey Pipeline	1/25/2017	\$ 80,000.00	\$ 73,144.06		\$ 73,144.06		PO01202
52	Goodin, MacBride, Squeri, Day, Lamprey	User Fee PUC Proceedings Legal Fee	7/1/2016	\$ 50,000.00	\$ 33,411.85		\$ 33,411.85	6/30/2020	PO01100
53	Whitson Engineers	Carmel River Thawleg Survey	9/19/2018	\$ 52,727.43	\$ 49,715.00		\$ 49,715.00		PO01076
54	HDR Engineering, Inc.	Los Padres Dam Fish Passage Study	4/18/2016	\$ 310,000.00	\$ 295,003.20	\$ 14,748.51	\$ 309,751.71	Current period billing for LP Dam fish passage study	PO01072



**EXHIBIT 20-A**

167

**Monterey Peninsula Water Management District  
Status on District Open Contracts (over \$25K)  
For The Period June 2020**

Contract		Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending	Total Expended To Date	Expected Completion	Current Period Activity	P.O. Number
55	Michael Hutnak	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 71,800.00	\$ 64,080.00	\$ 1,800.00	\$ 65,880.00		Current period billing for GS Flow modeling work	PO00123
56	Justin Huntington	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 59,480.00	\$ 53,918.98		\$ 53,918.98			PO00122

# EXHIBIT 20-A

168

## Monterey Peninsula Water Management District Status on District Open Contracts (over \$25K) For The Period July 2020

Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending	Total Expended To Date	Expected Completion	Current Period Activity	P.O. Number
1	Martin B. Feeney, PG, CHG	Construction Management of PWM final well comissioning	8/17/2020	\$ 53,820.00	\$ -	\$ -	\$ -		PO02403
2	De Lay & Laredo	Measure J/Rule 19.8 3rd Party Operations Phase II	12/16/2019	\$ 87,000.00	\$ -	\$ -	\$ -		PO02398
3	Salinas Valley Ford	Ford F150 4x4 Truck	2/19/2020	\$ 33,000.00	\$ -	\$ 30,070.91	\$ 30,070.91	Purchase of new Ford F-150 truck	PO02386
4	Weston Solutions, Inc.	UXO Support Services	6/15/2020	\$ 26,378.70	\$ -	\$ -	\$ -		PO02371
5	Denise Duffy & Assoc. Inc.	CEQA addendum for ASR Parallel Pipeline	4/20/2020	\$ 28,567.00	\$ 8,526.00	\$ -	\$ 8,526.00		PO02363
6	Lynx Technologies, Inc	Geographic Information Systems contractual services	6/15/2020	\$ 35,000.00	\$ -	\$ -	\$ -		PO02357
7	Regional Government Services	Human Resouces contractual services	6/15/2020	\$ 70,000.00	\$ -	\$ 5,945.00	\$ 5,945.00	Current period billing for GIS services	PO02356
8	DeVeera Inc.	BDR Datto Services Contract FY 2020/2021	9/16/2019	\$ 26,352.00	\$ -	\$ 2,196.00	\$ 2,196.00	Current period billing for IT backup services	PO02349
9	DeVeera Inc.	IT Managed Services Contract for FY 2020/2021	6/15/2020	\$ 57,012.00	\$ -	\$ 4,751.00	\$ 4,751.00	Current period billing for IT managed services	PO02348
10	PERS Retirement	CalPERS Annual Unfunded Accrued Liability	7/1/2020	\$ 392,200.00	\$ -	\$ 392,200.00	\$ 392,200.00	Payment for District unfunded costs for 20-21	PO02341
11	The Ferguson Group LLC	2020-21 - Legislative and Administrative Services	6/15/2020	\$ 99,500.00	\$ -	\$ 8,000.00	\$ 8,000.00	Current period retainer billing	PO02339
12	JEA & Associates	Contract for Legislative and Administrative Services - FY 20-21	6/15/2020	\$ 35,000.00	\$ -	\$ 2,500.00	\$ 2,500.00	Current period retainer billing	PO02338
13	MBAS	ASR Water Quality	6/15/2020	\$ 40,000.00	\$ -	\$ -	\$ -		PO02330
14	Pueblo Water Resources, Inc.	ASR Operations Support	6/15/2020	\$ 75,000.00	\$ -	\$ -	\$ -		PO02320
15	SDRMA - Workers Comp Ins	SDRMA 2020-2021 Workers' Compensation Premium	7/1/2020	\$ 80,504.35	\$ -	\$ 80,504.35	\$ 80,504.35	Payment for District w/comp insurance premium for 20-21	PO02318
16	SDRMA - Prop & Liability Pkg	SDRMA 2020-2021 Property/Liability Premium	7/1/2020	\$ 96,278.52	\$ -	\$ 96,278.52	\$ 96,278.52	Payment for District property/liability insurance premium for 20-21	PO02317
17	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/MAI Services	6/15/2020	\$ 120,000.00	\$ 30,000.00	\$ -	\$ 30,000.00		PO02316
18	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Rate Study Phase II	12/16/2019	\$ 200,000.00	\$ 127,293.75	\$ 17,381.25	\$ 144,675.00	Current period billing for appraisal/rate related to phase 2 Measure J	PO02282
19	De Lay & Laredo	Measure J/Rule 19.8 Operations Plan - Phase II	12/16/2019	\$ 145,000.00	\$ 14,182.50	\$ -	\$ 14,182.50		PO02281
20	De Lay & Laredo	Measure J/Rule 19.8 CEQA Services Consultant	12/16/2019	\$ 129,928.00	\$ 99,879.60	\$ 4,417.49	\$ 104,297.09	Current period billing for CEQA work related to phase 2 Measure J	PO02273
21	Rutan & Tucker, LLP	Rule 19.8 Eminent Domain Legal Services - Phase II	12/16/2019	\$ 200,000.00	\$ 75,673.50	\$ 15,037.50	\$ 90,711.00	Current period billing for eminent domain work related to phase 2 Measure J	PO02236
22	Norton Rose Fulbright	Cal-Am Desal Structuring & Financing Order	4/20/2015	\$ 307,103.13	\$ 38,557.29	\$ -	\$ 38,557.29		PO02197
23	Pueblo Water Resources, Inc.	ASR SMWTF Engineering Services During Construction	10/21/2019	\$ 148,100.00	\$ 117,304.46	\$ -	\$ 117,304.46		PO02163
24	Specialty Construction, Inc.	ASR SMWTF Construction	10/21/2019	\$ 4,649,400.00	\$ 2,365,988.50	\$ 521,227.95	\$ 2,887,216.45	Current period billing related to ASR construction management services	PO02162
25	Psomas	ASR Construction Management Services	8/19/2019	\$ 190,280.00	\$ 132,470.64	\$ -	\$ 132,470.64		PO02160
26	U.S. Bank Equipment Finance	Copier machine leasing - 60 months	7/15/2019	\$ 52,300.00	\$ 9,627.69	\$ 871.82	\$ 10,499.51	6/30/2024 Current period billing for photocopy machine lease	PO02108
27	Monterey One Water	Supplemental EIR Costs for PWM Expansion Project	3/18/2019	\$ 750,000.00	\$ -	\$ -	\$ -		PO02095

# EXHIBIT 20-A

169

## Monterey Peninsula Water Management District Status on District Open Contracts (over \$25K) For The Period July 2020

Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending	Total Expended To Date	Expected Completion	Current Period Activity	P.O. Number
28	Monterey One Water	Pre-Construction Costs for PWM Expansion Project	11/13/2017	\$ 360,000.00	\$ 312,617.94		\$ 312,617.94		PO02094
29	Hopkins Technical Products, Inc.	ASR Chemical feed skids	8/11/2019	\$ 96,563.14	\$ 81,716.16		\$ 81,716.16		PO02071
30	Pueblo Water Resources, Inc.	ASR operations support	7/15/2019	\$ 70,000.00	\$ 9,593.48	\$ 13,650.00	\$ 23,243.48	Current period billing related to ASR operations support	PO02063
31	MBAS	ASR Water Quality	7/15/2019	\$ 60,000.00	\$ 40,953.00		\$ 40,953.00		PO02062
32	TBC Communications & Media	Public Outreach services retainer	6/17/2019	\$ 42,000.00	\$ 28,000.00		\$ 28,000.00		PO02055
33	DUDEK	Consulting Services for Prop 1 grant proposal	4/15/2019	\$ 95,600.00	\$ 94,315.05		\$ 94,315.05		PO01986
34	Denise Duffy & Associates	Consulting Services IRWM plan update	12/17/2018	\$ 55,000.00	\$ 53,322.32		\$ 53,322.32		PO01985
35	Colantuono, Highsmith, & Whatley, PC	Legal Services for MCWD vs PUC Matter for FY 2018-2019	7/1/2018	\$ 60,000.00	\$ 54,628.80		\$ 54,628.80	6/30/2020	PO01874
36	Ecology Action of Santa Cruz	IRWM HEART Grant	4/16/2018	\$ 152,600.00	\$ 86,362.33		\$ 86,362.33		PO01824
37	Pueblo Water Resources, Inc.	ASR Backflush Basin Expansion, CM services	7/16/2018	\$ 96,034.00	\$ 68,919.39		\$ 68,919.39		PO01778
38	Rural Community Assistance Corporation	IRWM DAC Needs Assessment	4/16/2018	\$ 100,000.00	\$ 69,095.92		\$ 69,095.92		PO01777
39	Mercer-Fraser Company	Sleepy Hollow Intake upgrade project	7/16/2018	\$ 1,802,835.00	\$ 1,786,834.91		\$ 1,786,834.91		PO01726
40	Fort Ord Reuse Authority	ASR Backflush basin expansion project UXO support	7/16/2018	\$ 55,215.00	\$ 8,241.72		\$ 8,241.72		PO01686
41	Pueblo Water Resources, Inc.	ASR operations support	1/24/2018	\$ 70,000.00	\$ 68,652.56		\$ 68,652.56		PO01645
42	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	\$ 68,679.00	\$ 36,795.25		\$ 36,795.25		PO01628
43	Big Sur Land Trust	Update of the IRWMP Plan	4/16/2018	\$ 34,000.00	\$ 12,305.67		\$ 12,305.67		PO01620
44	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	\$ 94,437.70	\$ 44,318.11		\$ 44,318.11		PO01510
45	Normandeau Associates, Inc.	Assistance with IFIM Study	11/13/2017	\$ 35,000.00	\$ 24,050.00		\$ 24,050.00		PO01509
46	Accela Inc.	Acquisition of Water Demand Database System	11/13/2017	\$ 676,377.00	\$ 669,227.81		\$ 669,227.81	6/30/2020	PO01471
47	Balance Hydrologics, Inc	Design Work for San Carlos Restoration Project	6/19/2017	\$ 51,360.00	\$ 50,894.32		\$ 50,894.32		PO01321
48	AECOM Technical Services, Inc.	Los Padres Dam Alternatives Study	1/25/2017	\$ 700,700.00	\$ 505,766.50		\$ 505,766.50		PO01268
49	Denise Duffy & Assoc. Inc.	MMRP Services for Monterey Pipeline	1/25/2017	\$ 80,000.00	\$ 73,144.06		\$ 73,144.06		PO01202
50	Goodin,MacBride,Squeri,Day,Lamprey	User Fee PUC Proceedings Legal Fee	7/1/2016	\$ 50,000.00	\$ 33,411.85		\$ 33,411.85	6/30/2020	PO01100
51	Whitson Engineers	Carmel River Thawleg Survey	9/19/2018	\$ 52,727.43	\$ 49,715.00		\$ 49,715.00		PO01076
52	HDR Engineering, Inc.	Los Padres Dam Fish Passage Study	4/18/2016	\$ 310,000.00	\$ 309,751.71		\$ 309,751.71		PO01072
53	Michael Hutnak	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 71,800.00	\$ 65,880.00		\$ 65,880.00		PO00123
54	Justin Huntington	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 59,480.00	\$ 53,918.98		\$ 53,918.98		PO00122



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****21. STATUS REPORT ON MEASURE J/RULE 19.8 PHASE II SPENDING****Meeting Date:** September 21, 2020 **Budgeted:** N/A**From:** David J. Stoldt,  
General Manager **Program/** N/A  
**Line Item No.:****Prepared By:** Suresh Prasad **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** The Administrative Committee reviewed this item on September 15, 2020.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

---

**SUMMARY:** Attached for review is **Exhibit 21-A**, monthly status report on Measure J/Rule 19.8 Phase II spending for the period June & July 2020. This status report is provided for information only, no action is required.

**EXHIBIT****21-A** Status on Measure J/Rule 19.8 Spending



**Monterey Peninsula Water Management District  
Status on Measure J/Rule 19.8 Spending Phase II  
For the Period June 2020**

	<b>Contract</b>	<b>Date Authorized</b>	<b>Contract/Approved Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
1	Eminent Domain Legal Counsel	12/16/2019	\$ 225,000.00	\$ 47,098.50	\$ 28,575.00	\$ 75,673.50	\$ 149,326.50	PA00005-01
2	CEQA Work	12/16/2019	\$ 129,928.00	\$ 99,879.60		\$ 99,879.60	\$ 30,048.40	PA00005-02
3	Appraisal Services	12/16/2019	\$ 200,000.00	\$ 73,293.75	\$ 54,000.00	\$ 127,293.75	\$ 72,706.25	PA00005-03
4	Operations Plan	12/16/2019	\$ 145,000.00	\$ -	\$ 14,182.50	\$ 14,182.50	\$ 130,817.50	PA00005-04
5	District Legal Counsel	12/16/2019	\$ 40,000.00	\$ 18,541.53	\$ 17,365.49	\$ 35,907.02	\$ 4,092.98	PA00005-05
6	MAI Appraiser	12/16/2019	\$ 35,000.00	\$ -	\$ 30,000.00	\$ 30,000.00	\$ 5,000.00	PA00005-06
7	Jacobs Engineering	12/16/2019	\$ 87,000.00	\$ -	\$ 51,686.78	\$ 51,686.78	\$ 35,313.22	PA00005-07
6	Contingency/Miscellaneous/Uncommitted	12/16/2019	\$ 379,072.00	\$ -	\$ 968.79	\$ 968.79	\$ 378,103.21	PA00005-20
	<b>Total</b>		<b>\$ 1,241,000.00</b>	<b>\$ 238,813.38</b>	<b>\$ 196,778.56</b>	<b>\$ 435,591.94</b>	<b>\$ 805,408.06</b>	

**Monterey Peninsula Water Management District  
Status on Measure J/Rule 19.8 Spending Phase II  
For the Period July 2020**

	<b>Contract</b>	<b>Date Authorized</b>	<b>Contract/Approved Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
1	Eminent Domain Legal Counsel	12/16/2019	\$ 225,000.00	\$ 75,673.50	\$ 15,037.50	\$ 90,711.00	\$ 134,289.00	PA00005-01
2	CEQA Work	12/16/2019	\$ 129,928.00	\$ 99,879.60	\$ 4,417.49	\$ 104,297.09	\$ 25,630.91	PA00005-02
3	Appraisal Services	12/16/2019	\$ 200,000.00	\$ 127,293.75	\$ 17,381.25	\$ 144,675.00	\$ 55,325.00	PA00005-03
4	Operations Plan	12/16/2019	\$ 145,000.00	\$ 14,182.50		\$ 14,182.50	\$ 130,817.50	PA00005-04
5	District Legal Counsel	12/16/2019	\$ 40,000.00	\$ 35,907.02	\$ 8,516.99	\$ 44,424.01	\$ (4,424.01)	PA00005-05
6	MAI Appraiser	12/16/2019	\$ 35,000.00	\$ 30,000.00		\$ 30,000.00	\$ 5,000.00	PA00005-06
7	Jacobs Engineering	12/16/2019	\$ 87,000.00	\$ 51,686.78		\$ 51,686.78	\$ 35,313.22	PA00005-07
6	Contingency/Miscellaneous/Uncommitted	12/16/2019	\$ 379,072.00	\$ 968.79	\$ 121.61	\$ 1,090.40	\$ 377,981.60	PA00005-20
	<b>Total</b>		<b>\$ 1,241,000.00</b>	<b>\$ 435,591.94</b>	<b>\$ 45,474.84</b>	<b>\$ 481,066.78</b>	<b>\$ 759,933.22</b>	



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****22. LETTERS RECEIVED****Meeting Date:** September 21, 2020 **Budgeted:** N/A**From:** David J. Stoldt,  
General Manager **Program/** N/A  
**Line Item No.:****Prepared By:** Arlene Tavani **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

A list of letters submitted to the Board of Directors or General Manager and received between August 13, 2020 and September 14, 2020 is shown below. The purpose of including a list of these letters in the Board packet is to inform the Board and interested citizens. Copies of the letters are available for public review at the District office. If a member of the public would like to receive a copy of any letter listed, please contact the District office. Reproduction costs will be charged. The letters can also be downloaded from the District's web site at [www.mpwmd.net](http://www.mpwmd.net).

<b>Author</b>	<b>Addressee</b>	<b>Date</b>	<b>Topic</b>
Winston Stromberg	MPWMD Board	8/17/20	Agenda Item 11, August 17, 2020 MPWMD Board Meeting – Pure Water Monterey Expansion Lead Agency Status
Susan Schiavone	MPWMD Board	8/25/20	Agenda Item 10, August 17, 2020, Water for Near-Term Housing Needs



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****23. COMMITTEE REPORTS**

<b>Meeting Date:</b>	<b>September 21, 2020</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</b>
<b>Prepared By:</b>	<b>Arlene Tavani</b>	<b>Cost Estimate:</b>	<b>N/A</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.**

---

Attached for your review as **Exhibits 23-A through 23-C**, are final minutes of the committee meetings listed below.

**EXHIBITS**

**23-A** August 15, 2020 Administrative Committee Meeting Minutes  
**23-B** August 8, 2020 Water Supply Planning Committee Meeting Minutes  
**23-C** July 27, 2020 Public Outreach Committee Meeting Minutes





### **EXHIBIT 23-A**

#### **FINAL MINUTES**

#### **Monterey Peninsula Water Management District Administrative Committee *August 11, 2020***

#### **Call to Order**

The meeting was called to order at 4:00 PM via WebEx.

Committee members present: Jeanne Byrne – Chair  
Alvin Edwards  
Molly Evans

Staff present: David Stoldt, General Manager  
Suresh Prasad, Administrative Services Manager/Chief Financial Officer  
Jonathan Lear, Water Resources Manager  
Thomas Christensen, Environmental Resources Manager  
Sara Reyes, Sr. Office Specialist

#### **Comments from Public**

None

#### **Action Items**

##### **1. Consider Adoption of July 14, 2020 Administrative Committee Meeting**

On a motion by Edwards and second by Evans, the minutes of the July 14, 2020 Committee meeting were approved 3 – 0 by a roll call vote.

#### **Consent Calendar**

On a motion by Evans and second by Edwards, the committee voted to pull the items on the Consent Calendar and discuss individually. The motion was approved on a 3 – 0 roll call vote by Evans, Edwards and Byrne.

##### **2. Consider Expenditure to Contract for Construction and Related Services to Complete the Carmel River Steelhead Resistance Board Weir Project**

On a motion by Byrne and second by Evans, the committee voted to recommend the Board authorize the General Manager to enter into a contract with FISHBIO for construction of the Carmel River Steelhead Resistance Board Weir Project at bid cost plus 10% contingency (not-to-exceed \$130,000). The motion was approved 2 – 1 by a roll call vote. Edwards voted against the motion.

##### **3. Consider Authorizing the General Manager to Enter Into a Contract with Martin Feeney to Perform Project Management for the Final Condition of the Pure Water Monterey Injection Well Field**

On a motion by Edwards and second by Evans, the committee voted to recommend the Board authorize the General Manager to enter into an agreement with Martin Feeney, not-to-exceed

\$53,820 to project manage the final commissioning of the Pure Water Monterey Well Field. The motion was approved 3 – 0 by a roll call vote.

#### **Informational Items**

**4. Monthly Progress Report – Santa Margarita Water Treatment Facility**

This item was presented as information to the committee. No action was required or taken by the committee.

**5. Review Draft August 17, 2020 Closed Session Meeting Agenda**

No changes were made by the committee.

**6. Review Draft August 17, 2020 Regular Board Meeting Agenda**

General Manager Dave Stoldt reported that Item 9 from the draft agenda will be moved to a future Board meeting. No changes were made by the committee.

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

No items were presented.

#### **Adjournment**

The meeting adjourned at 4:55 PM.

U:\staff\Boardpacket\2020\20200921\InformationalItems\23\Item-23-Exh-A.docx



### **EXHIBIT 23-B**

#### **FINAL MINUTES**

#### **Water Supply Planning Committee of the Monterey Peninsula Water Management District *August 3, 2020***

**Call to Order:** The WebEx virtual meeting was called to order at 4:00 pm.

**Committee members present:** George Riley, Chair  
Mary Adams  
Molly Evans

**Committee members absent:** None

**District Counsel present** David Laredo, DeLay and Laredo

**Staff members present:** David J. Stoldt, General Manager  
Jonathan Lear, Water Resources Division Manager  
Thomas Christensen, Environmental Resources Div. Mgr.  
Arlene Tavani, Executive Assistant

#### **Comments from the Public:**

#### **Action Items**

1. **Consider Adoption of July 6, 2020 Committee Meeting Minutes**  
On a motion by Evans and seconded by Adams, minutes of the July 6, 2020 meeting were approved with one amendment: list the names of committee members present as Riley, Evans and Adams. The motion was approved on a unanimous vote of 3 – 0 by Evans, Adams and Riley.

#### **Discussion Items**

2. **Discussion Water Rights Permits 20808A, B, and C Strategy and Status**  
General Manager Stoldt and Jonathan Lear responded to questions from the committee. There were no objections expressed to the strategy for working with the State Water Resources Control Board on licensing water rights Permits 20808A and 20208C and petitioning for an exemption of time to show beneficial use for permit 20208B. Counsel Laredo stated that it was important for the District to show due diligence in working to retain or modify the water rights. The SWRCB could revoke or reduce unutilized water rights. No public comment was presented on this item.
3. **Update on Pure Water Monterey Project (PWM)**  
Stoldt reported that efforts had been focused on commissioning of the well field and

going out to bid for work associated with development of a third deep well. Work was underway at two well sites to identify the optimal site for the new deep well. It was possible that a fourth deep well would be needed in order to achieve maximum production from PWM. Monterey One Water may be able to reopen the State Revolving Loan in order to fund construction of the well(s). The District informed California-American Water (Cal-Am) that the performance start date would be September 1, 2020. Cal-Am must file a Tier 2 letter to advise customers 30 days in advance that a purchase water surcharge would appear on their monthly billing statements. The District must purchase the water from M1 Water for \$2,442 per acre-foot and then sell it to California American Water for \$1720 per acre-foot. However, there is a true-up mechanism allowed by the CPUC, that could be implemented in the next fiscal-year. Stoldt stated that the 1,000 acre-feet reserve should be injected by August 31, 2020. No public comment was presented.

**4. Update on Carmel River SGMA Discussion with State**

Stoldt provided an overview of the issue that was outlined in the staff report. He explained that the District needed the State Water Resources Control Board to reaffirm that surface water in the Carmel Valley Aquifer was not regulated under the Sustainable Groundwater Management Act and no Groundwater Management Plan is required. No public comment was presented.

**5. Update on ASR Project**

Jon Lear reported that construction on the water treatment facility continued with installation of internal piping, tanks, chemical injectors, and doors. Cal-Am would complete installation of computer systems within the next two weeks. He estimated that approximately \$15 to \$16 million had been spent on the ASR project.

**Information Item**

**6. Notification of Award – Proposition No. 1 IRWM Implementation Grant**

Stoldt referred to the July 7, 2020 letter from the Department of Water Resources stating the District had been awarded a 2.3 million Proposition 1 IRWM Implementation Grant. The grant funds are to be used by the District and the stakeholder entities that comprise the planning region.

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

(a) Report on the potential use of water rights permit No. 21330; (b) Provide clarification on how the proposed bypass pipeline would be utilized; and (c) Status on revisiting the District's arrangement with Monterey One Water regarding the PWM project.

**Adjournment:** The meeting was adjourned at 4:55 pm.





### **EXHIBIT 23-C**

#### **FINAL MINUTES**

#### **Monterey Peninsula Water Management District Public Outreach Committee July 27, 2020**

#### **Call to Order**

The meeting was called to order at 3:30 pm in the Water Management District conference room.

Committee members present: Mary Adams - Chair  
Alvin Edwards  
George Riley

Committee members absent: None

District staff members present: David Stoldt, General Manager  
Stephanie Locke, Water Demand Manager  
Arlene Tavani, Executive Assistant

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

#### **Action Items**

1. **Consider Adoption of June 3, 2020 Committee Meeting Minutes**  
On a motion by Edwards and second of Riley, the minutes were adopted on a unanimous vote of 3 – 0 by Edwards, Riley, and Adams.
2. **Consider Recommendation to the Board of Directors re Selection of a Public Outreach Consultant**  
Riley offered a motion that was seconded by Edwards to submit this item for consideration to the Board of Directors without a recommendation. The motion was approved on a unanimous vote of 3 – 0 by Riley, Edwards, and Adams. Committee Chair Adams requested that this item be considered at the July 31, 2020 Special Board meeting.

Public Comment: **(a) Phil Wellman**, Strategic Brand Marketing & Advertising, stated that it will be important to build trust within the community in the District's ability to manage the water supply. He advised that he has worked with public agencies, non-profits, and private companies within Monterey County, and that his prior work with the Measure J campaign would have no direct bearing on work he would do for the District. **(b) Terry Feinberg**, Strategy Marketing Planning, stated that he had many years' experience working with private companies and government entities. He explained that running a one-man shop frees him to focus on strategic communications, media, and public relations and to work with creative people who charge lower rates than the large companies.

#### **Discussion**

3. **Suggest Items to be Placed on Future Agendas**  
(1) The committee should discuss development of a position on the desalination project for

presentation to the California Coastal Commission. The committee could decide in what format the statement should be presented: in person or by letter. The committee's recommendation would be submitted to the Board for consideration. (2) Determine what the Committee's and/or Board of Directors' role would be in carrying out the public outreach plan proposed by the consultant.

Public Comment: **(a) Phil Wellman** suggested that at the July 31, 2020 Special Board meeting, each of the three public outreach consultants under consideration be given the opportunity to make a short presentation. **(b) Terry Feinberg** asked if the applicants could submit a supplemental addendum to their submissions. *Committee Chair Adams stated that no supplemental information should be submitted, but a brief presentation to the Board from each applicant on July 31, 2020 would be appropriate.*

### **Adjournment**

The meeting was adjourned at 5:15 pm.

U:\staff\Boardpacket\2020\20200921\Informational\Items\23\Item-23-Exh-C.docx

**ITEM: INFORMATIONAL ITEM/STAFF REPORT****24. MONTHLY ALLOCATION REPORT****Meeting Date:** September 21, 2020 **Budgeted:** N/A**From:** David J. Stoldt,  
General Manager **Program:** N/A  
**Line Item No.:****Prepared By:** Gabriela Bravo **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

**SUMMARY:** As of August 31, 2020, a total of **26.557** acre-feet (**7.7%**) of the Paralta Well Allocation remained available for use by the Jurisdictions. Pre-Paralta water in the amount of **35.036** acre-feet is available to the Jurisdictions, and **28.839** acre-feet is available as public water credits.

**Exhibit 24-A** shows the amount of water allocated to each Jurisdiction from the Paralta Well Allocation, the quantities permitted in August 2020 (“changes”), and the quantities remaining. The Paralta Allocation no debits in August 2020.

**Exhibit 24-A** also shows additional water available to each of the Jurisdictions. Additional water from expired or canceled permits that were issued before January 1991 are shown under “PRE-Paralta.” Water credits used from a Jurisdiction’s “public credit” account are also listed. Transfers of Non-Residential Water Use Credits into a Jurisdiction’s Allocation are included as “public credits.” **Exhibit 24-B** shows water available to Pebble Beach Company and Del Monte Forest Benefited Properties, including Macomber Estates, Griffin Trust. Another table in this exhibit shows the status of Sand City Water Entitlement and the Malpaso Water Entitlement.

**BACKGROUND:** The District’s Water Allocation Program, associated resource system supply limits, and Jurisdictional Allocations have been modified by a number of key ordinances. These key ordinances are listed in **Exhibit 24-C**.

**EXHIBITS****24-A** Monthly Allocation Report**24-B** Monthly Entitlement Report**24-C** District’s Water Allocation Program Ordinances



**EXHIBIT 24-A**  
**MONTHLY ALLOCATION REPORT**  
**Reported in Acre-Feet**  
**For the month of August 2020**

Jurisdiction	Paralta Allocation*	Changes	Remaining	PRE-Paralta Credits	Changes	Remaining	Public Credits	Changes	Remaining	Total Available
<b>Airport District</b>	8.100	0.000	5.197	0.000	0.000	0.000	0.000	0.000	0.000	5.197
<b>Carmel-by-the-Sea</b>	19.410	0.000	1.398	1.081	0.000	1.081	0.910	0.000	0.182	2.661
<b>Del Rey Oaks</b>	8.100	0.000	0.000	0.440	0.000	0.000	0.000	0.000	0.000	0.000
<b>Monterey</b>	76.320	0.000	0.245	50.659	0.000	0.030	38.121	0.000	2.300	2.575
<b>Monterey County</b>	87.710	0.000	10.717	13.080	0.000	0.352	7.827	0.000	1.775	12.844
<b>Pacific Grove</b>	25.770	0.000	0.000	1.410	0.000	0.014	15.874	0.000	0.065	0.079
<b>Sand City</b>	51.860	0.000	0.000	0.838	0.000	0.000	24.717	0.000	23.373	23.373
<b>Seaside</b>	65.450	0.000	0.000	34.438	0.000	33.549	2.693	0.000	1.144	34.693
<b>District Reserve</b>	9.000	0.000	9.000	N/A			N/A			9.000
<b>TOTALS</b>	<b>342.720</b>	<b>0.000</b>	<b>26.557</b>	<b>101.946</b>	<b>0.000</b>	<b>35.026</b>	<b>90.142</b>	<b>0.000</b>	<b>28.839</b>	<b>90.422</b>

Allocation Holder	Water Available	Changes this Month	Total Demand from Water Permits Issued	Remaining Water Available
<b>Quail Meadows</b>	33.000	0.000	32.320	0.680
<b>Water West</b>	12.760	0.000	9.564	3.196

\* Does not include 15.280 Acre-Feet from the District Reserve prior to adoption of Ordinance No. 73.



**EXHIBIT 24-B**  
**MONTHLY ALLOCATION REPORT**  
**ENTITLEMENTS**  
**Reported in Acre-Feet**  
**For the month of August 2020**

**Recycled Water Project Entitlements**

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
<b>Pebble Beach Co. <sup>1</sup></b>	220.430	0.000	31.302	189.128
<b>Del Monte Forest Benefited Properties <sup>2</sup></b> <b>(Pursuant to Ord No. 109)</b>	144.570	0.020	56.991	87.579
<b>Macomber Estates</b>	10.000	0.000	10.000	0.000
<b>Griffin Trust</b>	5.000	0.000	4.829	0.171
<b>CAWD/PBCSD Project Totals</b>	<b>380.000</b>	<b>0.020</b>	<b>103.122</b>	<b>276.878</b>

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
<b>City of Sand City</b>	206.000	0.000	7.115	198.885
<b>Malpaso Water Company</b>	80.000	0.056	17.315	62.685
<b>D.B.O. Development No. 30</b>	13.950	0.033	3.773	10.177
<b>City of Pacific Grove</b>	38.390	0.038	0.997	37.393
<b>Cypress Pacific</b>	3.170	0.000	3.170	0.000

Increases in the Del Monte Forest Benefited Properties Entitlement will result in reductions in the Pebble Beach Co. Entitlement.





## **EXHIBIT 24-C**

### **District's Water Allocation Program Ordinances**

**Ordinance No. 1** was adopted in September 1980 to establish interim municipal water allocations based on existing water use by the jurisdictions. Resolution 81-7 was adopted in April 1981 to modify the interim allocations and incorporate projected water demands through the year 2000. Under the 1981 allocation, Cal-Am's annual production limit was set at 20,000 acre-feet.

**Ordinance No. 52** was adopted in December 1990 to implement the District's water allocation program, modify the resource system supply limit, and to temporarily limit new uses of water. As a result of Ordinance No. 52, a moratorium on the issuance of most water permits within the District was established. Adoption of Ordinance No. 52 reduced Cal-Am's annual production limit to 16,744 acre-feet.

**Ordinance No. 70** was adopted in June 1993 to modify the resource system supply limit, establish a water allocation for each of the jurisdictions within the District, and end the moratorium on the issuance of water permits. Adoption of Ordinance No. 70 was based on development of the Paralta Well in the Seaside Groundwater Basin and increased Cal-Am's annual production limit to **17,619** acre-feet. More specifically, Ordinance No. 70 allocated 308 acre-feet of water to the jurisdictions and 50 acre-feet to a District Reserve for regional projects with public benefit.

**Ordinance No. 73** was adopted in February 1995 to eliminate the District Reserve and allocate the remaining water equally among the eight jurisdictions. Of the original 50 acre-feet that was allocated to the District Reserve, 34.72 acre-feet remained and was distributed equally (4.34 acre-feet) among the jurisdictions.

**Ordinance No. 74** was adopted in March 1995 to allow the reinvestment of toilet retrofit water savings on single-family residential properties. The reinvested retrofit credits must be repaid by the jurisdiction from the next available water allocation and are limited to a maximum of 10 acre-feet. This ordinance sunset in July 1998.

**Ordinance No. 75** was adopted in March 1995 to allow the reinvestment of water saved through toilet retrofits and other permanent water savings methods at publicly owned and operated facilities. Fifteen percent of the savings are set aside to meet the District's long-term water conservation goal and the remainder of the savings are credited to the jurisdictions allocation. This ordinance sunset in July 1998.

**Ordinance No. 83** was adopted in April 1996 and set Cal-Am's annual production limit at **17,621** acre-feet and the non-Cal-Am annual production limit at **3,046** acre-feet. The modifications to the production limit were made based on the agreement by non-Cal-Am water users to permanently reduce annual water production from the Carmel Valley Alluvial Aquifer in exchange for water service from Cal-Am. As part of the agreement, fifteen percent of the historical non-Cal-Am production was set aside to meet the District's long-term water conservation goal.

**Ordinance No. 87** was adopted in February 1997 as an urgency ordinance establishing a community benefit allocation for the planned expansion of the Community Hospital of the Monterey Peninsula (CHOMP). Specifically, a special reserve allocation of 19.60 acre-feet of production was created exclusively for the benefit of CHOMP. With this new allocation, Cal-Am's annual production limit was increased to **17,641** acre-feet and the non-Cal-Am annual production limit remained at **3,046** acre-feet.

**Ordinance No. 90** was adopted in June 1998 to continue the program allowing the reinvestment of toilet retrofit water savings on single-family residential properties for 90-days following the expiration of Ordinance No. 74. This ordinance sunset in September 1998.

**Ordinance No. 91** was adopted in June 1998 to continue the program allowing the reinvestment of water saved through toilet retrofits and other permanent water savings methods at publicly owned and operated facilities.

**Ordinance No. 90 and No. 91** were challenged for compliance with CEQA and nullified by the Monterey Superior Court in December 1998.

**Ordinance No. 109** was adopted on May 27, 2004, revised Rule 23.5 and adopted additional provisions to facilitate the financing and expansion of the CAWD/PBCSD Recycled Water Project.

**Ordinance No. 132** was adopted on January 24, 2008, established a Water Entitlement for Sand City and amended the rules to reflect the process for issuing Water Use Permits.

**Ordinance No. 165** was adopted on August 17, 2015, established a Water Entitlement for Malpas Water Company and amended the rules to reflect the process for issuing Water Use Permits.

**Ordinance No. 166** was adopted on December 15, 2015, established a Water Entitlement for D.B.O. Development No. 30.

**Ordinance No. 168** was adopted on January 27, 2016, established a Water Entitlement for the City of Pacific Grove.

**ITEM: INFORMATIONAL ITEM/STAFF REPORT****25. WATER CONSERVATION PROGRAM REPORT**

**Meeting Date:** September 21, 2020      **Budgeted:** N/A

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

**Prepared By:** Kyle Smith      **Cost Estimate:** N/A

**Committee Recommendation:** N/A

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

---

**I. MANDATORY WATER CONSERVATION RETROFIT PROGRAM**

District Regulation XIV requires the retrofit of water fixtures upon Change of Ownership or Use with High Efficiency Toilets (HET) (1.28 gallons-per-flush), 2.0 gallons-per-minute (gpm) Showerheads, 1.2 gpm Washbasin faucets, 1.8 gpm Kitchen, Utility and Bar Sink faucets, and Rain Sensors on all automatic Irrigation Systems. Property owners must certify the Site meets the District's water efficiency standards by submitting a Water Conservation Certification Form (WCC), and a Site inspection is often conducted to verify compliance.

**A. Changes of Ownership**

Information is obtained monthly from *Realquest.com* on properties transferring ownership within the District. The information is compared against the properties that have submitted WCCs. Details on **74** property transfers that occurred between August 1, 2020, and August 31, 2020, were added to the database.

**B. Certification**

The District received **133** WCCs between August 1, 2020, and August 31, 2020. Data on ownership, transfer date, and status of water efficiency standard compliance were entered into the database.

**C. Verification**

From August 1, 2020, to August 31, 2020, **64** properties were verified compliant with Rule 144 (Retrofit Upon Change of Ownership or Use). Of the **64** verifications, **50** properties verified compliance by submitting certification forms and/or receipts. District staff completed **25** Site inspections. Of the **25** properties verified, **14 (56%)** passed.

Note that most Site inspections were suspended March 13, 2020, due to concerns about the novel coronavirus. Staff has continued to certify properties electronically through owner certification or other methods. Site inspections may be done in limited cases when the property is vacant, and staff has access without others present. Safety protocols (e.g. masks, gloves, hand sanitizer, etc.) are in place for those instances.

#### D. CII Compliance with Water Efficiency Standards

Effective January 1, 2014, all Non-Residential properties were required to meet Rule 143, Water Efficiency Standards for Existing Non-Residential Uses. To verify compliance with these requirements, property owners and businesses are being sent notification of the requirements and a date that inspectors will be on Site to check the property. In August, District inspectors performed **one** verification.

MPWMD is forwarding its CII inspection findings to California American Water (Cal-Am) for their verification with the Rate Best Management Practices (Rate BMPs) that are used to determine the appropriate Non-Residential rate division. Compliance with MPWMD's Rule 143 achieves Rate BMPs for indoor water uses, however, properties with landscaping must also comply with Cal-Am's outdoor Rate BMPs to avoid Division 4 (Non-Rate BMP Compliant) rates. In addition to sharing information about indoor Rate BMP compliance, MPWMD notifies Cal-Am of properties with landscaping. Cal-Am then conducts an outdoor audit to verify compliance with the Rate BMPs. During August 2020, MPWMD referred **one** property to Cal-Am for verification of outdoor Rate BMPs.

#### E. Water Waste Enforcement

The District has a Water Waste Hotline 831-658-5653 or an online form to report Water Waster occurrences at [www.mpwmd.net](http://www.mpwmd.net) or [www.montereywaterinfo.org](http://www.montereywaterinfo.org). There was **one** Water Waste response during the past month. There were **no** repeated incidents that resulted in a fine.

## II. WATER DEMAND MANAGEMENT

#### A. Permit Processing

As of March 18, 2020, the District has been processing only electronic applications for Water Permits. Information can be found at <https://www.mpwmd.net/regulations/water-permits>.

District Rule 23 requires a Water Permit application for all properties that propose to expand or modify water use on a Site, including New Construction and Remodels. District staff processed and issued **32** Water Permits from August 1, 2020 to August 31, 2020. **Four** Water Permits were issued using Water Entitlements (Pebble Beach Company, Malpasos Water, etc.). No Water Permits involved a debit to a Public Water Credit Account. In addition to those Water Permits issued in August, **seven** Meter Permits and **three** Hydrant Meter Permits were issued. All Water Permits have a disclaimer informing applicants of the Cease and Desist Order against California American Water and that MPWMD reports Water Permit details to California American Water.

District Rule 24-3-A allows the addition of a second Bathroom in an existing Dwelling Unit. Of the **32** Water Permits issued from August 1, 2020, to August 31, 2020, **two** were issued under this provision.

B. Permit Compliance

District staff completed **10** conditional Water Permit finals during August 2020. Most Site inspections ceased on March 13, 2020. Staff is issuing conditional finals to allow occupancy during the pandemic. Staff completed **24** site inspections of vacant properties. **13** properties passed and **six** failed due to unpermitted fixtures.

C. Deed Restrictions

District staff prepares deed restrictions that are recorded on the property title to provide notice of District Rules and Regulations, enforce Water Permit conditions, and provide notice of public access to water records. In April 2001, the District Board of Directors adopted a policy regarding the processing of deed restrictions. As of March 18, 2020, MPWMD offices are closed to the public. While still processing and issuing Water Permits, staff is no longer available for notary services. Applicants can obtain notary services at local UPS stores and other locations. Staff receives notarized deed restrictions via email and records the documents electronically with the County.

D. Rebates

Rebates continue to be processed during the Shelter-in-Place.



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****26. CARMEL RIVER FISHERY REPORT FOR AUGUST 2020****Meeting Date: September 21, 2020 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Beverly Chaney Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

---

**AQUATIC HABITAT AND FLOW CONDITIONS:** Carmel River flows held relatively steady in August, providing fair rearing conditions for steelhead young-of-the-year (YOY) in the mid to upper watershed and poor conditions in the lower valley.

August's mean daily streamflow at the Sleepy Hollow Weir ranged from 5.8 to 10 cubic-feet-per-second (cfs) (monthly mean 8.3 cfs) resulting in 508 acre-feet (AF) of runoff. Mean daily streamflow at the Highway 1 gage is trickling from 1.2 to 0.45 cfs (monthly mean 0.70 cfs) resulting in 43 acre-feet (AF) of runoff.

There were 0.00 inches of rainfall in August as recorded at the San Clemente gauge. The rainfall total for WY 2020 (which started on October 1, 2019) is 17.57 inches, or 83.3% of the long-term year-to-date average of 21.08 inches.

**CARMEL FIRE and PG&E OUTAGES:** Excessive heat on August 14-15 triggered PG&E power shut offs at the District's Sleepy Hollow Steelhead Rearing Facility (SHSRF). Then two days later, a large lightning storm shut down the power again and set off the "River Fire" near Spreckels. District fisheries staff, along with District consultant, Kim Cohan of Telemetry worked hard together throughout these outages and the fires for the next two weeks to troubleshoot facility components and save the fish.

The big local news story of the month was the "Carmel Fire" that broke out on Cachagua Grade road Monday, August 17 and quickly spread into Cachagua Valley, as well as over the ridge into the San Clemente canyon thus threatening the District's Sleepy Hollow Steelhead Rearing Facility. Flames were clearly visible from the Facility's in-road Tuesday morning when staff made a last dash to the facility to feed the fish and evacuate documents and equipment. No access was allowed again until Friday morning (8/21) when fisheries staff were allowed in briefly to care for the fish and check the conditions. There were freshly burned areas on the way in, but fire crews were on-site, and it did not look too serious. Later that day I tried to escort the fuel truck in to refill the emergency generator that had been running the plant since Thursday morning. We were denied access due to the fire flaring up again in the area. Saturday, as several staff members were evacuating their own houses, ERD staff, and Toro Petroleum managed to get fuel to the generator

just in time. Fire crews continued to use the facility as a staging area and make use of our water system to fill their water trucks. Without them the the Facility would have been lost. The fire burned not only the entire ridgeline across the river, but also down to the water line ~100 feet from our electrical panels and new RAS building, as well as a large portion of the canyon wall just above the Facility, effectively surrounding it with fire (see photos below).

**CARMEL RIVER LAGOON:** The lagoon mouth closed for the summer on June 16, 2020. During August, the lagoon water surface elevation (WSE) dropped from 8 to 6.7 feet (North American Vertical Datum of 1988; NAVD 88) (See graph below).

Water quality depth-profiles were conducted at five sites on August 28, 2020 while the lagoon mouth was closed, water surface elevation was 6.8 feet, and river inflow was <1 cfs. Steelhead rearing and migration conditions were generally “fair” with better conditions in the main-stem. Salinity ranged from 1.4 - 6 ppt, dissolved oxygen (DO) levels ranged from 1-10mg/l, and water temperatures were generally warm during the day, ranging from 64-75 degrees F.

**TRIBUTARIES STEELHEAD RESCUES:** Staff completed seven days of fish rescues in Cachagua Creek between mid-June and July 1, 2020 and one day in Garzas Creek on July 6. A total of 4,379 juvenile steelhead were rescued including: 4,279 young-of-the-year (YOY), 76 age 1+ fish, and 24 mortalities (0.5%). Staff tagged 57 of the larger fish and there were two recaptured fish.

**CARMEL RIVER MAINSTEM STEELHEAD RESCUES:** Mainstem rescues began on July 7, 2020. Staff has completed 25 days of fish rescues in the lower river through the end of August between the Crossroads shopping center and Valley Greens Road bridge, and one day in the CV Trail and Saddle Club reach. A total of 8,184 juvenile steelhead were rescued including: 5,852 young-of-the-year (YOY), 2,316 age 1+ fish, and 16 mortalities (0.3%). Releases – 2,992 fish were released in the upper Carmel River (tagged 182 of the larger fish) and 5,176 fish were released at the Sleepy Hollow Steelhead Rearing Facility.

**SLEEPY HOLLOW STEELHEAD REARING FACILITY:** Facility upgrades were completed in mid-July and the first rescued fish were brought to the facility on July 27, 2020. By the end of August, 5,098 fish had been placed in the rearing channel including: 123 large fish (age 1+ years [1+]), 669 medium sized 1+ fish, and 4,306 young-of-the-year (YOY) fish. Overall facility survival is currently 72.8%. Very hot weather and warm river water contributed to the spike in mortalities. Daily rearing channel salt treatments were performed and the CDFW pathologist was consulted.



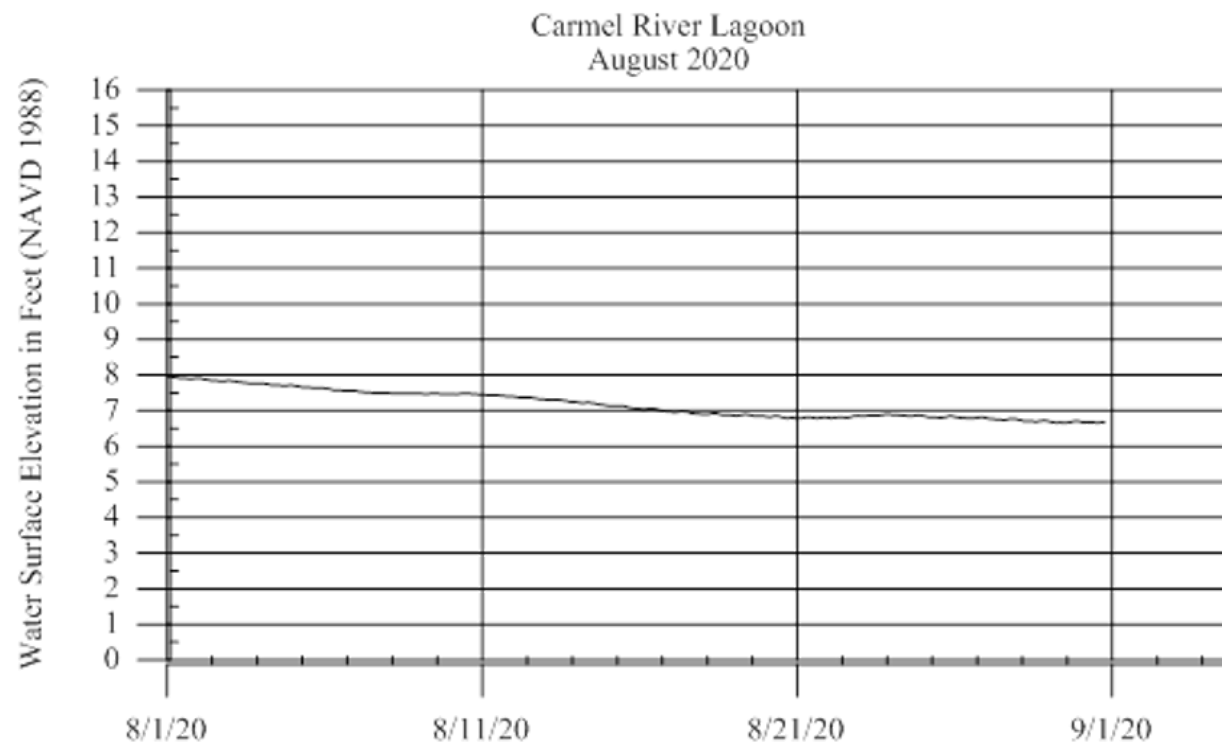


Burned ridge on the in-road, taken from SHSRF.



Fire crews at SHSRF.

## Carmel River Lagoon Plot:



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****27. SEMI-ANNUAL REPORT ON THE CAWD/PBCSD WASTEWATER RECLAMATION PROJECT****Meeting Date:** September 21, 2020 **Budgeted:** N/A**From:** David J. Stoldt,  
General Manager **Program/** N/A  
**Line Item No.:****Prepared By:** Suresh Prasad **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** The Administrative Committee reviewed this item on September 15, 2020.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

This report relates to the original CAWD/PBCSD Wastewater Reclamation Project (Phase I) only and does not contain any information related to the CAWD/PBCSD Recycled Water Expansion Project (Phase II). On December 10, 1992, the Monterey Peninsula Water Management District (MPWMD or District) sold \$33,900,000 worth of variable rate certificates of participation to finance the wastewater reclamation project in Pebble Beach. The tables below summarize the investment information on funds held for future use, disbursements, and interest rate trends on the outstanding certificates for the period January 1, 2020 through June 30, 2020. During the first reporting period in 2006, the Wastewater Reclamation Project's (Project) Operations and Maintenance Reserve and Renewal and Replacement Reserve accounts were transferred to the Carmel Area Wastewater District in accordance with the Project's Amended Construction and Operations Agreement dated December 15, 2004. The Project's Operations and Maintenance account (Bank of America) and Certificate of Participation accounts (U.S. Bank) remain under the control of the District and will continue to be reported on this report and future reports.

Par of 1992 Certificates \$33,900,000

Investments as of June 30, 2020:

<u>Description</u>	<u>Institution</u>	<u>Market Value</u>	<u>Rate/Yield</u>	<u>Term</u>
Interest Fund	U.S. Bank	\$338	0.00%	Daily
Certificate Payment Fund	U.S. Bank	\$818	0.00%	Daily
Acquisition/Rebate Funds	U.S. Bank	\$19	0.00%	Daily

Water Sales Revenue Acct.	Bank of America	\$1,029,418	0.00%	Daily
---------------------------	-----------------	-------------	-------	-------

Operation and Maintenance Disbursements:

MPWMD transferred advances in the amount of \$2,655,000 from the Water Sales Revenue Account to the Carmel Area Wastewater District during this reporting period. Advance payments are provided in accordance with the terms and conditions of Section 5.5 (a) of the Operation and Maintenance Agreement.

As provided in the Water Purchase Agreement, the obligation of the District to make disbursements is a special obligation of the District, payable solely from net operating revenues of the project, monies in the Revenue Fund, and other funds described in the Trust Agreement. In no event, will disbursements be payable out of any funds or properties of the District other than such sources.

Principal and Interest on Certificates:

No principal payment was made by the Project during this reporting period. The outstanding balance on the Certificates is currently \$7,500,000.

The interest rate on the Series 1992 Certificates was set initially at 2.30 percent per annum until December 16, 1992. On that date and weekly thereafter, so long as the certificates are in the variable mode, the Remarketing Agent, Stone & Youngberg, determines the rate of interest. Interest rates for this reporting period fluctuated between 0.11% and 1.80%.

On June 7, 2000, the Reclamation Management Committee noted that the Capital Interest Fund, used for payment of monthly interest on the outstanding certificates, would soon be exhausted. The Committee discussed the use of water sales revenue to make future interest payments. On July 3, 2000, the Reclamation Technical Advisory Committee affirmed the use of water sales revenue for interest payments when excess funds are available.

Effective July 1, 2013, the Reclamation Project water rates have been delinked from the California American Water Company potable rates. The rates are now set based on revenue requirement for the Project.

**ITEM: INFORMATIONAL ITEM/STAFF REPORT****28. MONTHLY WATER SUPPLY AND CALIFORNIA AMERICAN WATER PRODUCTION REPORT**

<b>Meeting Date:</b>	<b>September 21, 2020</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</b>
<b>Prepared By:</b>	<b>Jonathan Lear</b>	<b>Cost Estimate:</b>	<b>N/A</b>

**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 28-A** shows the water supply status for the Monterey Peninsula Water Resources System (MPWRS) as of **September 1, 2020**. 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 28-A** is for Water Year (WY) 2020 and focuses on four factors: rainfall, runoff, and storage. The rainfall and Streamflow values are based on measurements in the upper Carmel River Basin at Sleepy Hollow Weir.

**Water Supply Status:** Rainfall through **August 2020** totaled **0.00 inches** and brings the cumulative rainfall total for WY 2020 to **17.57 inches**, which is **83%** of the long-term average through **August**. Estimated unimpaired runoff through **August** totaled **380 acre-feet (AF)** and brings the cumulative runoff total for WY 2020 to **45,958 AF**, which is **68%** of the long-term average through **August**. Usable storage for the MRWPRS was **27,980 acre-feet**, which is **93%** of average through **August**, and equates to **84%** percent of system capacity.

**Production Compliance:** Under State Water Resources Control Board (SWRCB) Cease and Desist Order No. 2016-0016 (CDO), California American Water (Cal-Am) is allowed to produce no more than 8,310 AF of water from the Carmel River in WY 2020. Through **August**, using the CDO accounting method, Cal-Am has produced **6,607 AF** from the Carmel River (including ASR capped at 600 AF, Table 13, and Mal Paso.) In addition, under the Seaside Basin Decision, Cal-Am is allowed to produce 1,820 AF of water from the Coastal Subareas and 0 AF from the Laguna Seca Subarea of the Seaside Basin in WY 2020. Through **August**, Cal-Am has produced **1,882 AF** from the Seaside Groundwater Basin. Through **August**, **917 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **430 AF** have been recovered for customer use, and **218 AF** have been diverted under Table 13 water rights. Cal-Am has produced **8,799 AF** for customer use from all sources through **August**. **Exhibit 28-C** shows production by source. Some of the values in this report may be revised in the future as Cal-Am finalizes their production values and monitoring data. The 12-month moving average of production for customer service is **9,702 AF**, which is below the rationing trigger of **10,130 AF** for WY 2020.

**EXHIBITS****28-A** Water Supply Status: **September 1, 2020****28-B** Monthly Cal-Am Diversions from Carmel River and Seaside Groundwater Basins: WY 2020**28-C** Monthly Cal-Am production by source: WY 2020





**EXHIBIT 28-A**

**Monterey Peninsula Water Management District  
Water Supply Status  
September 1, 2020**

<b>Factor</b>	<b>Oct - Aug 2020</b>	<b>Average To Date</b>	<b>Percent of Average</b>	<b>Oct – Aug 2019</b>
<b>Rainfall</b> (Inches)	17.57	21.08	83%	30.93
<b>Runoff</b> (Acre-Feet)	45,958	67,086	69%	145,217
<b>Storage</b> <sup>5</sup> (Acre-Feet)	27,980	29,290	93%	29,130

**Notes:**

1. Rainfall and runoff estimates are based on measurements at San Clemente Dam. Annual rainfall and runoff at Sleepy Hollow Weir average 21.1 inches and 67,246 acre-feet, respectively. Annual values are based on the water year that runs from October 1 to September 30 of the following calendar year. The rainfall and runoff averages at the Sleepy Hollow Weir site are based on records for the 1922-2019 and 1902-2019 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 1989-2019 period. The storage estimates are end-of-month values for the dates referenced in the table.
4. The maximum storage capacity for the MPWRS is currently 33,130 acre-feet.





## Production vs. CDO and Adjudication to Date: WY 2020

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights			
	Carmel River Basin <sup>2, 6</sup>	Seaside Groundwater Basin		MPWRS Total				Water Projects and Rights Total	
		Coastal	Laguna Seca			ASR Recovery	Table 13 <sup>7</sup>		
Target	7,652	1,800	0	1,800	<b>9,452</b>	610	114	275	<b>999</b>
Actual <sup>4</sup>	6,607	1,882	303	2,185	<b>8,792</b>	430	218	176	<b>824</b>
Difference	1,045	-82	-303	-385	<b>659</b>	180	-104	99	<b>175</b>
WY 2019 Actual	6,834	1,821	272	2,083	<b>8,917</b>	364	471	175	<b>979</b>

1. This table is current through the date of this report.

2. For CDO compliance, ASR, Mal Paso, and Table 13 diversions are included in River production per State Board.

3. Sand City Desal, Table 13, and ASR recovery are also tracked as water resources projects.

4. To date, 917 AF and 218 AF have been produced from the River for ASR and Table 13 respectively.

5. All values are rounded to the nearest Acre-Foot.

6. For CDO Tracking Purposes, ASR production for injection is capped at 600 AFY.

7. Table 13 diversions are reported under water rights but counted as production from the River for CDO tracking.

## Monthly Production from all Sources for Customer Service: WY 2020

(All values in Acre-Feet)

	Carmel River Basin	Seaside Basin	ASR Recovery	Table 13	Sand City	Mal Paso	Total
Oct-19	505	412	0	0	0	4	921
Nov-19	524	299	0	0	0	2	825
Dec-19	391	169	0	75	0	0	635
Jan-20	533	111	0	13	10	0	667
Feb-20	632	22	0	0	27	9	689
Mar-20	498	150	0	33	27	8	716
Apr-20	308	226	0	85	22	8	649
May-20	666	154	0	13	27	7	867
Jun-20	680	194	0	0	5	7	887
Jul-20	526	410	0	0	30	7	973
Aug-20	467	37	430	0	28	7	970
Sep-20							
Total	<b>5,730</b>	<b>2,185</b>	<b>430</b>	<b>218</b>	<b>176</b>	<b>60</b>	<b>8,799</b>
WY 2019	<b>5,680</b>	<b>2,083</b>	<b>364</b>	<b>471</b>	<b>144</b>	<b>83</b>	<b>8,825</b>

1. This table is produced as a proxy for customer demand.

2. Numbers are provisional and are subject to correction.

## Rationing Trigger: WY 2020

12 Month Moving Average <sup>1</sup>	9,702	10,130	Rule 160 Production Limit
--------------------------------------	-------	--------	---------------------------

1. Average includes production from Carmel River, Seaside Basin, Sand City Desal, and ASR recovery produced for Customer Service.



## California American Water Production by Source: Water Year 2020

	Carmel Valley Wells <sup>1</sup>						Seaside Wells <sup>2</sup>						Total Wells			Sand City Desal		
	Actual		Anticipated <sup>3</sup>		Compaired to Target		Actual		Anticipated		Compaired to Target		Actual	Anticipated	Acre-Feet Compaired to Target	Actual	Anticipated	Compaired to Target
	Upper acre-feet	Lower acre-feet	Upper acre-feet	Lower acre-feet	Upper acre-feet	Lower acre-feet	Coastal acre-feet	LagunaSeca acre-feet	Coastal acre-feet	LagunaSeca acre-feet	Coastal acre-feet	LagunaSeca acre-feet	acre-feet	acre-feet	acre-feet	acre-feet	acre-feet	acre-feet
Oct-19	0	505	0	550	0	45	378	35	350	0	-28	-35	918	900	-18	0	25	25
Nov-19	0	524	0	380	0	-144	271	28	350	0	79	-28	823	730	-93	0	25	25
Dec-19	177	546	0	645	-177	99	150	20	100	0	-50	-20	892	745	-147	0	25	25
Jan-20	155	552	100	710	-55	158	92	19	100	0	8	-19	818	910	92	10	25	15
Feb-20	165	467	100	732	-65	265	0	22	100	0	100	-22	654	932	278	27	25	-2
Mar-20	188	509	100	919	-88	410	128	23	100	0	-28	-23	847	1,119	272	27	25	-2
Apr-20	0	705	0	835	0	130	204	21	100	0	-104	-21	931	935	4	22	25	3
May-20	0	699	0	697	0	-2	126	28	350	0	224	-28	853	1,047	194	27	25	-2
Jun-20	0	680	0	665	0	-15	160	35	380	0	220	-35	874	1,045	171	5	25	20
Jul-20	0	526	0	743	0	217	373	37	157	0	-216	-37	936	900	-36	30	25	-5
Aug-20	0	467	0	745	0	278	430	37	157	0	-273	-37	934	902	-32	28	25	-3
Sep-20																		
To Date	684	6,180	300	7,621	-384	1,441	2,312	303	2,244	0	-68	-303	9,479	10,165	686	176	275	99

## Total Production: Water Year 2020

	Actual	Anticipated	Acre-Feet Compaired to Target
Oct-19	918	925	7
Nov-19	823	755	-68
Dec-19	892	770	-122
Jan-20	828	935	107
Feb-20	681	957	276
Mar-20	874	1,144	270
Apr-20	953	960	7
May-20	879	1,072	193
Jun-20	879	1,070	191
Jul-20	965	925	-40
Aug-20	962	927	-35
Sep-20			
To Date	9,656	10,440	784

1. Carmel Valley Wells include upper and lower valley wells. Anticipate production from this source includes monthly production volumes associated with SBO 2009-60, 20808A, and 20808C water rights. Under these water rights, water produced from the Carmel Valley wells is delivered to customers or injected into the Seaside Groundwater Basin for storage.

2. Seaside wells anticipated production is associated with pumping native Seaside Groundwater (which is regulated by the Seaside Groundwater Basin Adjudication Decision) and recovery of stored ASR water (which is prescribed in a MOA between MPWMD, Cal-Am, California Department of Fish and Game, National Marine Fisheries Service, and as regulated by 20808C water right).

3. Negative values for Acre-Feet under target indicates production over targeted value.



# Supplement to 9/21/2020 MPWMD Board Packet

Attached are copies of letters received between August 13, 2020 and September 14, 2020. These letters are listed in the September 21, 2020 Board packet under Letters Received.

Author	Addressee	Date	Topic
Winston Stromberg	MPWMD Board	8/17/20	Agenda Item 11, August 17, 2020 MPWMD Board Meeting – Pure Water Monterey Expansion Lead Agency Status
Susan Schiavone	MPWMD Board	8/25/20	Agenda Item 10, August 17, 2020, Water for Near-Term Housing Needs

U:\staff\Boardpacket\2020\20200921\LettersReceived\LettersReceived.docx



August 25, 2020

To the MPWMD Board and Staff:

This is a follow up to the board discussion on August 17 regarding possible water set asides for affordable housing in response to SB330 directives to communities to expedite ways to build affordable homes.

I applaud your decision directing staff to begin discussions with the state, build a coalition of support among housing advocates, and make a request for 75 AF of relief from the CDO, and if granted, allocations be made initially at one-half. I also want to commend board members who see that there is a social impact associated with water, and how policy affects social outcomes in our community. In responding to local representatives, and inclusively reaching out, your staff has provided a conservative but valid evaluation for solving part of a problem that is an ongoing topic of finger pointing, and a real need.

As several pointed out, the only way for the state to now realize the intent of the law is to figure out what this means in terms of local implementation so sensible processes can be created, including amendments to current state water allocations, to facilitate this law. My only concern would be to have it legally ensured that this water would only be used for affordable housing and set standards for this; and that the impact would remain minimal regarding Carmel River water.

I also want to congratulate the district on achieving the Transparency Certificate of Excellence and appreciate the staff and board for its openness, ongoing dedication to transparency, and encouragement of public participation.

Susan Schiavone, Seaside



**LATHAM & WATKINS** LLP

August 17, 2020

**VIA EMAIL**

Board of Directors  
Monterey Peninsula Water Management District  
5 Harris Court, Building G  
Monterey, California 93940

FIRM / AFFILIATE OFFICES

Beijing	Moscow
Boston	Munich
Brussels	New York
Century City	Orange County
Chicago	Paris
Dubai	Riyadh
Düsseldorf	San Diego
Frankfurt	San Francisco
Hamburg	Seoul
Hong Kong	Shanghai
Houston	Silicon Valley
London	Singapore
Los Angeles	Tokyo
Madrid	Washington, D.C.
Milan	

Re: MPWMD Board of Directors August 17, 2020, Meeting, Agenda Item 11 – Pure Water Monterey Expansion Lead Agency Status

---

Dear Chair Edwards and Members of the Board:

On behalf of California-American Water Company (“Cal-Am”), this letter addresses Monterey Peninsula Water Management District (“MPWMD”) staff’s proposal that MPWMD steal the CEQA lead agency role away from Monterey One Water (“M1W”) on the Pure Water Monterey Expansion project (“PWM Expansion”). MPWMD has no legal ability to “step into [M1W]’s shoes as lead agency” and take the actions contemplated in the proposed letter to the M1W Board of Directors attached to the agenda packet as Exhibit 11-A. Cal-Am, as the proposed purchaser of potable water produced by the PWM Expansion, has a direct interest in ensuring that the project undergoes sufficient environmental review, and that agencies, including MPWMD, comply with the proper legal procedures. MPWMD staff’s proposed letter materially misrepresents the legal basis for a responsible agency to assume lead agency status under CEQA. We urge this Board to reject staff’s proposal for MPWMD to “assume the role of lead agency” for the PWM Expansion. Should the Board attempt to take over as lead agency, MPWMD and the Board will be committing an egregious CEQA error.

Staff’s proposal flies in the face of commitments made nearly a decade ago that confirm M1W’s lead agency status for the original Pure Water Monterey Groundwater Replenishment Project (“Phase 1 PWM”) and PWM Expansion. On April 20, 2012, MPWMD, M1W,<sup>1</sup> and Cal-Am entered into the Groundwater Replenishment Project Planning Term Sheet and Memorandum of Understanding to Negotiate in Good Faith (“2012 MOU”) to enable planning and environmental evaluation of a groundwater replenishment project. Under the binding terms of the 2012 MOU:

***MRWPCA will act as lead agency pursuant to CEQA, and will prepare or have prepared an environmental document pursuant to***

---

<sup>1</sup> Prior to November 2017, M1W was referred to by its former name, Monterey Regional Water Pollution Control Agency (“MRWPCA”).



CEQA to evaluate the environmental impacts of such a GWR Project. *If MRWPCA chooses to implement a GWR Project, MRWPCA will adopt or certify an environmental document . . . that in its judgment complies with CEQA.* MRWPCA will use funding provided by MPWMD, in addition to its own funds, for this effort.

(2012 MOU, § II.1.C [emphasis added], attached hereto as **Exhibit A.**) “MRWPCA *expressly retains its discretion with respect to whether it will implement a GWR Project.*” (*Id.*, § II.1.E [emphasis added].) For its part, MPWMD retained “discretion to consider the CEQA Documents in a manner fully consistent with its role as a *responsible agency* under CEQA.” (*Id.*, § II.2.D [emphasis added].)

The contractual agreements referenced in staff’s proposed letter expressly confirm this understanding, stating that “MRWPCA shall be the lead Party for performance and completion of work” on the Phase 1 PWM. (See 2013 MRWPCA-MPWMD Groundwater Replenishment Project Cost Sharing Agreement, § II.C.7, attached hereto as **Exhibit B.**) Additionally, the Final Supplemental Environmental Impact Report (“Final SEIR”) for the PWM Expansion specifically concluded that M1W is the appropriate lead agency for evaluation of the action, given that it is the principal proponent of the PWM Expansion. (E.g., PWM Expansion Final SEIR, p. 4-101.)

As the MPWMD Board is aware, on April 27, 2020, the M1W Board of Directors denied certification of the Final SEIR for the PWM Expansion as a result of substantial deficiencies in the environmental analysis related to: source water for the PWM Expansion; water supply and demand; impacts to agricultural water supplies; and failure to evaluate the PWM Expansion either as an alternative to or a cumulative project with Cal-Am’s Monterey Peninsula Water Supply Project (“MPWSP”).<sup>2</sup> The M1W Board decided to not certify the Final SEIR after nearly two years of environmental review, including an extended public comment period in which many members of the public raised substantial comments and concerns regarding PWM Expansion and the Final SEIR. At no time during the preparation and M1W’s consideration of the Final SEIR did MPWMD raise any concerns about M1W’s ability to serve as CEQA lead agency or the sufficiency of its environmental review.

Now, in staff’s proposed letter to the M1W Board, staff asserts that MPWMD must step into the lead agency role “for the purposes of certifying the Final SEIR” because M1W “has not timely acted to certify the SEIR” and “MPWMD has made considerable investments of time and public resources.” However, M1W *had no obligation whatsoever* to certify an SEIR that it found to be legally deficient. In fact, it would have been contrary to the terms of the 2012 MOU and been a prejudicial abuse of discretion for M1W to certify the legally inadequate SEIR. (Pub. Resources Code, § 21168.5.) Moreover, contrary to MPWMD staff’s letter, M1W did not “refuse[] to take definitive action to exercise discretion or finish its lead review of the SEIR.”

---

<sup>2</sup> In the CPUC’s proceedings for the MPWSP, the CPUC similarly determined that PWM Expansion would be infeasible for “myriad independent reasons.” (See CPUC D.18-09-017, Appx. C, p. C-17.)

The M1W Board took definitive action when it rejected certification of the Final SEIR at its April 27 meeting.

MPWMD staff fails to cite any provision in CEQA—because there is none—that allows a CEQA responsible agency to assume the lead agency role after the preparation of an EIR simply because the responsible agency has expended resources in support of a certain project and does not agree with the lead agency’s decision to reject the EIR and project.

Indeed, staff’s attempt to usurp lead agency status from M1W has no basis in law. Nothing in CEQA allows the changing of lead agency status at the end of the environmental review process, after a duly-prepared EIR has been publicly circulated and considered by the lead agency’s decisionmaking body, except when very specific and limited conditions not present here are met. CEQA Guidelines section 15052 provides that a shift in lead agency designation may occur *only* when:

- (1) The lead agency did not prepare *any* environmental documents for the project, and the statute of limitations has expired for a challenge to the action of the appropriate lead agency.
- (2) The lead agency prepared environmental documents for the project, but the following conditions occur: (A) a subsequent EIR is required pursuant to Section 15162; (B) the lead agency has granted a final approval for the project; and (C) the statute of limitations for challenging the lead agency’s action under CEQA has expired.
- (3) The lead agency prepared inadequate environmental documents *without* consulting with the responsible agency and the statute of limitations has expired for a challenge to the action of the appropriate lead agency.

(Emphasis added.) In its proposed letter, *staff concedes that none of these conditions are met*, yet claims that Section 15052 nonetheless does not foreclose its ability to assume the role of lead agency. MPWMD staff is wrong.

To support its novel interpretation, staff quotes a legal treatise, intentionally omitting a crucial portion of that treatise that emphasizes the limited circumstances in which lead agency roles may change during the environmental review process. The treatise explains: “For example, this can occur if a project application is submitted to a county and the area containing the project is later annexed to a city or included in a newly incorporated city.” (Kostka & Zischke, Practice Under the Cal. Environmental Quality Act § 3.8(e).) This example is based on *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, also cited in MPWMD staff’s letter, where the lead agency designation changed mid-environmental review from a county to a city. There, the applicant “asked the County to send the administrative record on the Project to the City, which was about to be incorporated and which would have jurisdiction over the Project. Accordingly, on June 18, 1991, the County deferred further consideration of the Project to the City.” (*Gentry*,

*supra*, 36 Cal.App.4th at p. 1369.) In discussing the propriety of such a change in lead agency, the court noted that CEQA Guidelines section 15051 allows agencies to enter into agreements designating the lead agency as had happened between the county and the city. (*Id.* at pp. 1397–1398.) Even so, after the change in lead agency designation, the project applicant reapplied to the city for project approvals, and the city issued a new notice of its CEQA process. (*Id.* at p. 1369.)

The authority cited by MPWMD staff in its proposed letter has absolutely no bearing on the facts here. When read in context, the authority cited by staff suggests that when an agency’s jurisdiction over a project is transferred by annexation or incorporation **and** the agencies agree, lead agency status may be transferred without restarting the CEQA review process. With respect to the PWM Expansion and SEIR, however, no transfer in jurisdiction has occurred and M1W has not agreed to cede any CEQA authority to MPWMD.

Staff also suggests that M1W may use the Office of Planning and Research’s (“OPR”) dispute resolution process to resolve MPWMD’s claim that it can serve as lead agency. (Pub. Resources Code, § 21165, subd. (a); CEQA Guidelines, § 15053; Cal. Code Regs., tit. 14, §§ 16000 *et seq.*) This is also incorrect. Staff ignores that such a dispute exists only when there is a “contested, active difference of opinion between two or more public agencies as to which of those agencies **shall prepare any necessary environmental document**” and “each of those agencies claims that it either has or does not have the obligation **to prepare that environmental document.**” (Pub. Resources Code, § 21165, subd. (b) [emphasis added].) In other words, the dispute resolution process occurs **before** an environmental document is prepared, not after the fact.

OPR can resolve disputes regarding lead agency status **at the outset of the environmental review process** “based on consideration of the criteria in [CEQA Guidelines] Section 15051 as well as the capacity of the agency to adequately fulfill the requirements of CEQA.” (CEQA Guidelines, § 15053, subd. (e).) CEQA Guidelines section 15051, subdivision (a), states that “[i]f the project will be carried out by a public agency, that agency shall be the lead agency even if the project would be located within the jurisdiction of another public agency.” It has always been understood that M1W—not MPWMD—is responsible for implementing (i.e., carrying out) any eventual groundwater replenishment project. As the 2012 MOU expressly states, MPWMD agreed that M1W “expressly retains its discretion with respect to whether it will **implement** a GWR Project[.]” (2012 MOU, § II.1.E [emphasis added].)

Accordingly, in 2015, M1W approved the Phase 1 PWM, certified its associated Final EIR, and committed to carrying out construction, operation, and maintenance of Phase 1. Had M1W certified the PWM Expansion SEIR, it would have been responsible for carrying out those same tasks with respect to the PWM Expansion. In contrast, MPWMD’s role has been limited to that of a responsible agency, providing financial funding and issuing ancillary approvals. MPWMD has not and could not have carried out the Phase 1 PWM or PWM Expansion in the same manner or to the same degree as M1W. Therefore, under CEQA Guidelines section 15051, M1W has the only claim to lead agency status.

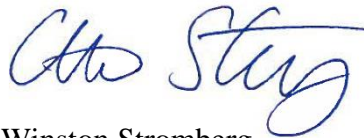
**LATHAM & WATKINS** LLP

Assuming that MPWMD did have a claim, CEQA Guidelines section 15051 provides that where there are two or more public agencies with a substantial claim to be lead agency, the lead agency will generally be designated either by the first to act on the project or by agreement. Here, M1W undisputedly acted first (in 2012) ***and with MPWMD's express contractual agreement***. MPWMD cannot, at this late stage, credibly argue that it has the better claim to lead agency status in a brazen attempt to reverse M1W's decision.

Even if the M1W Board were to agree that MPWMD could assume the role of lead agency for the PWM Expansion, MPWMD would need to restart the CEQA process and resolve the significant deficiencies in the SEIR identified by the M1W Board when it denied certification. MPWMD cannot simply assume lead agency status, certify an SEIR already determined to be deficient by the proper lead agency and for which it did not control either the preparation or the responses to public comments, and then approve the PWM Expansion. There is no procedure under CEQA for such conduct because it is not recognized under CEQA as an acceptable process for an environmental document.

In sum, the only legal action the Board can take here is to reject staff's proposal to assume the role of lead agency for the PWM Expansion.

Very truly yours,



Winston Stromberg  
of LATHAM & WATKINS LLP

cc: Rich Svindland, California-American Water Company  
Ian Crooks, California-American Water Company  
Kathryn Horning, Esq., California-American Water Company  
Duncan Joseph Moore, Esq., Latham & Watkins LLP  
Tony Lombardo, Esq., Lombardo & Associates

# EXHIBIT A

**MRWPCA-MPWMD-CAL AM  
GROUNDWATER REPLENISHMENT PROJECT  
PLANNING TERM SHEET AND  
MEMORANDUM OF UNDERSTANDING TO NEGOTIATE IN GOOD FAITH**

This Groundwater Replenishment Project Planning Term Sheet And Memorandum of Understanding To Negotiate In Good Faith ("GWR MOU") is entered into as of April 20, 2012, by and between the Monterey Regional Water Pollution Control Agency, a joint powers authority ("MRWPCA"), the Monterey Peninsula Water Management District, a California special act district ("MPWMD"), and the California-American Water Company ("Cal Am"), an investor-owned water utility; collectively the "Parties", based upon the following facts, intentions and understandings of the Parties.

**I.**

**BACKGROUND**

A. MRWPCA owns and operates a wastewater collection and treatment system in northern Monterey County, including the Regional Treatment Plant ("RTP") and the associated ocean outfall ("Outfall"). From the RTP, MRWPCA produces treated wastewater that has the potential for reuse;

B. MPWMD was created by the California Legislature in 1977 for the purposes of "conserving and augmenting the supplies by integrated management of ground and surface water supplies, for control and conservation of storm and wastewater, and for the promotion of the reuse and reclamation of water." The MPWMD's specific functions are "management and regulation of the use, reuse, reclamation, conservation of water and bond financing of public works projects." It is authorized to issue bonds, assess charges for groundwater enhancement facilities, levy assessments on real property and improvements, and "fix, revise, and collect rates and charges for the services, facilities, or water furnished by it";

C. Cal Am is an investor-owned water utility regulated by the California Public Utilities Commission ("CPUC") that serves retail customers in the Monterey Peninsula. Cal Am has been ordered by the State Water Resources Control Board to significantly reduce its diversions from the Carmel River, its largest source of water supply, on a schedule that will result in Cal Am being able to divert only 30 percent of its historical draw from the Carmel River by December 31, 2016. Cal Am requires additional sources of water to serve Cal Am's Monterey Peninsula customers. CPUC approval for certain aspects of such additional water supplies is required.

D. The CPUC previously approved Cal Am's participation in the "Regional Project," in conjunction with the Monterey County Water Resources Agency and the Marina Coast Water District (Decision 10-12-016, December 2, 2010.) The Regional Project was intended, among other things, to fulfill Cal Am's need for additional water supplies. However, Cal Am has withdrawn from participation in that project, and is seeking alternative approaches to meet its needs.

Page 2 of 8

E. The Seaside groundwater basin ("Seaside Basin") is in a state of overdraft, and rights to water and pumping thereof have been adjudicated by the Monterey Superior Court. The Seaside Basin is governed by a Watermaster appointed by the Court.

F. MPWMD and Cal Am have an existing aquifer storage and recovery project ("ASR") which involves the injection of water into the Seaside Basin, and its recovery for the benefit of Cal Am. This initial phase ("ASR Phase 1") uses water diverted from the Carmel River, which is injected and extracted using two existing wells.

G. MRWPCA treats wastewater at the RTP, creating a potential source of water supply.

H. The parties believe that an additional increment of water supply should be generated for the benefit of Cal Am and its customers, many of whom are within the service areas of MPWMD and MRWPCA, by conveying advanced treated wastewater from the MRWPCA to the Seaside Basin, where it could be injected for storage and subsequent recovery by Cal Am ("GWR Project").

I. There would be substantial benefits of such a Groundwater Replenishment Project, including but not limited to:

- Drought resistant element of water supply portfolio;
- Cost-effective water supply; and
- Diversification of Cal Am's water supply portfolio
- There are also other benefits to this project, including but not limited to:
  - i. Improved water quality in Monterey Bay
  - ii. Advance the State of California's recycled water policies;
  - iii. Reuse of water otherwise discharged to the ocean;
  - iv. Lower carbon footprint relative to desalination;

J. The Parties intend by this GWR MOU to enable planning and environmental evaluation of a groundwater replenishment project by the following:

- to commit themselves to evaluate the ways in which a groundwater replenishment project could be effectively accomplished;
- to commit themselves to negotiate in good faith to reach agreement on such a project, should it be deemed viable;
- for MRWPCA to commit to act as lead agency to achieve California Environmental Quality Act ("CEQA") compliance for such a project, should it be deemed viable;
- for MPWMD to assist MRWPCA in providing the necessary financial support for the foregoing planning and CEQA compliance activities, subject to Recital M, below; and
- to identify non-binding preliminary terms of a GWR project agreement, which will assist in focusing the development of a GWR project responsive to the Parties' capabilities and needs.

K. Except as set forth in Recital J above, the terms set forth in this GWR MOU are the Parties' preliminary concept of terms that may be included in future agreements by and among some or all of the Parties ("GWR Agreements".) They are not intended to be, nor should they be considered as, binding on the Parties.

L. None of the Parties intends by this GWR MOU to commit itself, or the other Parties, to a particular course of action, other than as set forth in Recital J above. The Parties reserve their discretion to evaluate and determine the feasibility or viability of any GWR Project, as well as project impacts, alternatives and mitigation measures, including but not limited to not proceeding with the GWR Project.

M. MPWMD financial support for GWR described in Recital J above is contingent upon successful implementation of a new revenue collection mechanism during the 2012-13 fiscal year.

## II. BINDING TERMS REGARDING PROCESS TO EVALUATE AND IF FEASIBLE DEVELOP A GROUNDWATER REPLENISHMENT PROJECT

### 1. MRWPCA

- A. MRWPCA is anticipated to be the source of the recycled water supply. MRWPCA would apply additional treatment to wastewater from the RTP, convey that water to the Seaside Basin, and inject it into the aquifer, thus making an additional source of water available for use by Cal Am and its customers.
- B. MRWPCA will in good faith commit to evaluate its resources and capabilities with respect to the feasibility of performing the foregoing functions.
- C. In the event that a feasible project is identified, MRWPCA will act as lead agency pursuant to CEQA, and will prepare or have prepared an environmental document pursuant to CEQA to evaluate the environmental impacts of such a GWR Project. If MRWPCA chooses to implement a GWR Project, MRWPCA will adopt or certify an environmental document – including any necessary supplements or addenda thereto (collectively "CEQA Documents") – that in its judgment complies with CEQA. MRWPCA will use funding provided by MPWMD, in addition to its own funds, for this effort.
- D. MRWPCA will negotiate in good faith with the other Parties to develop GWR Agreements acceptable to all Parties, which agreements will be consistent with the CEQA Documents. The Parties' goal is that such agreement will be complete and fully executed in a timeframe which will enable the GWR Project to be operational



such that water can be made available to Cal Am on the schedule set forth by the SWRCB.

- E. MRWPCA expressly retains its discretion with respect to whether it will implement a GWR Project or enter into a GWR Agreement, and on what terms. Nothing in this agreement shall be construed as limiting MRWPCA's obligation to consider any and all alternatives, including the "no project" alternative, and any and all mitigation measures, and to make the requisite findings, in the above-referenced CEQA process.

## 2. MPWMD

- A. MPWMD will provide matching funding for MRWPCA and MPWMD GWR evaluation, planning, pre-design, and environmental review costs for the GWR derived from its new revenue collection mechanism implemented for the 2012-13 fiscal year. The Parties anticipate that MPWMD will contribute 50% of MRWPCA's actual GWR related costs, which 50% is currently estimated to be \$1,036,550 in FY 2012-13 and \$1,469,200 in FY 2013-14. Initially within 90 days after MPWMD's implementation of its new revenue collection mechanism for FY 2012-13, and by April 1 of each following year, the MRWPCA and MPWMD will meet and confer to review and must agree upon the Project budget for the following fiscal year. During a fiscal year, upon presentation to MPWMD by MRWPCA of invoices representing Project expenditures, MPWMD will remit to MRWPCA within 60 days an amount representing 50% of the expenditure. However, if required by MPWMD's new revenue collection mechanism, invoices presented before November 1 shall be paid no later than December 31, and invoices presented before May 1 shall be paid no later than June 1.
- B. If MPWMD determines that a GWR Project is viable, MPWMD will negotiate in good faith with the other Parties to develop a GWR Agreement acceptable to all Parties, which agreement will be consistent with the above-described CEQA Documents. The Parties' goal is that such agreement will be complete and fully executed in a timeframe which will enable the GWR Project to be operational such that water can be made available to Cal Am on the schedule set forth by the SWRCB.
- C. In the event that GWR Agreements are executed, MPWMD will undertake the permanent financing of GWR with long-term debt, secured by either revenues of MPWMD or payments to be received under a water purchase agreement with Cal Am, or both. Proceeds of the financing, or revenues received from water sales, will be used to reimburse MRWPCA for its past out-of-pocket contributions of MRWPCA for a GWR Project (any unreimbursed costs including the MRWPCA investment before execution of this MOU). Such permanent financing will be undertaken when and if the Parties agree that the Project shall proceed to design and construction and requires funding in excess of that reasonably available from pay-as-

Page 5 of 8

you-go monies, notwithstanding that MRWPCA and MPWMD may decide to undertake more than one permanent financing in order to facilitate a pilot project or construction in phasing.

- D. MPWMD expressly retains its discretion with respect to whether it will enter into any GWR Agreement, and on what terms; as well as its discretion to consider the CEQA Documents in a manner fully consistent with its role as a responsible agency under CEQA.

### 3. CAL AM

- A. If each Party independently agrees that a GWR Project is viable, Cal Am will negotiate in good faith with the other Parties to develop a GWR Agreement acceptable to all Parties, which agreement will be consistent with the above-described CEQA Documents. The Parties' goal is that such agreement will be complete and fully executed in a timeframe which will enable the GWR to be operational such that water can be made available to Cal Am on the schedule set forth by the SWRCB.
- B. Subject to ratemaking treatment approved by the CPUC and terms acceptable to Cal Am, Cal Am will enter into a GWR Agreement with MPWMD, with minimum annual purchase obligations of water at a price sufficient to pay the annual costs of debt and the costs of the GWR Project, including without limitation, operations, maintenance, repair, replacement, regulatory compliance, and administration costs, associated with the portion of the GWR Project's output purchased by Cal Am.
- C. As the CPUC regulated entity, Cal Am will have the primary role with respect to the CPUC, including but not limited to, obtaining the approvals required by that agency.
- D. Cal Am will bear its own costs with respect to all of its efforts in furtherance of realizing a GWR Project.

### 4. Good Faith Commitment

- A. In order to explore the potential public and private benefits of this project, and to ensure that each Party's efforts in furtherance of realizing such a project are well spent, the Parties hereby make a good faith commitment to pursue development of such a GWR, in compliance with all applicable laws. The Parties shall meet with the goal of reaching agreement by June 30, 2012, on the criteria for determining the viability of a GWR Project, which criteria shall include but not be limited to (1) providing for a schedule and for adjustments of same for the timeframe within which the GWR Project will be operational, and (2) a process and timeframe for verifying that the range of estimated costs for GWR Project water are consistent with the MRWPCA current cost estimates of \$2500-\$3000 per acre foot.

Page 6 of 8

## **5. Term and Termination**

- A. This GWR MOU shall expire upon the earlier of (1) full execution of a GWR Agreement, or (2) upon written agreement of the Parties to terminate.
- B. Upon thirty days advance written notice to all Parties, and upon the withdrawing Party's good faith determination that further participation is not feasible for any reason, any Party may withdraw from this MOU. If two Parties withdraw, this MOU is terminated.
- C. Any obligation to pay survives termination until such payment is made in full.

## **III. NON-BINDING PRELIMINARY TERMS**

The provisions in this Section III set forth the Parties' preliminary understanding that may be included in a final project agreement or agreements ("GWR Agreement"). These provisions are not intended to be, nor should they be considered as, binding on the Parties. Each Party expressly retains discretion with respect to whether it will enter into a GWR Agreement, or on what terms.

- 1. The GWR Project is intended by the Parties to provide approximately 3500 AF of advanced treated wastewater ("Replenishment Water") that can be made available, conveyed to the Seaside Basin and injected therein using new wells, by MRWPCA. MRWPCA will design, construct, own and operate the facilities to convey the water from the RTP and inject it into the Basin.
- 2. Upon payment by MPMWD to MRWPCA as set forth below, MPWMD shall take title to the Replenishment Water that has been injected into the aquifer. MPWMD will make the Replenishment Water available for purchase by Cal Am for the purpose of serving Cal Am's retail water customers in the Monterey Peninsula area.
- 3. Upon permanent financing, MPWMD will pay to MRWPCA the full amount of MRWPCA's costs to design, construct, obtain regulatory approvals, treat, deliver and inject the Replenishment Water. The commodity cost for the Replenishment Water shall recover at minimum all costs associated with GWR operation, maintenance, repair, replacement and administration, including regulatory compliance.
- 4. MRWPCA, MPMWD, and Cal Am shall coordinate the scheduling of injection of recycled water, Carmel River water, and any other water.
- 5. Subject to CPUC ratemaking approval, Cal Am shall enter into a contract to purchase the Replenishment Water from MPWMD. This contract will inter alia promptly

Page 7 of 8

reimburse MPWMD for the following prudently incurred costs: MPWMD's annual cost of debt service, Replenishment Water payments to MRWPCA for operations and maintenance, reimburse MRWPCA for any of its project development costs not previously reimbursed by MPWMD, as well as for MPWMD's costs.

6. The parties anticipate that terms addressing the following non-exhaustive list of topics will also be needed:

- Additional Financial Provisions;
- No Partnership, Joint Venture or JPA.
- Coordination with others
- CPUC approvals
- Regulatory Compliance
- Storage and Recovery Agreement with Seaside Basin Watermaster
- Brine Disposal
- Additional Acts
- Representations and Warranties.
- Litigation; Cooperation in Litigation
- Force Majeure
- No Third Party Beneficiaries.
- Dispute Resolution
- No Assignment
- Default, Cure and Remedies
- Attorneys Fees
- Notices
- Miscellaneous Provisions

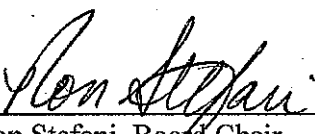
Page 8 of 8

The Parties re-confirm that neither a GWR Agreement, nor any replenishment project, can proceed unless and until the Parties have negotiated, executed and delivered mutually acceptable GWR Agreements, with any public agency action performed in compliance with CEQA and on other public review and hearing processes, and subject to all applicable governmental approvals. The Parties intend by this GWR MOU to inform and focus the work necessary to develop and review a water transfer program, not to pre-determine what that program may be.

**WHEREFORE**, this GWR MOU was executed by the parties on the date first above written.

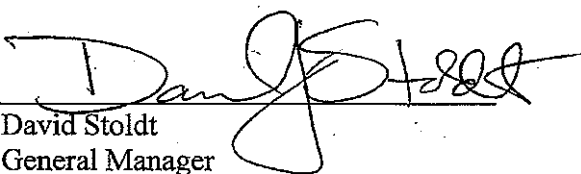
MRWPCA

MONTEREY REGIONAL WATER POLLUTION  
CONTROL AGENCY,

By:   
Ron Stefani, Board Chair  
MRWPCA Board of Directors


MPWMD

MONTEREY PENINSULA WATER MANAGEMENT  
DISTRICT,

By:   
David Stoldt  
General Manager

CAL AM

CALIFORNIA AMERICAN WATER COMPANY,

By:   
Robert MacLean  
President

# EXHIBIT B

**MRWPCA-MPWMD  
GROUNDWATER REPLENISHMENT PROJECT  
COST SHARING AGREEMENT**

This Cost Sharing Agreement is entered into as of May 20, 2013, by and between the Monterey Regional Water Pollution Control Agency, a joint powers authority ("MRWPCA") and the Monterey Peninsula Water Management District, a California special act district ("MPWMD"), collectively the "Parties", based upon the following facts, intentions and understandings of the Parties.

**I.  
BACKGROUND**

A. The Agency was formed as a Joint Powers Agency by a Joint Exercise of Powers Agreement for the Monterey Regional Water Pollution Control Agency, effective as of June 29, 1979. Member entities formed the Agency in order to seek joint solutions to their wastewater treatment needs. The Agency owns and operates the Regional Treatment Plant ("RTP"), 25 wastewater pump stations, a land and ocean outfall. From the RTP, MRWPCA produces tertiary treated wastewater for agriculture irrigation. MRWPCA could treat waste waters through advanced treatment to provide for additional reuse.

B. MPWMD was created by the California Legislature in 1977 for the purposes of "conserving and augmenting the supplies by integrated management of ground and surface water supplies, for control and conservation of storm and wastewater, and for the promotion of the reuse and reclamation of water." The MPWMD's specific functions are "management and regulation of the use, reuse, reclamation, conservation of water and bond financing of public works projects." It is authorized to issue bonds, assess charges for groundwater enhancement facilities, levy assessments on real property and improvements, and "fix, revise, and collect rates and charges for the services, facilities, or water furnished by it".

C. The parties believe that an additional increment of water supply should be generated for the benefit of Cal Am's Monterey District customers, many of whom are within the service areas of MPWMD and MRWPCA, by conveying advanced treated wastewater from the MRWPCA to the Seaside Basin, where it could be injected for storage and subsequent recovery ("GWR Project").

D. The Parties and California American Water Company jointly entered into a Groundwater Replenishment Project Planning Term Sheet And Memorandum of Understanding To Negotiate In Good Faith ("GWR MOU") on April 20, 2012 to, among other things, enable planning and environmental evaluation of a groundwater replenishment project by the following:

- to commit themselves to evaluate the ways in which a groundwater replenishment project could be effectively accomplished;

Page 2 of 9

- to commit themselves to negotiate in good faith to reach agreement on such a project, should it be deemed viable;
- for MRWPCA to commit to act as lead agency to achieve California Environmental Quality Act ("CEQA") compliance for such a project, should it be deemed viable;
- for MPWMD to assist MRWPCA in providing the necessary financial support for the foregoing planning and CEQA compliance activities; and
- to identify non-binding preliminary terms of a GWR project agreement, which will assist in focusing the development of a GWR project responsive to the Parties' capabilities and needs.

E. Since 2005, MRWPCA has incurred costs of about \$2,698,265 for conceptual planning for a Groundwater Replenishment Project.

## II. AGREEMENT

NOW, THEREFORE, in consideration of the foregoing facts recited and the mutual goals and objectives contained herein, the Parties agree as follows:

### A. Finance

#### 1. **Planning and Development Costs Defined**

This Agreement is by its terms limited to sharing of costs of planning and development of the GWR Project, incurred beginning April 1, 2012. Examples of those costs include:

- a. CEQA
- b. Feasibility Review
- c. Facilities Planning
- d. Monitoring Well Construction and Testing
- e. Pilot Treatment and Pilot Injection
- f. Public Outreach

#### 2. **Financing of GWR Project Planning and Development Costs**

The Parties estimate that the costs described in Section 1., immediately above, will total \$6,957,352 as shown in the budget in Appendix A. Beginning FY2013-14, MPWMD shall pay seventy-five percent (75%) of such costs, and MRWPCA shall pay twenty-five percent (25%) of such costs. Seventy-five percent (75%) of full employee costs (salary and benefits) incurred by MRWPCA for up to two (2) of its employees' allocable time committed to tasks falling within the components described in Section 1., immediately above, shall be paid (reimbursed) by MPWMD. Prior to FY2013-14, such costs are shared fifty percent (50%) by each Party. Other employee costs incurred by either Party and allocable to the GWR Project will be reimbursed from the proceeds of the permanent financing pursuant to any reimbursement resolution adopted by MPWMD or MRWPCA.



**3. Grants and Loans**

MRWPCA or MPWMD may each pursue and receive grants, state revolving fund loans, or other forms of reimbursement from local, state, or federal sources. All such receipts will be delivered to MRWPCA and credit the GWR Project ledger as received. Such receipts will be deemed to offset project costs.

**4. Reimbursement**

MRWPCA shall invoice MPWMD and MPWMD shall pay, subject to the conditions described in Section 10.

**5. Limited Obligation**

MPWMD's financial obligations are limited obligations payable from its Water Supply Charge. MPWMD will provide a quarterly report to MRWPCA indicating the status of available funds.

**B. Ownership****6. System Ownership**

MRWPCA shall hold title to all GWR Project facilities to be constructed under this Agreement.

**C. Governance of Agreement****7. Scope of Work**

MRWPCA shall be the lead Party for performance and completion of work under this Agreement. However, the Parties will endeavor to meet regularly to monitor the progress of work under this Agreement.

**8. GWR Project Budgets**

The Boards of MRWPCA and MPWMD shall approve a joint budget each fiscal year for phases of the GWR Project ("GWR Project Budgets".) To the extent that additional funds are required to complete work authorized by this Agreement the Parties will meet to discuss appropriate modifications to the GWR Project Budget, and neither Party shall unreasonably refuse to modify the GWR Project Budget as necessary to complete work authorized by this Agreement. MRWPCA shall meet at least quarterly to review the budget and provide MPWMD updates and modifications to the budget on a timely basis.

**D. MRWPCA's Obligations****9. Day-to-Day Management**

MRWPCA shall provide day-to-day management of the work authorized by this Agreement, subject to applicable terms and conditions herein. MRWPCA shall serve as the contracting authority for the Parties for the GWR Project and, with MPWMD's concurrence, contract directly with all professionals, firms, and outside contractors.

**10. Payment**

MRWPCA shall pay for consultants, contractors, and other GWR Project-related costs in accordance with the terms of this Agreement. MRWPCA shall submit monthly invoices to MPWMD which will include back-up documentation substantiating the GWR Project-related costs incurred by MRWPCA.

**11. Purified Water Sales Agreement**

Before final design and construction proceeds, MRWPCA shall work jointly with MPWMD to develop a Recycled Water Sales Agreement under which MRWPCA will deliver recycled water to MPWMD for storage in the Seaside Groundwater Basin. Such agreement will address quantity delivered, cost, quality, Watermaster storage and recovery agreement, metering and measurement of flows, invoicing, and other matters.

**E. MPWMD's Obligations****12. Payment of Invoices**

MPWMD shall have the right to review and confirm that the invoices submitted by the MRWPCA are in conformance with the terms of this Agreement. Payments will be made within 30 days of receipt of invoice. If during the review of invoice MPWMD disputes any payments as not being in accordance with this Agreement, the MPWMD will notify the MRWPCA within the 30 days to resolve any disputes.

**13. Wholesale Water Purchase Agreement**

Before final design and construction proceeds, MPWMD shall work jointly with California American Water Company to develop a Wholesale Water Purchase Agreement under which MPWMD will deliver potable water to California American from storage in the Seaside Groundwater Basin. Such agreement will address quantity delivered, cost, minimum annual purchase amounts, water quality, metering and measurement of flows, invoicing, and other matters.

**F. Term and Termination****14. Term**

This Agreement shall remain in force and effect for five years. Before final design and construction proceeds, and in no case later than within thirty (30) days after the fourth anniversary of the date of adoption of this Agreement, the Parties shall meet to decide whether to extend this Agreement. Any extension of this Agreement shall be in writing and on mutually acceptable terms and conditions.

**G. Events of Default; Dispute Resolution****15. Event of Default**

The failure of a Party to comply with any provision of this Agreement that has a material and adverse effect on the other Party, except to the extent caused by a breach of this Agreement by the other Party, shall constitute an Event of Default under this Agreement;

provided, however, that the defaulting Party shall first have a period of thirty (30) days following receipt of notice from the other Party of such failure to comply to cure such failure, or if such cure cannot be effected within such thirty (30) day period, such period shall extend for a total of one hundred eighty (180) days, so long as the defaulting Party is diligently trying to cure such failure throughout such period.

#### **16. Dispute Resolution**

Staffs of both Parties shall meet and use their best efforts to settle any dispute, claim, question or disagreement (a "Dispute") arising from or relating to this Agreement. To that end, staffs of both Parties shall consult and negotiate with each other in good faith and, recognizing their mutual interests, attempt to reach a just and equitable solution satisfactory to both Parties. If the Parties do not reach such a solution within a period of thirty (30) days after the first meeting of the staff regarding a Dispute, then the Parties shall pursue non-binding mediation to be completed within sixty (60) days after the first meeting of the Parties regarding the Dispute. If the Parties do not settle the Dispute within the sixty (60) day period, either Party may pursue any and all available legal and equitable remedies.

#### **H. Miscellaneous.**

##### **17. Force Majeure**

Neither Party shall be deemed to be in default where failure or delay in performance of any of its obligations (other than payment obligations) under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, actions of legislative, judicial, executive or regulatory government bodies or other cause, without fault and beyond the reasonable control of such Party. If any such events shall occur, the time for performance by either Party of any of its obligations hereunder shall be extended by the Parties for the period of time that such events prevented such performance. Upon the occurrence of an event of Force Majeure, the affected Party shall: (i) promptly notify the other Party of such Force Majeure event, (ii) provide reasonable details relating to such Force Majeure event and (iii) implement mitigation measures to the extent commercially reasonable.

##### **18. Indemnities**

- a. **MPWMD Indemnity.** MPWMD shall fully indemnify MRWPCA and its respective directors, , employees and agents against, and hold completely free and harmless from, any cost, expense, claim, demand, judgment, loss, injury and/or liability of any kind or nature, including personal or bodily injury, death or property damage ("Losses"), that may arise from (i) any grossly negligent act or omission of MPWMD related to construction of the GWR Project or (ii) any claim made by a MPWMD employee specifically retained to provide services with respect to the facilities.
- b. **MRWPCA Indemnity.** MRWPCA shall fully indemnify MPWMD and its respective directors, employees and agents against, and hold completely free and harmless from, any Losses, that may arise from (i) any grossly negligent act or omission of MRWPCA related to the GWR Project construction, management,

operation, maintenance or repair, except for costs, expenses, claims, demands, judgments, losses, injuries and/or liability arising from any grossly negligent act or omission of MPWMD related to construction of the GWR Project or (ii) any claim made by a MRWPCA employee specifically retained to provide services with respect to the GWR Project.

#### **19. Insurance/Self Insurance**

The Parties are either insured or self-insured as to any requirements under this Agreement. No policies or bonds are required of either party as to any provisions of this Agreement.

#### **20. Notices**

All notices to MPWMD required or permitted under this Agreement shall be in writing and shall be deemed delivered (i) when delivered in person, (ii) on the third day after mailing, if mailed, postage prepaid, by registered or certified mail (return receipt requested); (iii) on the day after mailing if sent by a nationally recognized overnight delivery service which maintains records of the time, place, and recipient of delivery; (iv) upon receipt of a confirmed transmission, if sent by telex, telecopy or facsimile transmission; or (v) via electronic mail provided the sender's system is capable of creating a written record of such notice and its receipt in each case to the parties at the following addresses or to other such addresses as may be furnished in writing by one party to the other:

Monterey Peninsula Water Management District  
5 Harris Court, Building G  
Monterey, CA 93940  
Attention: General Manager

All notices to MRWPCA required or permitted under this Agreement shall be in writing and shall be deemed delivered (i) when delivered in person, (ii) on the third day after mailing, if mailed, postage prepaid, by registered or certified mail (return receipt requested); (iii) on the day after mailing if sent by a nationally recognized overnight delivery service which maintains records of the time, place, and recipient of delivery; (iv) upon receipt of a confirmed transmission, if sent by telex, telecopy or facsimile transmission; or (v) via electronic mail provided the sender's system is capable of creating a written record of such notice and its receipt in each case to the parties at the following addresses or to other such addresses as may be furnished in writing by one party to the other:

Monterey Regional Water Pollution Control Agency  
5 Harris Court, Building D  
Monterey, CA 93940  
Attention: General Manager

#### **21. Successors And Assigns**

The terms and conditions of this Agreement shall inure to the benefit of and be binding upon the Parties hereto and their respective heirs, representatives, successors and permitted assigns.

**22. Further Acts and Assurances**

The Parties agree to execute, acknowledge and deliver any and all additional papers, documents and other assurances, and shall perform any and all acts and things reasonably necessary, in connection with the performance of the obligations hereunder and to carry out the intent of the Parties.

**23. Captions**

The captions in this Agreement are inserted only as a matter of convenience and reference and in no way define, limit or describe the scope or intent of this Agreement nor in any way affects this Agreement. Words of any gender in this Agreement shall be held to include any other gender and words in the singular number shall be held to include the plural when the sense so requires.

**24. Severability**

Should it be found that any part of this Agreement is illegal or unenforceable, such part or parts of this Agreement shall be of no force nor effect and this Agreement shall be treated as if such part or parts had not been inserted.

**25. Entire Agreement**

All previous negotiations had between the Parties hereto and/or their agents or representatives with respect to this Agreement are merged herein and this Agreement alone fully and completely expresses the Parties' rights and obligations.

**26. Modifications In Writing**

This Agreement shall not be modified in any manner except by an instrument in writing executed by the Parties or their respective successors in interest.

**27. Interpretation**

Each of the Parties hereby waives any provisions of law to the effect that an ambiguity in a contract or agreement should be interpreted against the Party that drafted the contract, agreement or instrument.

**28. Governing Law**

This Contract shall be governed by and construed according to the laws of California.

**29. No Third-Party Beneficiaries**

Nothing in this Agreement is intended to create any third-party beneficiaries to the Agreement, and no person or entity other than the Parties, and the permitted successors and assigns of either of them, shall be authorized to enforce the provisions of this Agreement.

**30. Assignment**

Neither Party may assign its interest in this Agreement without the prior written consent of the other Party.

Page 8 of 9

**31. Representation and Warranties**

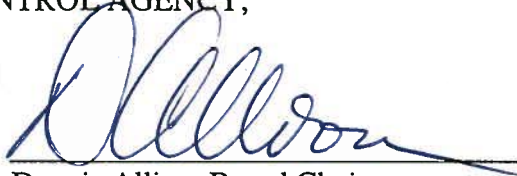
No representations or warranties are made or have been relied upon by either Party other than those expressly set forth herein, if any.

**WHEREFORE**, this Cost Sharing Agreement was executed by the parties on the date first above written.

MRWPCA

MONTEREY REGIONAL WATER POLLUTION  
CONTROL AGENCY,

By:



Dennis Allion, Board Chair  
MRWPCA Board of Directors

MPWMD

MONTEREY PENINSULA WATER MANAGEMENT  
DISTRICT,

By:



David Pendergrass, Chair  
MPWMD Board of Directors