

**SEASIDE GROUNDWATER BASIN WATERMASTER  
MEETING AGENDA**

**WEDNESDAY, DECEMBER 6, 2006, 1:30 P.M.  
SOPER FIELD, 220 COE AVENUE  
SEASIDE, CALIFORNIA**

**WATERMASTER BOARD:**

City of Seaside – Mayor Ralph Rubio, Chairman  
Laguna Seca Subarea Landowner – Director Bob Costa, Vice Chairman  
Monterey Peninsula Water Management District – Director Michelle Knight, Secretary  
City of Monterey –  
City of Sand City – Mayor David Pendergrass  
California American Water – Director Steve Leonard  
City of Del Rey Oaks – Mayor Joseph Russell  
Monterey County/Monterey County Water Resources Agency - Supervisor Jerry Smith,  
District 4  
Coastal Subarea Landowner – Director Paul Bruno

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF MINUTES;**

The minutes of the Regular Board of Meeting of November 1, 2006 and the Special Board Meetings of October 27, 2006 and November 15, 2006 are attached to this agenda. Watermaster Board is requested to approve the minutes of each meeting.

**IV. REVIEW OF AGENDA**

If there are any items that arose after the 72-hour posting deadline, a vote may be taken to add the item to the agenda, pursuant to the requirements of Government Code Section 54954.2(b). (A 2/3-majority vote is required.)

**V. PUBLIC PARTICIPATION/ ORAL COMMUNICATIONS**

Oral communications is on each meeting agenda in order to provide members of the public an opportunity to address the Watermaster on matters within its jurisdiction. Matters not appearing on the agenda will not receive action at this meeting but may be referred to the Watermaster Administrator or may be set for a future meeting. Presentations will be limited to three minutes or as otherwise established by the Watermaster. In order that the speaker may be identified in the minutes of the meeting, it is helpful if speakers would use the microphone and state their names. Oral communications are now open

**VI. CONSENT CALENDAR**  
Approve payment of bills

**VII. OLD BUSINESS**

**1. COMMITTEE REPORTS**

**ADMINISTRATIVE COMMITTEE (AD HOC)**

No current report

**RULES AND REGULATIONS COMMITTEE (AD HOC)**

No current report

**TECHNICAL COMMITTEE**

Chair Diana Ingersoll will give an update on consultant Martin Feeney's meeting with consultants who discussed the groundwater modeling component of the Seaside Basin Monitoring and Management Program.

Chair Diana Ingersoll will update the Board on meetings held with representatives of RBF Consulting and MPWMD/MCWRA that met with members of the Watermaster Technical Committee to discuss the management and implementation of the Seaside Basin Monitoring and Management Program. (Award of contracts on New Business portion of agenda)

**BUDGET AND FINANCE COMMITTEE**

No current report

**VIII. NEW BUSINESS**

1. Approve a budget increase of \$2,370 to pay the costs associated with having the firm of HydroFocus participate with the Martin Feeney group in developing a groundwater flow model for the Seaside Basin.
2. Award a contract to Monterey Peninsula Water Management District, (MPWMD)/Monterey County Water Resources Agency, (MCWRA) for the project management portion of the Seaside Basin Monitoring and Management Program.
3. Award a contract to RBF Consulting for the project implementation portion of the Seaside Basin Monitoring and Management Program.

**IX. STAFF INFORMATIONAL REPORTS**

1. Summary schedule of adopted financial assessments that will be billed after December 6<sup>th</sup> meeting. These assessments must be paid on or before January 15, 2007.

**X. DIRECTOR'S REPORTS**

**XI. NEXT MEETING DATE – JANUARY 3, 2007**

**XII. ADJOURNMENT**

This agenda was posted at the City Clerks Office at the City of Seaside on Friday, December 1, 2006 per the Ralph M. Brown Act. Government Code Section 54954.2(a). The agenda was forwarded via e-mail to the City Clerks of Monterey, Sand City and Del Rey Oaks; the Clerk of the Monterey Board of Supervisors; the Clerk to the Monterey Peninsula Water Management District; the Clerk at the Monterey County Water Resources Agency and the California American Water Company for posting on December 1, 2006.

**SPECIAL MEETING OF THE**  
Seaside Groundwater Basin Watermaster  
*October 27, 2006*

**MINUTES**

**I. CALL TO ORDER**

Chairman Rubio called the meeting to order at 2:33 p.m. in the Seaside Community Center at Soper Field, 220 Coe Avenue, Seaside.

**II. ROLL CALL**

City of Seaside – Mayor Ralph Rubio, Chairman  
Laguna Seca Subarea Landowner – Bob Costa, Vice Chairman (2:36 p.m.)  
Monterey Peninsula Water Management District (“MPWMD”) – Director Michelle Knight, Secretary  
City of Monterey – Mayor Dan Albert, Treasurer  
City of Sand City – Mayor David Pendergrass  
California American Water Co. – Steve Leonard  
City of Del Rey Oaks – Mayor Joseph Russell  
Monterey County/Monterey County Water Resources Agency (“MCWRA”) – Jerry Smith, District 4 Supervisor  
Coastal Subarea Landowner – Paul Bruno

**III. PUBLIC PARTICIPATION/ORAL COMMUNICATIONS**

There were no comments from the public.

**IV. SPECIAL MEETING BUSINESS**

**1. Adopt 2007 Administrative (Calendar) Year Budgets**

The recommendation is for adoption of tentative budgets with parties allowed 15 days to respond to the Board action. If no objections, then the budgets become final. If still an objection, then the budgets would be revised by the Board and put to the parties again for response. Further objections would be presented to the Court.

Chair Rubio requested that the budgets be reviewed quarterly for the Board to provide optimum fiduciary oversight.

• **Administrative Budget**

There were no questions or comments from the public.

Moved by Mayor Albert, seconded by Mayor Russell, and unanimously approved, with Directors Costa and Bruno recusant, to adopt the tentative 2007 Administrative (Calendar) Year Budget as presented, with a report format to be presented to the Board showing the carryover of any reserve fund or unspent revenue to the next fiscal year, and budget to actual revenue and expenditures.

- **Monitoring and Management Plan Budget**
  1. ***Planning and Monitoring – Operational Assessment***
  2. ***Capital Improvement and Groundwater Model Assessment***

CEO Evans clarified for the Board that the Operational Assessment (\$200,000) is one fund in the Monitoring and Management Plan Budget, with the Capital Improvement and Groundwater Model Assessment (\$1 million) being the other.

The Request for Proposals will be noted as an expense to be charged to the Planning and Monitoring – Operational Assessment in 2006. Other costs will be charged to the respective year budget as they arise. Mayor Pendergrass requested that notes to the budgets be listed specifically; for example what basis the +/-40% error is calculated on (the standard used in engineering as order of magnitude level of accuracy).

The Technical Committee will be charged with recommending to the Board how to proceed with the placement of the new well sites, bearing in mind that the Judgment requires 4 to 6 well sites total, but does not specify the number to be placed in each of the Coastal and Inland areas. Eliminating one well site would bring costs within the proposed budget. Due to the inland wells being used more for basin characterization than intrusion monitoring, it is recommended by Joe Oliver, MPWMD, that an inland site be eliminated. Data logger costs would not be reduced with the elimination of one well site, as the inland sites were not intended to have the data logging systems.

Mr. Russ McGlothlin, Counsel to the City of Seaside, clarified that the assessments of \$200,000 for operations and \$1 million for capital improvements are caps per the judgment for the one-time assessment, but there are no caps on what is budgeted or assessed for following years. The Board can demonstrate to the court its ability to prudently manage the program by raising more funds or applying overages when needed.

Moved by Mayor Albert, seconded by Mayor Russell, and unanimously approved, with Directors Costa and Bruno recusant, to adopt the tentative 2007 Planning and Monitoring – Operational Assessment and the Capital Improvement and Groundwater Model Assessment Funds comprising the Monitoring and Management Plan Budget: Monitor Well Construction to consist of 5 well sites instead of 6 @ \$180,000 per 4 wells at each site; quarterly review of the budgets by the Board; and notes to specify that the costs for the RFP for completion of the Basin Monitoring and Management Plan and implementation will be charged against Operational Assessment and that cost estimates and accuracy basis presented in the budgets are taken from the *Seaside Basin Monitoring and Management Program*.

Mr. McGlothlin recommended that the Board-approved *Seaside Basin Monitoring and Management Program* (“*Program*”) be amended to 5 well sites instead of 6 and that the Technical Committee be responsible for prioritizing the placement of the wells, to be consistent with the budget being adopted. Chair Rubio directed that the amendment to the *Program* be placed on the agenda of the next Regular Meeting, and acknowledged the Technical Committee’s responsibility to prioritize well placement.

- **Over-Production Replenishment Assessment Budgeted Amount**

Charlie Kemp, California American Water Company, presented slides on the data used to calculate the \$1,132 per acre-foot Over-production Replenishment Assessment agreed upon by the Technical Committee. Still to be decided is the “allocated share” to be brought to the Court on or after November 1, 2006. Mr. Kemp approximated accuracy of the determination to be +/-10%.

The Board discussed “in-lieu” recharge as it related to the letter to the Board from Eric N. Robinson, on behalf of the Laguna Seca Alternative Producers, dated October 27, 2006, requesting revisions and clarifications to agenda items for today’s meeting regarding the Replenishment Assessment Budget.

Chair Rubio instructed any interested party not yet represented on the Technical Committee to contact the Board for appointment consideration.

Mr. McGlothlin clarified for the Board that the \$1,132 is an assessment, not a budget – it is the 2007 cost per acre-foot of over-production that will be forecast to producers. The assessment is not due to be reviewed in 2007, however, if funds are under-budget for 2007, then the Board can set a new rate for 2008 to make up any deficit. Chair Rubio requested that staff track the data used to determine the assessment and report to the Board on a regular basis.

There were no questions or comments from the public.

Moved by Director Bruno, seconded by Director Knight, and unanimously approved, to adopt the tentative 2007 Over-Production Replenishment Assessment at \$1,132, and, pursuant to the Physical Solution imposed by the Judgment the Assessment on overproduction in excess of Natural Safe Yield does not apply to groundwater production within any Alternative Production Allocation.

## 2. **Adopt Seaside Watermaster Tasks and “Time” Schedule**

Mr. McGlothlin noted that in Table 1, Near-Term Tasks Required by the Judgment, second row, column two, a correction would be made prior to submission to the Court if in fact the payment of the assessments are not made by that time, indicating that the initial funding, assessments and payments have not been completed.

Moved by Director Bruno, seconded by Director Smith, and unanimously approved, to adopt Seaside Watermaster Tasks and "Time" Schedule Tables 1 through 3 with stated change, if necessary.

**V. INFORMATIONAL REPORT**

Mr. McGlothlin advised the Board that the plan is for the City of Seaside to file the petition in conjunction with California American Water Company legal counsel – one petition filed jointly. A draft of the petition is anticipated to be presented at the November 1, 2006, regular Board meeting.

**REGULAR MEETING SCHEDULED FOR WEDNESDAY, NOVEMBER 1,  
2006 1:30 P.M., SOPER FIELD, SEASIDE, CALIFORNIA**

**VI. ADJOURNMENT**

There being no further business, Chairman Rubio adjourned the meeting at 3:55 p.m.

D R A F T

## **REGULAR MEETING**

Seaside Groundwater Basin Watermaster

*November 1, 2006*

### **MINUTES**

#### **I. CALL TO ORDER**

Chairman Rubio called the meeting to order at 1:34 p.m. in the Seaside Community Center at Soper Field, 220 Coe Avenue, Seaside.

#### **II. ROLL CALL**

City of Seaside – Mayor Ralph Rubio, Chairman

Laguna Seca Subarea Landowner – Bob Costa, Vice Chairman

Monterey Peninsula Water Management District – Director Judi Lehman (alternate for Michelle Knight, Secretary)

City of Monterey – Mayor Dan Albert, Treasurer

City of Sand City – Mayor David Pendergrass

California American Water Co. – Steve Leonard

City of Del Rey Oaks – Mayor Joseph Russell

Monterey County/Monterey County Water Resources Agency – Jerry Smith, District 4 Supervisor

Coastal Subarea Landowner – Paul Bruno

#### **III. APPROVAL OF MINUTES OF October 4, 2006**

Moved by Mayor Pendergrass, seconded by Director Leonard, and unanimously carried, to approve the October 4, 2006 Watermaster meeting minutes.

#### **IV. REVIEW OF AGENDA**

There were no changes to the agenda.

#### **V. PUBLIC PARTICIPATION/ORAL COMMUNICATIONS**

Mr. Russ McGlothlin, Hatch and Parent representing the City of Seaside, requested a special meeting be scheduled in November for the Board to address the following items developed after the October 27, 2006, special meeting:

- Approve a petition including all substantive matters to be submitted to the Court by the Watermaster and not submitted as a dual-party representation by the City of Seaside/California American Water.
- Amend the Seaside Basin Monitoring and Management Plan (“BMMP”) to reflect 4-6 monitor well sites to be constructed, location and priority to be determined by the Technical Committee.
- Consider minor adjustments to the schedule that is attached to the BMMP.
- (Petition not to include the Over-Production Replenishment Assessment Formula request from the Court for clarification of the formula to be used to determine the Over-Production Replenishment Assessment. The City of Seaside/California American Water, not Watermaster, would be more appropriate for the submission of this request in a separate petition.)



## VI. CONSENT CALENDAR

There were no questions or comments from the Board or public.

Moved by Director Leonard, seconded by Mayor Russell, and unanimously carried to:

- Approve the payment of bills for October:

Contract Compensation—CEO	\$5,550.00
Reimbursable—General	5,866.04
- Accept the Financial Report for status through October 25, 2006

## VII. OLD BUSINESS

### 1. COMMITTEE REPORTS

#### AD HOC ADMINISTRATIVE COMMITTEE

No current report.

#### AD HOC RULES AND REGULATIONS COMMITTEE

No current report.

#### TECHNICAL COMMITTEE

##### Groundwater Modeling Component of the BMMP

Ms. Diana Ingersoll stated that the first task for Mr. Martin Feeney, facilitator for the groundwater modeling, was to bring together technical specialists with prior modeling program experience. Mr. Feeney will meet November 28, 2006, at 11 a.m with specialists Terry Foreman, Gus Yates, Joe Scalmanini, and Timothy Turbin, to discuss the modeling project. Costs for each participant ranges from \$1,900 to \$5,280.47, and a total for all is \$13,240.47. Ms. Ingersoll requested the Board hold a special meeting prior to the November 28 selection to approve the contracts of the specialists.

Mr. Feeney's contract has increased \$1,000 from the original \$13,600 due to insurance requirements for all of the selected contractors. Mr. Feeney has supplied proof of the insurance, and the Board is requested to formally approve the amendment of the contract for an increase to \$14,600 at the November special meeting.

##### Program Management and Implementation of the BMMP

The Technical Committee received three proposals to provide services for both management and implementation of the BMMP: RBF Consulting; Mactech Engineering and Consulting, Inc.; and MPWMD/MCWRA/Pueblo Water Resources, Inc. The proposals have been provided to the Technical Committee for review: Ms. Diana Ingersoll – City of Seaside; Charles Kemp – California American Water, Les Trunbeau – City of Monterey; Richard Simonitch - City of Sand City; John Fischer - Pacific Grove resident. Technical Committee appointees from Del Rey Oaks, Coastal Subarea, and Laguna Seca Subarea are still needed. Each committee

member, using the criteria and ranking sheet provided, will rank each written proposal submitted. A meeting is scheduled for November 8, 2006, at Oldemeyer Center to receive oral presentations from each proposer. Each member reviewing the written proposals will rate proposers' oral response to questions at this meeting. An overall ranking will then be determined. A recommendation from the Technical Committee to the Board will be presented at the special meeting requested for November.

#### **BUDGET AND FINANCE COMMITTEE**

There was no report for this period.

#### **VIII. NEW BUSINESS**

##### **Assessment to fund the Capital Improvement and Groundwater Model components of the BMMP**

Moved by Director Bruno, seconded by Director Leonard, and unanimously carried, to adopt the tentative approval of the \$1,000,000 assessment as directed by the court judgment to fund the Capital Improvement and Groundwater Model components of the Monitoring and Management Plan Budget, with a payment schedule of 25% due on January 15, 2007, and future payments due within 30-days or a sufficient timeframe prior to the letting of contracts relating to the BMMP, with the schedule being revised at the Board's discretion.

##### **Assessment to fund the 2007 Annual Monitoring and Management Plan Budget**

Moved by Director Leonard, seconded by Director Smith, and unanimously carried, to adopt the tentative approval of the 2007 annual Monitoring and Management Plan Budget assessment in the amount of \$200,000, with the total to be due January 15, 2007.

#### **IX. DIRECTOR'S REPORTS**

Mr. Nick Jacobs noted that a staff packet regarding the petition items would be forwarded to CEO Evans for distribution to the Board prior to the November 15 meeting.

CEO Evans informed the Board that in order for the adopted budgets to be made available to interested parties 60 days prior to the administrative year (December 31) they would need to be distributed tomorrow. He requested director feedback be directed to him as soon as possible after receipt of budgets tomorrow by email.

#### **X. SPECIAL MEETING SCHEDULED FOR NOVEMBER 15, 2006 1:30 P.M., SOPER FIELD, SEASIDE, CALIFORNIA**

**NEXT REGULAR MEETING DATE – DECEMBER 6, 2006, 1:30 P.M., SOPER FIELD, SEASIDE, CALIFORNIA.**

#### **XI. ADJOURNMENT**

There being no further business, Chairman Rubio adjourned the meeting at 2:11 p.m.

**SPECIAL MEETING OF THE**  
Seaside Groundwater Basin Watermaster  
*November 15, 2006*

**MINUTES**

**I. CALL TO ORDER**

Chairman Rubio called the meeting to order at 1:30 p.m. in the Seaside Community Center at Soper Field, 220 Coe Avenue, Seaside.

**II. ROLL CALL**

City of Seaside – Mayor Ralph Rubio, Chairman  
Laguna Seca Subarea Landowner – Bob Costa, Vice Chairman  
Monterey Peninsula Water Management District (“MPWMD”) – Director Judi Lehman (alternate for Director Michelle Knight, Secretary)  
City of Monterey – Mayor Dan Albert, Treasurer  
City of Sand City – Mayor David Pendergrass  
California American Water Co. (“Cal-Am”) – Steve Leonard  
City of Del Rey Oaks – Mayor Joseph Russell  
Monterey County/Monterey County Water Resources Agency (“MCWRA”) – Curtis Weeks (alternate for Jerry Smith, District 4 Supervisor)

**Absent** – Coastal Subarea Landowner – Paul Bruno

**III. PUBLIC PARTICIPATION/ORAL COMMUNICATIONS**

There were no comments from the public.

**IV. SPECIAL MEETING BUSINESS**

**1. Approve Petition to Court**

Mr. Russ McGlothlin, Law Firm of Hatch and Parent, representing the City of Seaside, stated that the draft petition to be submitted to the Court by the Watermaster is presented to the Board for finalization. A concurrently filed pleading to be submitted by California American Water and the City of Seaside regarding clarification of the replenishment assessment formula will not be brought before the Watermaster Board due to it being a matter of legal interpretation of the judgment by the Court proprietary to Cal-Am and the City of Seaside and not a matter of implementation of the judgment which is governed by the Watermaster. A 30-day period will be allowed for public comment after the filing of the concurrent Cal-Am/City of Seaside petition prior to the hearing date set by the court. The Court’s interpretation of the concurrently filed pleading does affect the Watermaster inasmuch as a placeholder is noted in section 6.5.1 of the Watermaster Rules and Regulations until clarification of the method of calculating the Over-Production Replenishment Assessment is given by the Court.

There were no questions or comments from the public.

***Moved by Director Weeks, seconded by Director Costa, and unanimously carried, to approve the Petition to Court regarding the update of the Watermaster activities and proposed amendments to the decision.***

**2. Approve Revisions to the Seaside Basin Monitoring and Management Program (“BMMP”)**

Mr. McGlothlin stated the amendment clarifies BMMP wording to make it consistent with the wording of the adopted Planning and Monitoring Budget Operating Assessment by stating that the program provides up to six additional “sentinel” monitoring wells may be constructed with the funds made available, and that the priority in which the monitoring well installations are constructed will be determined by the Technical Committee. Mr. Joe Oliver, MPWMD, noted that monitoring wells indicated in the amendment should be correctly termed “well sites.”

***Moved by Director Leonard, seconded by Director Weeks, and unanimously carried, to approve revisions to the Seaside Basin Monitoring and Management Program regarding the installation of the new monitoring wells, with references to “monitoring wells” being reworded to “monitoring well sites.”***

**3. Approve Revisions to the BMMP Implementation Schedule**

Mr. Oliver requested that revisions be made to the Implementation Schedule Task – Creation of Consolidated Basic Groundwater Resource Database – to update the completion timeline to better reflect reality.

	Start	Finish
1. Develop database RFP	9/30/06	12/29/06
2. Review Proposals, select consultant	1/2/07	3/31/07
3. Develop and approve database format	2/1/07	4/30/07
4. Populate database (historical data from all sources)	3/1/07	4/30/07
5. Populate database (current monitoring data)	3/1/07	5/31/07
6. Prepare database documentation report	4/1/07	6/30/07

***Moved by Director Leonard, seconded by Mayor Albert, and unanimously carried, to approve revisions to the Seaside Basin Monitoring and Management Program Implementation Schedule, with noted changes.***

**4. Approve Amendments to Rules and Regulations**

The Board received and reviewed the “red-line” version of the proposed amendments to the Rules and Regulations of the Seaside Groundwater Basin Watermaster.

Mr. David Laredo requested from CEO Dewey Evans that any email correspondence from him containing “red-line” edited documents be noted as requiring a color printer to correctly reproduce.

***Moved by Director Costa, seconded by Mayor Russell, and unanimously carried, to approve revisions to the Seaside Basin Watermaster Rules and Regulations.***

**5. Approve Increase in Consulting Contract**

There were no comments or questions from the public.

***Moved by Director Leonard, seconded by Mayor Albert, and unanimously carried, to approve an increase in Mr. Martin Feeney's consulting contract from \$13,600 to \$14,600 to offset the increased cost to Mr. Feeney for the required \$2,000,000 insurance coverage.***

**6. Operational Budgeted Amount for Groundwater Flow Modeling Costs**

Ms. Diana Ingersoll, Technical Committee Chair, advised the Board that a meeting is scheduled for November 28, 2006, with groundwater modeling facilitator Mr. Feeney and four consultants assisting with the Seaside Basin groundwater flow modeling: Mr. Foreman, Mr. Yates, Mr. Durbin, and Mr. Scalmanini. Approximately \$14,000 is anticipated in travel and meeting costs, and it is recommended that the estimated cost be budgeted within the Monitoring and Management Plan Budget Planning and Monitoring Budget Operating Assessment.

The Board received and reviewed correspondence dated November 14, 2006, from Mr. Eric N. Robinson, counsel for the Laguna Seca Alternative Producers, requesting the Board fund the participation of groundwater modeling expert Mr. John L. Fio in the upcoming meeting of groundwater modeling consultants on November 28, 2006.

***Moved by Director Weeks, seconded by Director Leonard, and unanimously carried, to approve establishing a budgeted amount of \$14,000 in the Monitoring and Management Plan Operational Budget to cover the anticipated travel and meeting costs associated with the four consultants assisting with the Seaside Basin groundwater flow modeling: Foreman, Yates, Durbin, and Scalmanini; the Technical Committee is to recommend at the next regular meeting whether the budgeted amount needs to be amended to cover the costs of Mr. Fio as an additional participant in the November 28<sup>th</sup> meeting.***

**7. Selection of Consultants to Manage and Implement the BMMP**

Ms. Ingersoll, Technical Committee Chair, recommended the Board accept as finalists to provide project management services and project implementation services the following two firms respectively:

- Monterey Peninsula Water Management District/Monterey County Water Resources Agency – Program Management
- RBF Consulting – Program Implementation

Upon Board approval of the selection of finalists, Ms. Ingersoll and Mr. Charles Kemp, Technical Committee members, would meet with the two agencies separately to determine a scope of work and determine the costs for each of the program services. Award of contracts would be brought before the Board at the December 6, 2006 regular Board meeting.

Chair Rubio inquired of Ms. Ingersoll as to program accountability: If MPWMD/MCWRA is the program manager and reports to the Technical Committee, and MPWMD/MCWRA representatives are seated on the Technical Committee, isn't the program management agency overseeing itself? Ms. Ingersoll stated that during the program manager selection process the MPWMD and MCWRA Technical Committee Representatives were "seated on the other side of the table," and it was her understanding that they would continue to do so throughout the duration of the program.

There were no comments or questions from the public.

***Moved by Director Leonard, seconded by Mayor Albert, and unanimously carried, with Directors Weeks and Lehman recusing, to approve the selection of the Monterey Peninsula Water Management District/Monterey County Water Resources Agency for Seaside Groundwater Basin Program management services and RBF Consulting for Seaside Groundwater Basin Program implementation services, and a meeting between Technical Committee members and each finalist to develop a scope of work and to determine costs for each program service.***

7. **REGULAR MEETING SCHEDULED FOR WEDNESDAY, DECEMBER 6, 2006 1:30 P.M., SOPER FIELD, SEASIDE, CALIFORNIA**
8. **DIRECTOR'S REPORTS**

Mayor Albert brought to the Board's attention the fact that the Watermaster is on track and progressing in fine manner regarding the duties and responsibilities assigned to it as his service to the Board ends at the conclusion of this meeting. Chair Rubio commended Mayor Albert for his exemplary public service and professional manner, and wished him well in his retirement.
9. **ADJOURNMENT**

There being no further business, Chairman Rubio adjourned the meeting at 2:20 p.m.

**SEASIDE GROUNDWATER BASIN  
WATERMASTER**

To: Board of Directors

From: Dewey D Evans, CEO

Date: December 6, 2006

Subject: Payment of November Bills

Recommendation:

That the Board of Directors approve the payment of bills as listed on the attached schedule

Comments:

Contract Compensation—For the period October 26 through November 29, 2006 I recorded a total of 76 direct hours working on Watermaster related business. During this period there were three (3) Board meetings to prepare for, reports to write, meetings to attend, and numerous telephone and other messages that required my attention.

Reimbursables—Direct costs that I am requesting to be reimbursed for include: monthly rent of office space at 2600 Garden Road, Suite 228; expense of setting up an office computer, transferring files from my home computer, and installing proper safeguards, firewalls, etc.. Also, there was the payment of professional services of having accurate minutes taken and transcribed for three Board meetings; October 27, Nov. 1 and Nov. 15. Monthly telephone and internet service for the office, purchase of a much needed dictionary and thesaurus and a few office supplies.

Dewey D Evans

**SEASIDE GROUNDWATER BASIN  
WATERMASTER  
November, 2006**

Request for Payments:

Contract Compensation:

Chief Executive Officer-Dewey D Evans	
76 hours worked October 26 through November 29, 2006	
At \$75.00 per hour--	<u>\$5,700.00</u>

Reimbursables:

Pay to Dewey D Evans for personal expenses paid on behalf of Watermaster program:

Office rental-2600 Garden Road, Suite 228	\$280.00
Computer set up, transfer of files, install and maintain Firewall	690.00
Professional Services—Board meeting attendance and preparation of minutes for 10/27, 11/1 and 11/15/06	950.00
Telephone and Internet Services (Oct 13 thru Nov 12)	91.33
Printer ink cartridges	58.98
(2) Books- Dictionary and Thesaurus	34.16
Office supplies	<u>32.93</u>
Total Reimbursable	<u>\$2,137.40</u>



**SEASIDE GROUNDWATER BASIN  
WATERMASTER**

To: Board of Directors

From: Dewey D Evans, CEO

Date: December 6, 2006

Subject: Approve Budget Increase—Increase participation in Groundwater Flow Modeling for Seaside Basin

Recommendation:

Increase Monitoring & Management Operational Budget by \$2,370.00 to offset expenses incurred by representative of HydroFocus to participate in consultant meeting developing a groundwater flow model for the Seaside Basin.

Comments:

The Laguna Seca Alternative Producers requested that a representative of the firm, HydroFocus be included as a direct participant in the November 28, 2006 modelers' meeting being conducted by the Watermaster's consultant, Mr. Martin Feeney. The Watermaster Board at the special meeting of November 15, 2006 approved the request and instructed staff to amend the budget to cover the costs of the additional participant in the November 28, 2006 meeting. Included with this report is a letter dated November 21, 2006 from Mr. Eric N. Robinson, attorney representing the Laguna Seca Alternative Producers.

Dewey D Evans



ERIC N. ROBINSON  
erobinson@kmtg.com

November 21, 2006

Diana Ingersoll  
Chairperson, Seaside Basin  
Watermaster Technical  
Advisory Committee  
City of Seaside Deputy City Manager  
440 Harcourt Avenue  
Seaside, California 93955

Re: *Seaside Watermaster TAC Meeting*

Dear Ms. Ingersoll:

The Watermaster on November 15, 2006, approved the Laguna Seca Alternative Producers' proposal to have groundwater modeling experts at the HydroFocus firm participate in the Watermaster's development of a groundwater flow model that will be used to make Basin management decisions. The Watermaster specifically directed that HydroFocus be included as a direct participant in the November 28 modelers' meeting to be conducted by the Watermaster's contractor, Martin Feeney.

However, the Watermaster indicated that it could not approve funding for Hydrofocus' participation in the modelers' meeting, because it had not received a specific funding request sufficiently in advance of its special meeting. As explained in our letter dated November 14, 2006, despite our wide-ranging inquiries, we never received notice of when the Technical Committee would recommend Watermaster funding for participants in Mr. Feeney's model-development endeavor. It was not until November 13, when we received the agenda packet for the Watermaster's November 15 special meeting, that we understood that the Watermaster would act on a Technical Committee recommendation to fund modelers proposed by California American Water Company, the County, the Management District and City of Seaside. The day after we received that agenda, we submitted our funding request for Hydrofocus to participate in Mr. Feeney's November 28 meeting.

We understand that the Watermaster has directed that the agenda for the next Technical Committee meeting include funding the Hydrofocus firm's participation in Mr. Feeney's program to develop a groundwater flow model for the Seaside Basin. You already have our request for \$2,370 in Watermaster funding for the Hydrofocus firm's participation in the November 28 modelers' meeting. We respectfully request that the Committee recommend Watermaster approval of that funding request to reimburse the Laguna Seca Alternative

Diana Ingersoll  
November 21, 2006  
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Producers. Our modeler's participation in the development of the Watermaster's groundwater flow model will broaden the range of technical expertise and perspectives ultimately reflected in the model. In turn, that should broaden support for the model, which the Watermaster will use in managing the Basin.

Finally, on behalf of the Laguna Seca Alternative Producers, I request advance notice of the date, time, location and agenda for all future Technical Committee meetings. Please email such notices to me at: [erobinson@kmtg.com](mailto:erobinson@kmtg.com). Receiving advance meeting agendas will facilitate effective participation in the Committee process. It also would seem appropriate for the Committee to keep and distribute official minutes documenting the agenda items it has considered and disclosing any and all actions taken by the Committee, including recommendations to be submitted for Watermaster approval. The Technical Committee is an arm of the Watermaster. Providing reasonable notice of Committee meetings and clearly documenting Committee action will aid in the effective, transparent operation of this important Watermaster function.

Very truly yours,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD  
A Law Corporation



Eric N. Robinson

ENR/dg  
Enclosures

cc: Dewey Evans  
Robert Costa  
Elizabeth Gianola  
Anne Hartman  
Virginia A. Hines  
Leonard McIntosh

847018.1

**SEASIDE GROUNDWATER BASIN  
WATERMASTER**

To: Board of Directors

From: Dewey D Evans, CEO

Date: December 6, 2006

Subject Award of Contract for Project **Management** portion of the Seaside Basin Monitoring and Management Program.

Recommendation:

Award a contract to Monterey Peninsula Water Management District, (MPWMD)/Monterey County Water Resources Agency, (MCWRA) for the project management portion of the Seaside Basin Monitoring and Management Program.

Comments:

Following a prescribed process, a special committee of the Watermaster Technical Committee, Chaired by Diana Ingersoll, selected the combined agencies of the MPWMD/MCWRA to manage the Seaside Basin Monitoring and Management Program. The total budget estimate for managing this portion of the project is \$196,106. The attached tables will show how the estimate was established.

TABLE 1—fourth column from the left summarizes the estimated costs by major task.

TABLE 2—seventh column from the left shows more of the detail costs under each major task. This table is made up of three (3) pages.

TABLE 3---is a separate overall estimated cash flow summary of when funds will be needed.

Members of the Watermaster Technical Committee and others will be available to answer questions.

Dewey D Evans

**SEASIDE GROUNDWATER BASIN  
WATERMASTER**

To: Board of Directors

From: Dewey D Evans, CEO

Date: December 6, 2006

Subject: Award of Contract for Project **Implementation** portion of the Seaside Basin Monitoring and Management Program.

Recommendation:

Award a contract to RBF Consulting for the project implementation portion of the Seaside Basin Monitoring and Management Program.

Comments:

Following a prescribed process, a special committee of the Watermaster Technical Committee, Chaired by Diana Ingersoll, selected the firm of RBF Consulting to implement the Seaside Basin Monitoring and Management Program. The total budget estimate for implementing this portion of the project is \$1,734,200. The attached tables will show how the estimate was established.

TABLE 1—fifth column from the left summarizes the estimated costs by major task.

TABLE 2—eighth column from the left shows more of the detail costs under each major task. This table is made up of three (3) pages.

TABLE 3—is a separate overall estimated cash flow summary of when funds will be needed.

Members of the Watermaster Technical Committee and others will be available to answer questions.

Dewey D Evans

TABLE 1

Seaside Basin Monitoring and Management Program				
<b>ESTIMATED BUDGET SUMMARY</b> MPWMD/ MCWRA and RBF Team Costs				
Item	Cost Description	Total Fee	MPWMD/MCWRA	RBF Team
<b>Labor Costs*</b>	See Estimated Labor Budget Table For Details			
M.1 Program Administration		\$240,408	\$51,408	\$189,000
I.1 Monitor Well Construction		\$587,259	\$11,484	\$575,775
I.2 Production, Water Level and Quality Monitoring		\$406,091	\$96,566	\$309,525
I.3 Basin Management		\$369,360	\$14,760	\$354,600
I.4 Seawater Intrusion Contingency Plan		\$171,288	\$21,888	\$149,400
	<i>Subtotal</i>	<b>\$1,774,406</b>	<b>\$196,106</b>	<b>\$1,578,300</b>
<b>Direct Costs</b>				
ASR/Pueblo Water Resources				
	Minitrolls (Water Level and EC transducers/dataloggers for 16 wells)	\$32,000		
	Water Level Sounder	\$900		
	Field Water Quality Instrument	\$800		
	Drilling Fluid Test Kit	\$2,500		
	Per Diem (Lodging and Meals)	\$44,200		
	Baseline Water Quality Analyses (Gen. Mineral/Physical, 22 wells)	\$5,500		
RBF Consulting	Reproduction, Mileage and Miscellaneous	\$70,000		
	<i>Subtotal</i>	<b>\$155,900</b>		<b>\$155,900</b>
<b>TOTAL</b>		<b>\$1,930,306</b>	<b>\$196,106</b>	<b>\$1,734,200</b>

\*Note: Drilling Contractor costs for new monitoring wells is not included. Contractor bids will be solicited and contract to be awarded



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TABLE 2

<b>Seaside Basin Monitoring and Management Program MPWMD/ MCWRA and RBF Team Proposed Scope and Budget</b>								
Task No.	Task Description	Lead	Mgmt (M) Impl (I)	Performed By		Labor Budget		
				MPWMD/ MCWRA	RBF Team	MPWMD	RBF Team	Total
<b>I. 3</b>	<b>Basin Management</b>	<b>RBF</b>						
I. 3. a.	Develop Criteria and Protocol for Management Actions	RBF/ MPWMD	M/I	x	RBF/MPWMD	\$ 3,280	\$ 6,000	\$ 9,280
I. 3. b.	Enhanced Seaside Basin Groundwater Model							
I. 3. b. 1.	Oversight of Groundwater Model Development Program	RBF/ MPWMD	M	x	RBF/ MPWMD	\$ 4,920	\$ -	\$ 4,920
I. 3. b. 2.	Identify Questions, Concerns, and Issues for Model- Develop Watermaster Goals	RBF	M/I		RBF/ HydroMetrics	\$ -	\$ 20,500	\$ 20,500
I. 3. b. 3.	Develop Scope to and Costs for Model	RBF	I		RBF/ HydroMetrics	\$ -	\$ 20,500	\$ 20,500
I. 3. b. 4.	Develop an Agreeable Basin Water Budget	RBF	I		RBF/ HydroMetrics	\$ -	\$ 15,000	\$ 15,000
I. 3. b. 5.	Extract Info from Other Models	RBF	I		RBF/ HydroMetrics	\$ -	\$ 9,700	\$ 9,700
I. 3. b. 6.	Import All Data into Model Environment	RBF	I		RBF/ HydroMetrics	\$ -	\$ 14,100	\$ 14,100
I. 3. b. 7.	Calibrate Model to Measured Data	RBF	I		RBF/ HydroMetrics	\$ -	\$ 14,100	\$ 14,100
I. 3. b. 8.	Run Model to Enhance Basin Management/ Address Questions	RBF	I		RBF/ HydroMetrics	\$ -	\$ 34,250	\$ 34,250
I. 3. c.	Prepare Basin Management and Action Plan	RBF	I	x	RBF/ HydroMetrics	\$ 6,560	\$ -	\$ 6,560
I. 3. c. 1.	Supplemental Water Supplies	RBF	I		RBF/ASRS			
I. 3. c. 1. 1	Review Of Monterey Peninsula Water Supply Projects Distribution and Delivery System/ End Use Consumer Improvements and Mandatory Conservation Efforts	RBF	I			\$ -	\$ 13,300	\$ 13,300
I. 3. c. 1. 2	Non-Potable Water Resources	RBF	I			\$ -	\$ 13,600	\$ 13,600
I. 3. c. 1. 3	Out-of-Basin Imports	RBF	I			\$ -	\$ 14,700	\$ 14,700
I. 3. c. 1. 4	Develop Technical Memorandum	RBF	I			\$ -	\$ 18,200	\$ 18,200
I. 3. c. 1. 5		RBF	I			\$ -	\$ 18,200	\$ 18,200
I. 3. c. 2.	Pumping Redistribution Strategies	RBF	I		RBF/ HydroMetrics/ASRS			
I. 3. c. 2. 1	Basin overdraft, mandatory GW reduction	RBF	I			\$ -	\$ 5,700	\$ 5,700
I. 3. c. 2. 2	Salinity detection, mandatory GW reduction	RBF	I			\$ -	\$ 5,700	\$ 5,700
I. 3. c. 2. 3	Reduced GW delivery impacts and solutions	RBF	I			\$ -	\$ 20,400	\$ 20,400
I. 3. c. 2. 4	In Lieu, Voluntary pumping reductions	RBF	I			\$ -	\$ 12,900	\$ 12,900
I. 3. c. 2. 5	Water Banking	RBF	I			\$ -	\$ 13,500	\$ 13,500
I. 3. c. 2. 6	Salinity barrier system	RBF	I			\$ -	\$ 13,500	\$ 13,500
I. 3. c. 2. 7	Develop TM on pumping variability	RBF	I			\$ -	\$ 20,750	\$ 20,750
I. 3. d.	Plan Preparation	RBF	I			\$ -	\$ 50,000	\$ 50,000
					<i>Subtotal</i>	\$ 14,760	\$ 354,600	\$ 369,360
<b>I. 4.</b>	<b>Seawater Intrusion Contingency Plan</b>	<b>RBF</b>	<b>M/I</b>					
I. 4. a.	Oversight of Seawater Intrusion Detection and Tracking	MCWRA	M	x		\$ 3,648	\$ -	\$ 3,648
I. 4. b.	Develop Seawater Intrusion Analysis Protocol	RBF		x	RBF/ HydroMetrics/ASRS	\$ 3,648	\$ 11,500	\$ 15,148
I. 4. c.	Identify and Locate Wells	RBF		x	RBF/ HydroMetrics	\$ 912	\$ 18,500	\$ 19,412
I. 4. d.	Compile and QA Historical Data	RBF		x	RBF/ HydroMetrics	\$ 1,824	\$ 17,000	\$ 18,824
I. 4. e.	Prepare Baseline Water Level Contour Mapping	RBF			MCRWA RBF/HydroMetrics	\$ 912	\$ 12,500	\$ 13,412
I. 4. f.	Prepare Mapped Representation of Baseline Basin Pumping	RBF			MCWRA RBF/HydroMetrics	\$ 912	\$ 12,500	\$ 13,412
I. 4. g.	Graph and Map Historical Data/Establish Baseline Water Quality	RBF		x	RBF/ HydroMetrics	\$ 1,824	\$ 16,800	\$ 18,624
I. 4. h.	Analyze and Map Water Quality from Coastal Monitoring Wells	RBF		x	RBF/ HydroMetrics	\$ 1,824	\$ 17,500	\$ 19,324
I. 4. i.	Annual Report- Seawater Intrusion Analysis	RBF		x	RBF/ HydroMetrics	\$ 3,648	\$ 20,050	\$ 23,698
I. 4. j.	(Contingency) Develop Response Plan	RBF		x	RBF/ HydroMetrics/ASRS	\$ 2,736	\$ 23,050	\$ 25,786
					<i>Subtotal</i>	\$ 21,888	\$ 149,400	\$ 171,288
					<b>TOTAL</b>	\$ 196,106	\$ 1,578,300	\$ 1,774,406
<b>Notes:</b>	x- indicates work performed by							
	M- indicates Management							
	I- indicates Implementation							



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TABLE 3

**Seaside Basin Monitoring and Management Program**

**Estimated Cash Flow Summary**

	<i>Total</i>	Jan-07	Feb-07	Mar-07	Apr-07	May-07	Jun-07	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08
M-1	\$ 240,408	\$ 18,493	\$ 18,493	\$ 18,493	\$ 18,493	\$ 18,493	\$ 18,493	\$ 18,493	\$ 18,493	\$ 18,493	\$ 18,493	\$ 18,493	\$ 18,493	\$ 18,493
I-1	\$ 587,259	\$ 45,174	\$ 45,174	\$ 45,174	\$ 45,174	\$ 45,174	\$ 45,174	\$ 45,174	\$ 45,174	\$ 45,174	\$ 45,174	\$ 45,174	\$ 45,174	\$ 45,174
I-2	\$ 406,091	\$ 33,841	\$ 33,841	\$ 33,841	\$ 33,841	\$ 33,841	\$ 33,841	\$ 33,841	\$ 33,841	\$ 33,841	\$ 33,841	\$ 33,841	\$ 33,841	\$ 33,841
I-3	\$ 369,360	\$ 61,560	\$ 61,560	\$ 61,560	\$ 61,560	\$ 61,560	\$ 61,560							
I-4	\$ 171,288							\$ 24,470	\$ 24,470	\$ 24,470	\$ 24,470	\$ 24,470	\$ 24,470	\$ 24,470
	\$ 155,900	\$ 11,992	\$ 11,992	\$ 11,992	\$ 11,992	\$ 11,992	\$ 11,992	\$ 11,992	\$ 11,992	\$ 11,992	\$ 11,992	\$ 11,992	\$ 11,992	\$ 11,992
	\$ 1,930,306	\$ 137,219	\$ 171,060	\$ 171,060	\$ 171,060	\$ 171,060	\$ 171,060	\$ 133,970	\$ 133,970	\$ 133,970	\$ 133,970	\$ 133,970	\$ 133,970	\$ 133,970

Note: Budgets are averaged across the approximate duration of the Task. A detailed resource-loaded and budget-loaded schedule will be prepared upon project kick-off

**SEASIDE GROUNDWATER BASIN  
WATERMASTER**

To: Board of Directors  
 From: Dewey D Evans, CEO  
 Date: December 6, 2006  
 Subject: Fiscal Year 2007 Summary Schedule of Financial Assessments

Recommendation: None, staff informational report only

Comments:

The following schedule summarizes the financial assessments that will be billed before December 15, 2006 and are due and payable before January 15, 2007. It should be noted that the total Administrative Budget assessment of \$64,018 is projected to cover the entire fiscal year 2007.

The assessments for the Monitoring a & Management Budget of \$200,000 for the Operating portion and the \$250,000 for the Capital portion will only cover the anticipated expenditures for the months of January and February, 2007. That assumes the contracts previously discussed are awarded and the estimated cash flow is adhered to, as illustrated in Table 3 of the schedules submitted by the consultants. If that is the case, the next assessment for the Monitoring & Management Budget will need to take place at the regular Watermaster Board meeting on February 7, 2007. Future assessment amounts will be determined at that time.

	<u>Administrative</u>	<u>Monitoring &amp; Management</u>		<u>Total</u>
		<u>Operating</u>	<u>Capital</u>	
California American Water	\$53,135	\$182,000	\$227,500	\$462,635
City of Seaside	9,219	14,000	17,500	40,719
City of Sand City	1,664	0	0	1,664
Granite Rock Company	0	2,000	2,500	4,500
D.B.O. Development No. 27	<u>0</u>	<u>2,000</u>	<u>2,500</u>	<u>4,500</u>
Totals	<u>\$64,018</u>	<u>\$200,000</u>	<u>\$250,000</u>	<u>\$514,018</u>

Please let me know if you have any questions.

Dewey D Evans