SEASIDE GROUNDWATER BASIN WATERMASTER

REGULAR BOARD MEETING AGENDA
WEDNESDAY, MAY 4, 2011 - 2:00 P.M.
MEETING LOCATION
MONTEREY REGIONAL WATER POLLUTION CONTROL AGENCY
BOARD ROOM, 5 HARRIS COURT, BUILDING "D"
"RYAN RANCH"
MONTEREY, CALIFORNIA

WATERMASTER BOARD:
Coastal Subarea Landowner – Director Paul Bruno, Chair
City of Sand City – Mayor David Pendergrass, Vice Chair
California American Water – Director Craig Anthony
City of Seaside – Mayor Felix Bachofner
Monterey Peninsula Water Management District – Director Bob Brower
Laguna Seca Subarea Landowner – Director Bob Costa
City of Monterey – Mayor Chuck Della Sala
City of Del Rey Oaks – Mayor Jerry Edelen
Monterey County/Monterey County Water Resources Agency -- Supervisor Dave Potter, District 5

I. CALL TO ORDER

II ROLL CALL

III. MINUTES

The minutes of the Regular Board meeting of February 2, 2011 are attached to this agenda. The Board is requested to consider approving the minutes.

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 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

A. Consider Approval of Summary for Payments made during February, March and April, 2011 totaling $20,845.00

B. Consider Fiscal Year Financial Reports through April 30, 2011

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VII. ORAL PRESENTATION

Monterey Peninsula Water Management District's Darby Fuerst and Joe Oliver will provide an overview and update of the ASR project and related issues involving the Seaside Groundwater Basin.

VIII. OLD BUSINESS

None scheduled

IX. NEW BUSINESS

A. COMMITTEE REPORTS

1. Rules and Regulations Committee—Revision of Rules and Regulations Document to include language that addresses the membership of the Technical Advisory Committee

X. INFORMATIONAL REPORTS (No Action Required)

A. Timeline Schedule of Milestone Dates (Critical date monitoring)
B. Technical Advisory Committee (TAC) minutes from February 9 and March 9, 2011 meetings
C. Water Production Report for First Quarter and Second Quarter of Water Year 2010-2011 (October 1, 2010 through December 31, 2010 and January 1, 2011 through March 31, 2011).

XI. DIRECTOR'S REPORTS

XII. EXECUTIVE OFFICER COMMENTS

XIII. NEXT REGULAR MEETING DATE—JUNE 1, 2011 (MRWPCA-Board Room) 2:00 P.M.

XIV. ADJOURNMENT

This agenda was forwarded via e-mail to the City Clerks of Seaside, 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, Monterey Regional Water Pollution Control Agency and the California American Water Company for posting on April 29, 2011 per the Ralph M. Brown Act, Government Code Section 54954.2(a).

ITEM NO. III.

MINUTES

REGULAR MEETING
Seaside Groundwater Basin Watermaster
February 2, 2011

DRAFT MINUTES

I. **CALL TO ORDER**
Vice Chairman Bruno called the meeting to order at 2:02 p.m. in the Monterey Regional Water Pollution Control Agency Boardroom at 5 Harris Court, Building D, Monterey.

II. **ROLL CALL**
Coastal Subarea Landowner – Director Paul Bruno, Vice Chair
City of Del Rey Oaks – Mayor Jerry Edelen
California American Water ("CAW") – Director Craig Anthony
Monterey Peninsula Water Management District ("MPWMD") – Director Bob Brower
Laguna Seca Subarea Landowner – Bob Costa
City of Monterey – Mayor Charles "Chuck" Della Sala
City of Sand City – Mayor David Pendergrass
Monterey County/Monterey County Water Resources Agency ("MCWRA") – Supervisor Dave Potter

Absent: City of Seaside – Mayor Felix Bachofner

III. **APPROVAL OF MINUTES**

Moved by Supervisor Potter, seconded by Mayor Edelen, and carried, to approve the minutes of the Watermaster regular meeting held December 1, 2010. Mayor Dela Salla recused himself since he had not attended the December meeting.

IV. **REVIEW OF AGENDA**
There were no requested changes to the agenda.

V. **PUBLIC PARTICIPATION/ORAL COMMUNICATIONS**
There were no questions or comments from the public.

VI. **CONSENT CALENDAR**
A. Consider Approval of Summary for Payments made during December 2010 and January 2011 totaling **$65,693.58**
B. Consider Fiscal Year Financial Reports through December 31, 2010
C. Consider Ratifying CEO Approval of one new Contract with Central Coast Surveyors and a Modification to an Existing Contract with MPWMD, each under $10,000.

Moved by Director Costa, seconded by Supervisor Potter, and unanimously carried, to approve the consent calendar as presented.

VII. **ORAL PRESENTATION**
There were no oral presentations.

VIII. **OLD BUSINESS**
A. Discussion/Possible Appointment of Public Member to the Technical Advisory Committee (TAC)

The board received and reviewed the staff report prepared by Bob Jaques, Technical Program Manager. There had been one statement of interest received in response to the posting of a vacant public member position on the Watermaster TAC. Mr. Jaques had met with candidate Richard Willis and recommended to the board that he be appointed to the TAC. The board directed staff to amend the Watermaster Rules and Regulations to clarify the TAC public member position as a voting position and to clarify a term limit.

Moved by Supervisor Potter, seconded by Mayor Edelen, and unanimously carried, to appoint Mr. Richard Willis to the public member position on the TAC as a voting member with a two-year term limit.

IX. NEW BUSINESS

A. COMMITTEE REPORTS

1. BUDGET AND FINANCE COMMITTEE

a). Discussion/Consider Approving California American Water's Request to Allow a Credit for actual expenditures incurred in calendar year 2008 for pursuing the Coastal Water Project amounting to $5,095,213 to be used to offset the Watermaster Year 2009/2010 Overproduction Replenishment Assessment. The Budget and Finance Committee at its January 24, 2011 meeting had voted unanimously in favor of recommending to the Watermaster board that the credit be extended.

Moved by Mayor Pendergrass, seconded by Mayor Dela Salla, and unanimously carried, to approve the credit requested by California American Water in the amount of $5,095,213 to offset the Replenishment Assessment fees imposed by Watermaster for over pumping of the Seaside Basin subject to the conditions of the Memorandum of Understanding ("MOU") agreement between Watermaster and CAW entered into on January 29, 2009.

B. Discussion/Possible Election of Vacant Watermaster Officers' Positions.

Moved by Supervisor Potter, seconded by Mayor Dela Salla, and unanimously carried, to appoint Director Bruno as Watermaster Chairman, and to appoint Mayor Pendergrass as Vice Chairman.

Moved by Director Costa, seconded by Supervisor Potter, and unanimously carried, to designate the Chief Executive Officer as Secretary to the Board.

X. INFORMATIONAL REPORTS (No Action Required)

A. Timeline Schedule of Milestone Dates (Critical date monitoring)
B. Technical Advisory Committee (TAC) minutes from January 12, 2011 meeting

XI. DIRECTORS' REPORTS

Director Anthony reported that the Sand City Desalination Plant had achieved 28 acre-foot production of potable water, exceeding the 25 acre-foot average needed to be on schedule. The Fitch Middle School district granted an easement for the Aquifer Storage and Recovery (ASR) Project well site to be

located at the school. And CAW had nearly zero production of native water from the Coastal Subarea of the Seaside Basin during the first quarter of the 2011 water year as a result of pumping only the equivalent amount of ASR water injected into the basin at the end of the previous water year.

Director Bruno reported that the County Board of Supervisors voted unanimously at its last meeting to approve the Regional Water Project.

XII. **EXECUTIVE OFFICER COMMENTS**

There had been no response yet from the Court to the Watermaster 2010 Annual Report submitted December 23, 2010.

The Technical Advisory Committee regular meeting would be held Wednesday, February 9, 2011 in the MPWMD conference room at 1:30 p.m.

NEXT MEETING DATE – It was agreed that the next Regular Meeting would be held on Wednesday, March 1, 2011, at the Monterey Regional Water Pollution Control Agency (MRWPCA) Board meeting room at 5 Harris Court, Building "D" on Ryan Ranch in Monterey at 2:00 p.m.

XIII. There being no further business, Chairman Bruno adjourned the meeting at 2:29 p.m.

ITEM NO. VI.

CONSENT CALENDAR

ITEM VI.A.
5/4//2011

SEASIDE GROUNDWATER BASIN
WATERMASTER

TO: Board of Directors

FROM: Dewey D Evans, CEO

DATE: May 4, 2011

SUBJECT: Summary of Payments Authorized to be paid during the period from February 1, 2011 through April 30, 2011

PURPOSE:

To advise the Board of payments authorized to be paid during the period from February 1, 2011 through April 30, 2011.

RECOMMENDATIONS:

Consider approving the payment of bills submitted and authorized to be paid during the period from February 1, 2011 through April 30, 2011.

COMMENTS and FISCAL IMPACT:

February, 2011

DDEvans Consulting (Professional Services Agreement—CEO)—January 27, 2011 through February 25, 2011 worked on Watermaster business a total of 46.5 hours at $100.00 per hour or **$4,650.00.** Responded to telephone inquiries, e-mail, and other correspondence as needed regarding the Seaside Basin. Prepared and sent out Board agenda packet; attended and provided follow-up action from February 2, 2011 Board meeting. Prepared and delivered bills to City of Seaside for payment. Worked on revisions to Rules and Regulations. Met with City of Seaside's Tim O'Halloran and Rich Riedl and Bob Jaques regarding issues related to finding water for the replenishment of the Seaside Groundwater Basin. Received, reviewed and attended the TAC meeting held on Wednesday, February 9, 2011. Discussions with Bob Jaques and Laura regarding possible water sources for replenishment of Seaside Basin. Received and reviewed TAC meeting minutes from February 9th. Received and reviewed database notes from earlier meeting. Sent out notice looking for agenda items for March 2nd regular meeting. Discussed with Lori Girard and sent out copy of minute order received from the court regarding the Annual Report.

Robert "Bob" Jaques (Technical Program Manager)—January 27, 2011 through February 28, 2011 worked on Watermaster business a total of 36.25 hours at $100.00 per hour or **$3,625.00**. Met at MPWMD with Joe Oliver, Jon Lear and Laura regarding Database issues. Worked on February 2, 2011 Board meeting agenda items and sent same to CEO. Preparing for TAC meeting by preparing agenda items, checking out phone conference capabilities at MRWPCA and MPWMD for February 9, 2011 TAC meeting. Prepared for and attended regular February 2, 2011 Board meeting and followed up on items from same meeting. Met with City of Seaside's Tim O'Halloran and Rich Riedl with

CEO of WM on water issues. Prepared for and attended TAC meeting and participated in post-meeting with MPWMD staff and others. Prepared minutes and sent out draft minutes from TAC meeting. Prepares notes from January 27, 2011 Database Issues for use at February 22, 2011 Database meeting. Prepared for and attended Database meeting on February 22, 2011. Discussion with Rob Johnson and T. Moss regarding Pasadera storm water recharge issues; review Conditions of Approval for Pasadera as provided by Rob Johnson of MCWMA.

HydroMetrics Water Resources, Inc.—one invoice February 11, 2011 for **$480.00** for preparing and attending by telephone TAC meeting of January 12, 2011 lasting approximately 3 hours.

Total for February, 2010 **$8,755.00**

March, 2011

DDEvans Consulting (Professional Services Agreement—CEO—February 28, 2011 through March 31, 2011 worked on Watermaster business a total of 37.5 hours at $100.00 per hour or **$3,750.00.** Responded to telephone inquiries, e-mail, and other correspondence as needed regarding the Seaside Basin. Sent out cancellation notice of March 2, 2011 Board meeting to all parties. Updated e-mail file addresses; paid monthly bills. Worked on revised Rules and Regulations. Discussion regarding the SPCA water production exceeded minimum standards. Received, reviewed and discussed the TAC agenda packet with Bob Jaques. Discussed revised Rules and Regulations with Laura and Bob Jaques and prepared e-mail and sent out same to Rules and Regulations Committee requesting date for meeting to discuss. Attended the March 9, 2011 TAC meeting. Received and reviewed Motion for Consolidation of SNG matter with Seaside Basin court decision. Received and reviewed TAC meeting minutes from Bob Jaques. Sent out request for Board agenda items for April 6, 2011 regular meeting to all Board and Interested Parties on March 24th. Sent out notice to all water producers reminding them of monthly and quarterly water production reports and water level reports due by April 15th. Sent e-mail to Mayor Pendergrass regarding chairing May 4th regular Board meeting Sent out notice of cancellation of April 6th regular Board meeting because of lack of meaningful agenda items needing Board consideration.

Robert "Bob" Jaques (Technical Program Manager)—March 1, 2011 through March 25, 2011 worked on Watermaster business a total of 29.0 hours at $100.00 per hour or **$2,900.00.** Working on TAC agenda issues; Database matters, Pasadera TAC agenda item; met with Jon Lear of MPWMD regarding Database issues. Prepared for and attended March 9, 2011 TAC meeting with time later spent on follow-up matters. Begin preparing draft Annual Report for WY 2011. Met with Laura Dadiw and Dean Paxton regarding Watermaster web site and Database issues.

Total for March, 2011 **$6,650.00**

April, 2011

DDEvans Consulting (Professional Services Agreement—CEO—April 1, 2011 through April 25, 2011 worked on Watermaster business a total of 38.5 hours at $100.00 per hour or **$3,850.00.** Responded to telephone inquiries, e-mail and other correspondence as needed regarding the Seaside Basin. Worked on revisions to the Watermaster Rules and Regulations. Discussed the ASR program with Craig Anthony of California American Water and Darby Fuerst and Joe Oliver of Monterey Peninsula Water Management District about making on oral update at the next Board of Directors regular monthly meeting. Worked on meeting agenda for next regular Board of Director's meeting, scheduled for May 4, 2011. Sent out revised Rules and Regulations to Rules and Regulations

Committee members asking for feedback on revisions. Sent out request for Board agenda items for May 4, 2011 regular meeting to Board and others on April 20th. Prepared and delivered monthly billings to City of Seaside for payment.

Robert "Bob" Jaques (Technical Program Manager)—March 29, 2011 through April 14, 2011 worked on Watermaster business a total of 13.5 hours at $100.00 per hour or **$1,350.00.** Working on TAC issues; made arrangements for April 1st Database meeting. Prepared materials and attended the April 1st Database meeting held at MPWMD offices. Prepared notes from Database meeting and follow-up actions from that meeting. Prepared and sent out cancellation notice of April 13th TAC meeting. Completed notes from April 1st Database meeting and e-mailed copy of notes to attendees. Attended a field meeting with D. Edson of Central Coast Surveyors and T. Lindberg of MPWMD in Sand City regarding wellhead survey work.

HydroMetrics Water Resources, Inc.—one invoice received dated April 6, 2011 for **$240.00** for spending 1.5 hours at $160.00 per hour for attending by telephone the TAC meeting of March 9, 2011.

Total for April, 2011	**$5,440.00**
Grand total for the period between February 1, 2011 through April 30, 2011	**$20,845.00**

Seaside Groundwater Basin Watermaster

Budget vs. Actual Administrative Fund

Fiscal Year (January 1 - December 31, 2011)
Balance through April 30, 2011

	2011 Adopted Budget	Contract Amount	Year to Date Revenue / Expenses
Available Balances & Assessments			
Dedicated Reserve	25,000.00		25,000.00
FY (Rollover)	60,000.00		66,125.00
FY Assessments	45,000.00		38,520.00
Available	**130,000.00**		**129,645.00**
Expenses			
Contract Staff	80,000.00	80,000.00	17,100.00
Legal Advisor	25,000.00	-	-
Total Expenses	**105,000.00**	**80,000.00**	**17,100.00**
Total Available	25,000.00		
Dedicated Reserve	25,000.00		
Net Available	**-**		

Administrative Fund Assessments owed by City of Seaside

FY 2009 (including 5% penalty)	16,444
FY 2010 (including 5% penalty)	8,618
FY 2011 (including 5% penalty)	6,804

Seaside Groundwater Basin Watermaster

Budget vs. Actual Monitoring & Management - Operations Fund

Fiscal Year (January 1 - December 31, 2011)

Balance through April 30, 2011

	2011 Adopted Budget	Contract Encumbrance	Year to Date Revenue/Expenses
Available Balances & Assessments			
Monitoring & Management - Ops Fund	$ 360,040.00	$ -	$ 331,236.80
FY 2010 Rollover	236,010.00	-	236,010.00
Total Available	**$ 596,050.00**	**$ -**	**$ 567,246.80**
Appropriations & Expenses			
GENERAL			
Technical Project Manager	$ 100,000.00	$ 100,000.00	$ 10,350.00
Contingency @ 20% (not including TPM)	43,340.00	$ 43,340.00	-
Total General	**$ 143,340.00**	**$ 143,340.00**	**$ 10,350.00**
CONSULTANTS (Hydrometrics)			
Program Administration	$ 8,250.00		
Production/Lvl/Qlty Monitoring	4,150.00	$ 12,000.00	$ 720.00
Basin Management Action Plan	85,000.00		
Seawater Intrusion Contingency Plan	27,800.00	22,020.00	-
Total Consultants	**$ 125,200.00**	**$ 34,020.00**	**$ 720.00**
MPWMD			
Production/Lvl/Qlty Monitoring	$ 87,800.00	77,410.00	$ -
Basin Management	-	4,140.00	-
Seawater Intrusion	3,700.00	3,600.00	-
Direct Costs	-	-	-
Total MPWMD	**$ 91,500.00**	**$ 85,150.00**	**$ -**
Transfer Out to Capital Fund			-
Total Appropriations & Expenses	**$ 360,040.00**	**$ 262,510.00**	**$ 11,070.00**
Total Available	**236,010.00**		

Operations Fund Assessments owed by City of Seaside

FY 2009 (including 5% penalty)	50,274
FY 2010 (including 5% penalty)	25,847
FY 2011 (including 5% penalty)	26,463

Seaside Groundwater Basin Watermaster
Budget vs. Actual Monitoring and Management - Capital Fund
Fiscal Year (January 1 - December 31, 2011)
Balance through April 30, 2011

	2011 Adopted Budget	Contract Encumbrance	Year to Date Revenue / Expense
Available Balances and Assessments:			
Monitoring & Management Fund - Capital	$ -		$ -
FY 2007-2010 Rollover to 2011	5,499		5,499
Transfer in from Operations Fund	-		-
Subtotal	5,499		5,499
Appropriations & Expenses:			
Professional Services			
Project Management	-	-	-
Subtotal	-	-	
Direct Costs			
Well Drilling -	-	-	-
Subtotal	-	-	-
Total Appropriations and Expenses	$ -	$ -	$ -
Total Available	**$ -**		

Capital Fund Assessments owed by City of Seaside	
FY 2009 (including 5% penalty)	16,538
Total	$ 16,538

Seaside Groundwater Basin Watermaster VI.B

Replenishment Fund 5/4/2011

Water Year 2011 (October 1 - September 30) / Fiscal Year (January 1 - December 31, 2011

January 1 - April 30, 2011

Replenishment Fund	**2006**	**2007**	**2008**	**2009**	**2010**	**Totals Through WY 2010**	**Proposed Budget 2011**	**Projected Totals Through WY 2011**
Assessments:	WY 05/06	WY 06/07	WY 07/08	WY 08/09	WY 09/10		WY 10/11	
Unit Cost:	$1,132	$1,132	$2,485	$3,040	$2,780		$2,780	
California American Water Balance Forward	**$ -**	**$ 1,641,004**	**$ 4,206,475**	**$ (2,900,435)**	**$ (2,868,685)**		**$ (3,850,964)**	
Exceeding Natural Safe Yield Considering Alternative Producers	2,106,652	2,484,533	5,164,969	3,773,464	4,112,933	$ 17,642,552	3,319,320	$ 20,961,872
Operating Yield Overproduction Replenishment	-	80,938	34,045	-	-	114,983	-	114,983
Total California American	**$ 2,106,652**	**$ 2,565,471**	**$ 5,199,014**	**$ 3,773,464**	**$ 4,112,933**	**$ 17,757,535**	**$ 3,319,320**	**$ 21,076,855**
CAW Credit Against Assessment	(465,648)		(12,305,924)	$ (3,741,714)	(5,095,213)	(21,608,499)	-	(21,608,499)
CAW Unpaid Balance	***$ 1,641,004***	***$ 4,206,475***	***$ (2,900,435)***	***$ (2,868,685)***	***$ (3,850,964)***	***$ (3,850,964)***	***$ (531,644)***	***$ (531,644)***
City of Seaside Balance Forward	**$ -**	**$ 230,671**	**$ 413,454**	**$ 1,106,116**	**$ 1,737,569**		**$ 1,280,954**	
City of Seaside Municipal								
Exceeding Natural Safe Yield Considering Alternative Producers	169,200	173,739	385,642	399,211	370,296	$ 1,498,088	369,740	$ 1,867,828
Operating Yield Overproduction Replenishment	50,487	340	16,898	66,090	61,438	195,253	61,438	256,691
Total Municipal	219,687	174,079	402,540	465,300	431,734	1,693,340	431,178	2,124,518
City of Seaside - Golf Courses								
Exceeding Natural Safe Yield - Alternative Producer	-	-	131,705	69,701	-	201,406	-	201,406
Operating Yield Overproduction Replenishment	-	-	131,705	69,701	-	201,406	-	201,406
Total Golf Courses	-	-	263,410	139,402	-	402,812	-	402,812
Total City of Seaside*	**$ 219,687**	**$ 174,079**	**$ 665,950**	**$ 604,702**	**$ 431,734**	**$ 2,096,152**	**$ 431,178**	**$ 2,527,330**
City of Seaside Late Payment 5%	10,984	8,704	26,712	26,750		73,150		73,150
In-lieu Credit Against Assessment	-		-	$ -	(888,349)	(888,349)	-	(888,349)
City of Seaside Unpaid Balance	***$ 230,671***	***$ 413,454***	***$ 1,106,116***	***$ 1,737,569***	***$ 1,280,954***	***$ 1,280,954***	***$ 1,712,132***	***$ 1,712,132***
Total Replenishment Fund Balance	**$ 1,871,675**	**$ 4,619,929**	**$ (1,794,319)**	**$ (1,131,116)**	**$ (2,570,011)**	**$ (2,570,011)**	**$ 1,180,487**	**$ 1,180,487**
Replenishment Fund Balance Forward	-	**$ 1,871,675**	**$ 4,619,929**	**$ (1,794,319)**	**$ (1,131,116)**		**$ (2,570,011)**	
Total Replenishment Assessments	2,337,323	2,748,254	5,891,676	4,404,917	4,544,667	19,926,837	3,750,498	**23,677,335**
Total Replenishment Paid and/or Credited	(465,648)	-	(12,305,924)	(3,741,714)	(5,983,562)	(22,496,848)	-	**(22,496,848)**
MRWPCA GWRP Payment								**(100,000)**
Grand Total Replenishment Fund Balance	**$ 1,871,675**	**$ 4,619,929**	**$ (1,794,319)**	**$ (1,131,116)**	**$ (2,570,011)**	**(2,570,011)**	**$ 1,180,487**	**$ 1,080,487**

ITEM NO. VII.

ORAL PRESENTATION

SEASIDE GROUNDWATER BASIN WATERMASTER

TO: Board of Directors

FROM: Dewey D Evans, CEO

DATE: May 4, 2011

SUBJECT: Overview and update of the Aquifer Storage and Recovery (ASR) project

PURPOSE:

To inform the Board and members of the public regarding the status of the ASR project

RECOMMENDATION:

None, informational only

DISCUSSION:

Monterey Peninsula Water Management District's Darby Fuerst and Joe Oliver will provide an overview and update of the Aquifer Storage and Recovery (ASR) project.

ITEM. IX.

NEW BUSINESS

ITEM IX. A.

COMMITTEE REPORTS

SEASIDE GROUNDWATER BASIN WATERMASTER

TO: Board of Directors

FROM: Dewey D Evans, CEO

DATE: May 4, 2011

SUBJECT: Revision of Seaside Groundwater Basin Watermaster Rules and Regulations

PURPOSE:

As stated in the Court Decision that created the Watermaster that governs the Seaside Groundwater Basin the Board of Directors were required to adopt a set of Rules and Regulations that will be used to carry out its duties, powers and responsibilities under the provisions of the the Court Decision. It was also stated in the Decision that the Rules and Regulations would be amended from time to time as it is deemed necessary.

RECOMMENDATION:

That the Board consider approving the Watermaster's Rules and Regulations as amended.

DISCUSSION:

During the months of March and April the staff has been corresponding with the Watermaster Rules and Regulations Committee members regarding revising the Watermaster Rules and Regulations. Attached is a draft of the document with the recommended changes highlighted in red and underlined. The recommended changes are in the following Sections:

3.3.1 A. Technical Advisory Committee—suggested language comes from the Board's action at their last meeting, February 2, 2011, regarding the representatives from each voting Member and a public member for the Technical Advisory Committee (TAC) plus a comment was added that the public member could be removed and or replaced at the sole discretion of the Board at any time. Also, a sentence was added that it will be required that a minimum of six (6) members must be in attendance to constitute a quorum of the TAC.

3.4 Regular Meetings—change in regular meeting location and time of meeting for Watermaster Board

6.0 Budget—added the two words "at least" because we currently have four separate component budgets not just three.

6.1 Adoption of Budget and Budget Assessments—changed the month when the Board must adopt a tentative budget from May to October of each year.

6.4 Monitoring and Management Program Budget—Essentially this section updates the titles of the budgets to conform with the titles we have been using for some time.

6.5.2. Assessment of Production Over Operating Yield—to conform the title of this Section with the language within it, insert the word “Safe” just prior to the word “yield” in the title.

11.0 Reporting by Parties—add to the second sentence in this Section the following “and the corresponding beginning and ending water meter readings that were used to calculate these quantities”. This addition will allow staff to verify the accuracy of the reported extraction quantities. If staff finds what appears to be a discrepancy between the meter readings and the quantities reported, staff can follow up on that discrepancy with the well owner to get it resolved.

13.0 Watermaster Annual Report—Now that the Court has responded to the Watermaster’s recommendation to extend the reporting deadline for the Annual Report and has ruled that the date can be extended to December 15th of each Water Year we are recommending this Section be changed appropriately.

FISCAL IMPACT:

None

ATTACHMENTS:

1) RULES AND REGULATIONS OF THE SEASIDE GROUNDWATER BASIN WATERMASTER--Revised

RULES AND REGULATIONS

OF THE

SEASIDE GROUNDWATER BASIN WATERMASTER

1.0 Introduction

The Watermaster for the Seaside Basin was created on March 27, 2006 by entry of Judgment in *California American Water v. City of Seaside, et al*. (Case No. M66343, California Superior Court, Monterey County). A copy of the Judgment is appended to these Rules and Regulations. The purpose of the Watermaster is to assist the Court in the administration and enforcement of the provisions of the Judgment. All actions of the Watermaster shall be governed by the terms of the Judgment and these Rules and Regulations. In the event of any conflict between the terms of the Judgment and these Rules and Regulations, the Judgment, together with any further or supplemental orders or directions from the Court, shall control the actions of the Watermaster.

2.0 Definitions

Words and phrases which are defined in the Judgment shall have the same meaning when used in these Rules and Regulations. Other terms used in these Rules and Regulations shall have the meaning ascribed to them herein.

2.1 Parties

"**Parties**" shall mean and refer, individually and collectively, to California American Water Company ("**CalAm**"), the Public Agency Parties and the Landowner Group Parties. "**Public Agency Party**" shall mean and refer individually to the cities of Seaside, Sand City, Del Rey Oaks and Monterey, the County of Monterey, the Monterey County Water Resources Agency and the Monterey Peninsula Water Management District. "**Landowner Party**" shall mean and refer to a Producer in the Coastal Subarea and the Laguna Seca Subarea which is not a Public Agency Party or CalAm.

3.0 Watermaster Board

3.1 Representatives and Voting

The Watermaster may only act by and through the Watermaster Board. The Watermaster Board shall consist of nine (9) members ("**Members**"). Members shall be appointed by each of the following Parties or group of Parties in accordance with the procedures set forth in section 4 of these Rules and Regulations. A vote by a Member shall cast the following number of voting positions on the question presented to the Watermaster Board.

Party/Group	Votes
California American Water	3 votes
City of Seaside	2 votes
Monterey County Water Resources Agency	2 votes
Monterey Peninsula Water Management District	2 votes
City of Sand City	1 vote
City of Monterey	1 vote
City of Del Rey Oaks	1 vote
Landowner Parties Group (Coastal Subarea)	1/2 vote
Landowner Parties Group (Laguna Seca Subarea)	1/2 vote

3.1.1 Quorum

A minimum of six (6) Members shall be required to constitute a quorum of the Watermaster Board. No fewer than seven (7) affirmative votes shall be required for any action by the Watermaster. Any Member may request a roll call vote on any question or motion considered by the Watermaster Board, and the ayes and noes thereon shall be recorded in the minutes of the meeting.

3.2 Organization of the Watermaster Board

At the first meeting of the Watermaster Board each year, the Watermaster Board shall elect a Chairperson, and a Vice Chairperson from its Membership. The Watermaster Board shall also select a Secretary, Treasurer and such assistant secretaries and assistant treasurer as may be appropriate. The Secretary, Treasurer, or any assistant or administrator appointed by the Watermaster Board need not be a Member.

3.3 Advisory Committees

The Watermaster Board may establish such committees and subcommittees as it deems necessary to advise Watermaster Board on specific issues. Persons appointed to such committees or subcommittees need not be a Member. The Watermaster Board shall appoint the Chairperson of any such committee or subcommittee. No more than five (5) Members or their Alternates shall sit on any individual committee or subcommittee. Each committee member shall be entitled to one (1) vote only.

3.3.1 Standing Committees

The Watermaster Board has established the following standing committees.

A. Technical Advisory Committee

The purpose of the Technical Advisory Committee is to advise the Watermaster Board regarding implementation of the physical solution, and to perform

such specific tasks as the Watermaster assigns to the Technical Advisory Committee from time to time. The Technical Advisory Committee shall be made up of one committee member for each voting Member of the Board of Directors and one member of the Public duly voted on by the Board of Directors for a total of ten, (10) committee members. Committee members representing each Board voting member will be chosen by representatives from that Member entity. The individual voted on by the Board will serve for a two year term and could be reappointed if the Board so decides. At its sole discretion the Board may remove and/or replace the Public member at any time. A minimum of 6 members shall be required to constitute a quorum of the Technical Advisory Committee.

B. Budget and Finance Committee

The purpose of the Budget and Finance Committee is to advise the Watermaster Board regarding the funding of implementation of the physical solution, including operations of the Watermaster.

3.3.2 Meetings of Standing Committees

Meetings of any standing committee may be called by the Chair or Vice Chair of such committee. At least 72 hours before a regular meeting of a standing committee or at least 24 hours before a special meeting of a standing committee, the Secretary of the Watermaster, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting and deliver a copy of the agenda to the members of the committee and to Persons who have made a written request for copies of the agendas of the standing committee. The agenda shall otherwise conform with the content, posting and availability of requirements for agencies set forth in Rule 3.6.

3.4 Regular Meetings

Regular meetings of the Watermaster Board shall be held on the first Wednesday of each month. The meetings will be held ~~at Soper Field Community Center, in Seaside~~at Monterey Regional Water Pollution Control Agency, Monterey, California or another location set forth in the monthly meeting agenda and will begin at ~~1:30~~2:00 p.m., unless a different time is set forth in the agenda.

3.5 Special Meetings

3.5.1 Special Meetings Called by Watermaster Board

A special meeting of the Watermaster Board may be called by the Watermaster Board at any regular or special meeting of the Watermaster Board.

3.5.2 Special Meetings Called by Chair or Members

A special meeting of the Watermaster Board may be called at any time by the Chairperson or Vice Chairperson or by any three (3) Members, by written notice delivered personally or mailed to all Parties and Interested Persons, at least twenty-four (24) hours on a business day before the time of each such meeting in the case of personal delivery, and five (5) days' notice prior to such meeting in the case of mail if the special meeting is being called under urgent circumstances. If a special meeting is called by the Chairperson, Vice Chairperson or by any three (3) Members, and no urgent circumstance exists, then at least ten (10) days' notice must be provided to all Parties. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings by the Watermaster Board. The written notice may be dispensed with as to any Member who at or prior to the time the special meeting convenes, files with the Secretary of the Watermaster Board a written waiver of notice. The written notice may also be dispensed with as to any Member who is actually present at the meeting at the time it convenes. The notice shall be posted at least seventy-two (72) hours prior to the special meeting in the posting locations referred to in section 3.6 of these Rules and Regulations.

3.6 Meeting Agendas

At least 72 hours before a regular meeting of the Watermaster Board, or at least 24 hours before a special meeting of the Watermaster Board, the Secretary of the Watermaster, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session, and deliver a copy of the agenda to the Members and to Persons who have made a written request to be added to the Watermaster's list of Interested Persons. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular or special meeting and shall be posted at the places which have been designated by the Public Agency Parties for the posting of official agendas in their respective jurisdictions. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

3.7 Meeting Procedures

3.7.1 Conduct for Meetings

Meetings of the Watermaster Board shall be called to order by the Chairperson or, in his or her absence, the Vice Chairperson. Watermaster Board meetings shall be conducted in conformity with the procedures established for meetings of public agencies pursuant to the California Open Meeting Law (the "**Brown Act**"),

California Government Code section 54950 et seq., as it may be amended from time to time.

3.7.2 Minutes

The Secretary shall keep accurate minutes of all meetings of the Watermaster Board which reflect all actions taken by the Watermaster. Copies thereof shall be furnished to all Members and Interested Persons. Copies of minutes shall constitute notice of any Watermaster Board action therein reported.

3.7.3 Closed Session

The Watermaster Board may convene closed session meetings in accordance with Brown Act procedures.

4.0 Members

4.1 Appointment of Members

The Public Agency Parties, groups of Landowner Parties identified in section 3.1 and CalAm have each appointed an initial Member to sit on the Watermaster Board for a two (2) year term ending at the first regular meeting of the Watermaster in January of 2008. The Public Agency Parties, groups of Landowner Parties and CalAm shall each appoint or reappoint one Member in November of every second year, beginning in November of 2007, to sit on the Watermaster Board for a two (2) year term. Except for the initial Members, each Member shall assume office at the first regular meeting of the Watermaster Board held in January of every second year, beginning in January of 2008. The Secretary shall give notice of this requirement to each of the Parties during the October preceding each such January.

4.2 Alternate Members

In addition to appointing a Member, CalAm and the Public Agency Parties may also appoint an alternate Member in the same manner and for the same terms as provided for Members in these Rules and Regulations. Each Member representing a group of Landowner Parties may act as an alternate for the Member representing the other group of Landowner Parties. A duly appointed Alternate Member may exercise all of the rights of a Member at a meeting of the Watermaster Board where the Member for whom the Alternate Member sits, is absent.

4.3 Appointments

Appointments of Members and Alternate Members, if any, shall be made in a writing signed on behalf of the Party or group of Parties identified in section 3.1 which is delivered to the Secretary no later than the close of public comment for the agenda item regarding announcement of appointment of new Members at the November meeting. The

Watermaster Board shall give notice to the Court of any person appointed as a Member or Alternate Member.

4.4 Vacancies

Should a Member or Alternate Member resign or otherwise be unable to complete his or her term on the Watermaster Board, the Party or group of Parties which appointed such Member shall appoint a new Member to complete the unexpired term, and deliver notice of that appointment to the Secretary.

4.5 Special Rules for Appointment of Members by Landowner Groups

Appointment of Members by the Landowner Parties shall take place at each November meeting of the Watermaster Board (except for the appointment of initial Members) where the appointment of new Members is to be announced. Each Landowner Party will vote for their preferred Member in writing, signed by an agent of the Landowner Party and delivered to the Watermaster Board no later than the close of public comment for the agenda item regarding election of the Landowner Group Members. Voting rights may only be transferred upon permanent sale of 51% or more of the Landowner's respective Production Allocation. Landowner Parties may only vote for the representative for their respective subarea (i.e., Coastal Subarea Landowner Group Parties vote for the Coastal Subarea Member; and Laguna Seca Landowner Group Parties vote for the Laguna Seca Subarea Member). Should a Member appointed by a Landowner Group be unable to complete his or her term on the Watermaster Board, the Landowner Group which appointed such Member shall give notice to the Secretary who shall schedule an election at the next meeting of the Watermaster Board for the replacement of that Member to be held in the same manner as regular appointments of Landowner Group Members. Landowner Group Members are elected by cumulative voting, with each member of the Landowner Group entitled to one vote for each acre-foot of Production Allocation established in the Judgment.

4.6 Compensation

No Member shall be compensated by the Watermaster for their service on the Watermaster Board.

5.0 Administration

5.1 Watermaster Office

The Watermaster office shall be located at 2600 Garden Road, Suite 228, Monterey, CA 93940. The Watermaster Board may change the location of the Watermaster office from time to time to a place located in Monterey County.

5.2 Records

The minutes of Watermaster Board meetings shall be open to inspection and maintained at the Watermaster office. Copies of minutes and other Watermaster records may be obtained for inspection in accordance with the procedures set forth in the California Public Records Act. Copies of records may be obtained upon payment of the actual cost of duplication established by the Watermaster.

5.3 Notice Lists

The Watermaster shall maintain at all times a current list of the Parties to whom notices are to be sent and their addresses for purposes of service. The Watermaster shall also maintain a list of interested Persons ("**Interested Persons**") that shall include all Persons who have made a written request to the Watermaster to be included on the list of Interested Persons. All notices, determinations, requests, demands, objections, reports and other papers and processes required to be delivered to Interested Persons under the Judgment, these Rules and Regulations or by Order of the Watermaster, shall be delivered to all Parties and Interested Persons.

6.0 Budget

The Watermaster Board will annually adopt a budget for each Fiscal Year stating the anticipated annual expenses required for implementation of the Judgment, including reasonable reserve funds. Each annual budget will contain at least three (3) separate components: (1) an Administrative Budget; (2) a Monitoring and Planning Budget; and, (3) a Replenishment Budget. Seven (7) affirmative votes shall be required for the adoption of any budget or budget assessment by the Watermaster Board. No Member representing a Landowner Party may participate in any vote concerning the approval of the Administrative Budget or Mitigation and Monitoring Plan Budget or the amount of any assessment levied by the Watermaster Board to fund those budgets.

6.1 Adoption of Budget and Budget Assessments

No later than October of 2006, and no later than ~~May~~ October of each year thereafter, the Watermaster Board shall adopt a tentative budget, including assessments, for the ensuing Fiscal Year. The tentative budget will be mailed by the Secretary to each Party no earlier than November 1 and no later than November 15 before the beginning of the next Fiscal Year.

6.1.1 Objections

Objections to the tentative budget by any Producer must be submitted in writing to the Watermaster Board within fifteen (15) days after the date of mailing of the tentative budget. If no timely objections are received, the tentative budget shall become the final budget. If objections are received, the Watermaster Board shall consider the objections within ten (10) days thereafter and shall prepare a final budget. The final budget will be thereafter mailed to each Producer together with a statement of the amount assessed to each Producer.

6.1.2 Appeal to Court

Any Producer may apply to the Court within fifteen (15) days after the mailing of the final budget for revision based on specific objections. Payments of assessments otherwise required shall be made despite the filing of a request for revision with the Court. Upon any revision by the Court, the Watermaster shall either remit to the Producers their pro rata portions of any reduction in the budget, or credit their accounts with respect to any assessment for the next ensuing Administrative Year as the Court shall direct.

6.2 Payment of Assessments

All amounts assessed by the Watermaster Board in the final budget shall be paid to the Watermaster by the Party assessed no later than January 15th of the Fiscal Year to which the assessment relates. If such payment by any Producer is not timely made, the Watermaster shall add a penalty of five percent (5%) thereof to the amount assessed against such Producer.

6.2.1 Contributions to Budget

The Watermaster Board may accept contributions of money, goods or services in furtherance of its purposes.

6.3 Administrative Budget

The Watermaster Board shall adopt an Administrative Budget for each Fiscal Year in an amount sufficient to fund the costs associated with the administration of the Watermaster. The Administrative Budget for the first Fiscal Year shall not exceed ONE HUNDRED THOUSAND DOLLARS ($100,000). The first ONE HUNDRED THOUSAND DOLLARS ($100,000) of the Administrative Budget shall be assessed against California American Water Company, City of Seaside and City of Sand City in the following percentage shares:

California American Water	83%
City of Seaside	14.4%
City of Sand City	2.6%

6.4 Monitoring and Management Program Budget

The Watermaster Board shall develop a budget called the "~~**Planning and Monitoring Budget**~~**Monitoring and Management: Operations Fund**", in an amount sufficient to fund the cost of the Monitoring and Management Plan referred to in section 7. The ~~Planning and Monitoring Budget~~ Monitoring and Management: Operations Fund Budget for the first Fiscal Year shall not exceed TWO HUNDRED THOUSAND

DOLLARS ($200,000). The Watermaster Board shall also levy an initial one time assessment called of the "**Capital Improvement and Groundwater Model Assessment**Monitoring and Management: Capital Fund" in an amount sufficient to fund the cost of the capital improvements and groundwater model described in the Monitoring and Management Program, including but not limited to (1) installation of water quality and water level monitoring wells; (2) implementation of piezometric and water quality monitoring program; (3) installation of sentinel wells to detect seawater intrusion into on-shore portions of the Basin; (4) development of a groundwater model, including if necessary, exploratory borehole drilling, geophysical surveys and improved estimates of natural and secondary recharge in the Basin related to the development of a groundwater model. The total amount of the initial one time Capital Improvement and Groundwater ModelMonitoring and Management: Capital Fund Budget Assessment shall not exceed ONE MILLION DOLLARS ($1,000,000). The total amount of both the Planning and MonitoringMonitoring and Management: Operations Budget and the Monitoring and Management: Capital Improvement and Groundwater Model Fund Budget Assessments shall be assessed against the Standard Producers in the Coastal Subarea in the following shares:

California American Water	91%
City of Seaside	7%
Granite Rock	1%
D.B.O. Development No. 27	1%

At such time as a Party within the Coastal Subarea chooses to change its Alternative Production to a Standard Production Allocation, that Party will be assessed a proportionate share of the Monitoring and Management Plan Budget.

6.5 Replenishment Budget

As a part of its annual budget process, the Watermaster Board shall declare the per-acre-foot cost of the Replenishment Assessments in October of each Water Year. The per-acre foot cost of Replenishment Assessments for Production in excess of Natural Safe Yield shall be based on the anticipated cost of Artificial Replenishment, including the cost to construct, operate, and maintain facilities necessary for replenishment of the Basin. Replenishment Assessments may only be used for Artificial Replenishment.

6.5.1 Assessment on Production Over Natural Safe-Yield

At the end of each Water Year the Watermaster shall levy an Over-Production Replenishment Assessment for Production by any Party over the Natural Safe-Yield of the Seaside Basin. The Over-Production Replenishment Assessment does not apply to Production under an Alternative Production Allocation so long as such Production is within the fixed amount established for that Alternate Producer in Table 2 of Section III.B.3 of the Judgment. The Watermaster will determine each Producer's Over-Production Replenishment Assessment, if any, by using the following method:

6.5.1.1 For purposes of determining the Over-Production Replenishment Assessment each Standard Producer is entitled to the following percentage share of Natural Safe Yield and/or the Operating Yield that is in excess of production by those Parties with an Alternative Production Allocation:

California American Water	91.38 %
City of Seaside	6.81%
Granite Rock	.64%
D.B.O. Development	1.16%

6.5.1.2 These percentages were determined by first multiplying the Coastal Subarea Standard Production Allocations by that portion of the Operating Yield for the Coastal Subarea which is in excess of the sum of the Alternative Production Allocations within the Coastal Subarea. (The Standard Production Allocations do not total 100 percent. Thus, after the initial calculation, the Standard Production Allocation must continue to be applied to the remainder until less than one acre-foot remains.) Second, California American's Laguna Seca Subarea Allocation (no other standard producer has a Laguna Seca allocation) must be added to California American's total allocation and each Standard Producer's percentage share of the Operating Yield must be recalculated.

6.5.1.3 If any Standard Producer produces more than the amount of water determined by applying its percentage to the Natural Safe Yield, then Watermaster shall assess a Replenishment Assessment for that Standard Producer. The amount of the Replenishment Assessment will be determined by multiplying the Replenishment Assessment per-acre-foot cost by the number of acre-feet pumped in excess of that Standard Producer's allocation of the Natural Safe Yield.

6.5.1.4 At such time as a Party chooses to change its Alternative Production to a Standard Production Allocation, the percentage shares shall be redetermined.

6.5.2 Assessment on Production Over Operating Safe Yield

The Watermaster Board shall levy an additional Replenishment Assessment on any Alternative Producer for each acre-foot of water produced over their respective Alternative Allocation, and on any Standard Producer for each acre-foot produced over their respective percentage share of the Operating Safe Yield. Should the Watermaster be unable to procure replenishment water to offset Production over the Operating Safe Yield in the previous Water Year, the Watermaster will prohibit any Production over the Operating Safe Yield in the current year or until such time as replenishment water is provided.

6.5.3 Payment of Replenishment Assessment

At the end of each Water Year, the Watermaster will promptly notify each Producer by mail of any Replenishment Assessment owed. Payment must be made by January 15th of the following year. If such payment by any Producer is not timely made, the Watermaster shall add a penalty of five percent (5%) thereof to the amount assessed against such Producer.

6.5.4 California American Credit Toward Replenishment Assessment

California American's expenditures for water supply augmentation may also provide replenishment water for the Seaside Basin. Accordingly, on an annual basis, California American will provide the Watermaster Board with an accounting of all expenditures it has made for water supply augmentation that it contends has or will result in replenishment of the Basin. The Watermaster Board shall review these expenditures and if it concurs, reduce California American's Replenishment Assessment obligation, for that year, by an amount equal to the amount claimed by California American. To the extent that the Watermaster Board rejects any of the claimed amounts, it shall provide California American with an explanation for the rejection and allow California American an opportunity to meet and confer on the disputed amount. In the event that the Watermaster Board and California American cannot agree, the matter may be referred to the Court through a request filed by California American.

7.0 Monitoring and Management Program

Within sixty (60) days of entry of Judgment, the Watermaster Board shall approve the Seaside Groundwater Basin Monitoring and Management Program. The Monitoring and Management Program shall conform to the criteria set forth in Exhibit A to the Judgment, and shall include but not be limited to a seawater intrusion contingency plan, criteria for the annual collection and analysis of groundwater production and quality data, land use data, and the development of criteria for modification of the Operating Safe Yield. The Monitoring and Management Program shall also include criteria to determine the Total Useable Storage Space in the Basin. The Watermaster Board may amend the Monitoring and Management Program from time to time.

8.0 Operating Yield and Material Injury

Pursuant to the Judgment, the Watermaster must continually monitor for Material Injury to the Seaside Basin. If the Watermaster Board determines that groundwater extractions at the Operating Yield are resulting in Material Injury, the Watermaster Board will immediately present the Court with a report detailing the circumstances constituting such Material Injury and, if Watermaster deems appropriate, a recommendation for a reduction in the Operating Yield to respond to the perceived material Injury. In the event that the Court concurs in the Watermaster's conclusion of Material Injury, the Watermaster Board shall determine a lower Operating Yield in accordance with the Principles and Procedures attached as Exhibit A to the Judgment, and through the application of criteria that it shall develop for this purpose.

9.0 Procedures For Assignment and Transfer of Production Allocations

Parties proposing to assign or transfer any portion of their Production Allocation must submit a written notice to the Watermaster forty-five (45) days prior to the effective date of the proposed assignment or transfer. The notice shall include all details of the assignment/transfer (other than details related to consideration for such assignment or transfer), including thorough descriptions of: (1) the Production Allocation being assigned/transferred; (2) the assignor/assignee or transferor/transferee; (3) the duration of assignment/transfer; and (4) the quantity of Production Allocation being assigned/transferred. The Secretary shall transmit a copy of the notice to each of the Members. Within twenty-one (21) days of the mailing of the notice from the Secretary, any Member may file an objection to the proposed assignment/transfer with the Secretary. If no objection is received within that time, the proposed assignment/transfer shall become effective in accordance with its terms. If an objection is received within that time, the Secretary shall cause the matter to be placed on the agenda for the next available meeting of the Watermaster Board. At the meeting, the Member who filed the objection will carry the burden of proving to the Watermaster Board, by a preponderance of the evidence, that the production contemplated by the assignment/transfer will significantly increase the risk of Material Injury to the Basin above the risk posed by production absent the assignment/transfer. At the conclusion of the hearing, the Watermaster Board shall make its determination regarding any increased risk of Material Injury. If the Watermaster Board determines that the proposed assignment/transfer will not significantly increase risk of Material Injury, the proposed the assignment/transfer shall thereupon become effective. If the Watermaster Board determines, based on its detailed written findings, that the proposed assignment/transfer will result in significant increase of risk of Material Injury, the Watermaster may impose such conditions on the proposed assignment/transfer as it deems necessary to reduce such risk.

10.0 Storage

Prior to the beginning of the next Administrative Year, the Watermaster Board shall declare the next year's Total Useable Storage Space for the Seaside Basin. The Watermaster Board may periodically amend the quantity of Total Useable Storage Space throughout the year based upon criteria set forth in the Seaside Groundwater Basin Monitoring and Management Plan. Parties seeking to store water in the Seaside Basin shall follow the procedures set forth in the Judgment.

11.0 Reporting by Parties

Pursuant to the terms of the Judgment, all Parties are required to install, at their own cost, devices to measure the quantity of water they extract from the Seaside Basin. All Parties shall report their extraction quantities-, and the corresponding beginning and ending water meter readings that were used to calculate these quantities, to Watermaster for the preceding calendar quarter, in writing, on January 15, April 15 and July 15 and October 15 of each Water Year. The water measuring devices must meet the following

standards, which are also requirements of the Monterey Peninsula Water Management District:

11.1 A minimum of eight diameters of straight pipe upstream and downstream of the centerline of the meter (i.e., no bends or valves) must be provided to limit turbulence at the meter. Exceptions can be made if it can be demonstrated that the meter is installed according to the manufacturer's recommendations for straight unobstructed flow lengths upstream and downstream of the meter.

11.2 The meter installation must be configured to provide a full flow of water in the pipe at the meter under all flow conditions.

11.3 The meter must be situated such that all water produced from the well is measured.

11.4 Following installation, the meter must be maintained to an accuracy of plus or minus five percent (±5%) of true flow.

11.5 The meter must be equipped with a totalizer that is susceptible to correction only by changing mechanical gear equipment.

11.6 The water meter should be installed in accordance with good design practices and sufficient space should be provided to allow access for inspections and testing as may, from time to time, be deemed necessary.

11.7 The specified flow range of the meter should be consistent with the range of flows provided from the well.

11.8 If solid material (e.g., silt, sand, rust particles, etc.) is present in the discharge from the well, a strainer or filter should be installed in the pipe upstream of the meter to avoid fouling of the meter.

11.9 The well discharge piping, valves, connections, and meter should be water tight. "Wet dial face" meters should be avoided. These meters tend to become unreadable over time, requiring maintenance that could be avoided with the installation of a meter that precludes entry of discharge water into the dial compartment (i.e., a "dry dial face").

11.10 The meter and discharge line should be protected from freezing, where possible, by installing the meter underground, below the frost line, wrapped in insulation, or otherwise enclosing the meter in an insulated box.

11.11 Appropriate fittings should be used to allow easy installation and maintenance of the meter.

11.12 The water meter should be installed by a qualified, experienced professional.

11.13 Manufacturers of water meters that are satisfactory to the Watermaster include, but are not limited to:

- McCrometer Water Meters
- Invensys Meters, Inc.
- Sparling Instruments, Inc.
- Badger Meter
- Water Specialties Corporation

12.0 Notice

All notices, determinations, requests, and reports required to be delivered to interested persons shall be delivered to all Parties and all persons on Watermaster's list of Interested Persons. Delivery or service of any notice of document required to be served upon or delivered shall be deemed made by deposit in the mail, first class postage prepaid, addressed as shown on the Watermaster's list of Parties or Interested Persons, or by alternative means of delivery (such as email or facsimile) agreed to in advance by a Party or Interested Party. Any Party or Interested Person desiring to be relieved of receiving deliveries from Watermaster may file, in writing, a waiver.

13.0 Watermaster Annual Report

The Watermaster will prepare and file with the Court, and mail to each of the Parties on or before ~~November~~ December 15th of each Water Year, an annual report for the preceding Administrative Year. The Watermaster's annual report shall address the following matters, in addition to other matters deemed appropriate by the Watermaster or requested by the Court: (1) groundwater extractions; (2) groundwater storage; (3) amount of artificial replenishment, if any, performed by the Watermaster; (4) leases or sales of Production Allocations; (5) use of imported, reclaimed, or desalinated water as a source of water for storage or as a water supply for lands overlying the Seaside Basin; (6) violations of the Judgment or the Rules and Regulations of the Watermaster, and any corrective action taken; (7) Watermaster administration costs; (8) the fixed per acre fee for replenishment assessments, and the amount of replenishment assessments levied and paid; (9) all components of the Watermaster budget; and, (10) recommendations.

14.0 Compliance With Judgment and Rules and Regulations

The Watermaster Board will promptly review the written request for compliance with all terms of the Judgment and these Rules and Regulations, and the Watermaster Board will promptly place the matter on a regular meeting agenda for consideration and action by the Watermaster Board.

15.0 Computation of Time

The time in which any act provided by the Judgment or these Rules and Regulations shall be computed by excluding the first day and including the last, unless the last is a holiday. Holidays are every Sunday and any other days that are specified or provided as holidays in Government Code sec. 6700.

16.0 Review of Watermaster Decisions

Any action, decision, rule or procedure of the Watermaster shall be subject to review by the Court on motion filed by any Party in accordance with the following procedure.

16.1 Effective Date of Watermaster Action

Any order, decision or action of the Watermaster on a noticed specific agenda item shall be deemed to have occurred on the date of the order, decision or action.

16.2 Notice of Motion

Any Party, by a regularly noticed motion, may petition the Court for review of the Watermaster's action or decision. The motion shall be deemed filed when a copy, conformed as filed with the Court, has been delivered to the Watermaster with the service fee established by the Watermaster. The fee shall be sufficient to cover the cost of photocopying and mailing the motion to each Party. The Watermaster shall prepare copies and mail a copy to each Party on the Watermaster's list of Parties.

16.3 Time for Motion

A motion to review any Watermaster action or decision shall be filed within thirty (30) days after such Watermaster action or decision, except that motions to review Budget Assessments and Replenishment Assessments shall be filed within fifteen (15) days of mailing a notice of assessment.

ITEM X.

INFORMATIONAL REPORTS

(NO ACTION REQUIRED)

SEASIDE GROUNDWATER BASIN WATERMASTER CRITICAL MILESTONE DATES

X.A.

ANNUAL MILESTONES	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	5/4/2011	
Each Producer is authorized to Produce its Production Allocation within the designated Subarea in each of the first three Water Years. Alternative Producers may change to Standard Production by March 27, 2009 by filing a declaraton with the Court and with the other parties.	27-Mar-06	30-Sep-07	APA to SPA election amended to in perpetuity 12/12/2009										
Commencing with the fourth Water Year and Triennially thereafter, the Operating Yield for both Subareas will be decreased by 10% until the Operating Yield is equivalent to the Natural Safe Yield unless by recharge or reclaimed water use results in a decrease in production of Native Water as required by the decision.				100% of the Operating Yield of 5,600 decreased 10% Oct 1, 2009		Operating yield could decrease 10% every three years on October 1st until it is the equivalent of Natural Safe Yield			1-Oct	1-Oct	1-Oct		
Each Water Year by November 15th, the Watermaster will determine and levy a Replenishment Assessment on each Standard Producer, with payment due from Producer 40 days after the levy is mailed		15-Nov		15-Nov	15-Nov	15-Nov	15-Nov	15-Nov	15-Nov	15-Nov	15-Nov		
After the close of each Water Year, the Watermaster will determine and levy a Replenishment Assessment against all Producers that incurred Operating Yield Over Production during the Water Year, with payment due from Producer by January 15th		15-Nov		30-Nov	30-Nov	30-Nov	30-Nov	30-Nov	30-Nov	30-Nov	30-Nov		
California American Water to submit annually to Watermaster any augmentation to water supply for possible credit toward Replenishment Assessment	**Annually**	15-Nov	CAW Credit Request Granted (signed MOU) January 15, 2009		CAW Credit Req Granted 2/3/10	CAW Credit Req Granted 2/2/11	15-Nov	15-Nov	15-Nov	15-Nov	15-Nov		
Water level monitoring - monthly data collection *from all members for inclusion in the consolidated database.*	**Reported Annually**	**Monthly**	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly		
Water quality monitoring - yearly data collection *from all members for inclusinon in consolidated database*	**Reported Annually**	15-Nov	28-Feb & 15-Nov	15-Nov	15-Nov	15-Nov	15-Nov	15-Nov	15-Nov	15-Nov	15-Nov		
Summary report of water resources data *to all members/parties* Reported the 15th each quarter month:	**Quarterly**		Jan, Apr, Jul, Oct 15th	Jan, Apr, Jul, Oct 15th	Jan, Apr, Jul, Oct 15th	Jan, Apr, Jul, Oct 15th	Jan, Apr, Jul, Oct 15th	Jan, Apr, Jul, Oct 15th	Jan, Apr, Jul, Oct 15th	Jan, Apr, Jul, Oct 15th	Jan, Apr, Jul, Oct 15th		
Annual Report to Court	**15-Jan**	15-Nov	15-Nov	15-Nov	23-Dec								

ADMINISTRATIVE MILESTONES	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Adjudicaton ordered by Court and filed	27-Mar-06										
Board Directors Terms		**7-Nov**									
Budget (Administrative) Adopted/distributed					15-Jan-10	15-Jan	15-Jan	15-Jan	15-Jan	15-Jan	15-Jan
Budget (Operations) Adopted/distributed					15-Jan-10	15-Jan	15-Jan	15-Jan	15-Jan	15-Jan	15-Jan
Budget (Replenishment)Adopted/distributed					15-Jan-10	15-Jan	15-Jan	15-Jan	15-Jan	15-Jan	15-Jan
Administrative Assessments	15-Jan-06	15-Jan-07	15-Jan-08	15-Jan-09	15-Jan-10	15-Jan-11	15-Jan-12	15-Jan-13	15-Jan-14	15-Jan-15	15-Jan-16
Operations Assessments	15-Jan-07	15-Jan-07	15-Jan-08	15-Jan-09	15-Jan-10	15-Jan-11	15-Jan-12	15-Jan-13	15-Jan-14	15-Jan-15	15-Jan-16
Capital Assessments	15-Jan-07	15-Jan-07	**NONE**	15-Jan-09	**NONE**	**NONE**	15-Jan-12	15-Jan-13	15-Jan-14	15-Jan-15	15-Jan-16
Replenishment Assessments	CAW credit	CAW credit	CAW credit	CAW credit	CAW credit	CAW credit	15-Jan-13	15-Jan-14	15-Jan-15	15-Jan-16	15-Jan-17
Annual Report to Court	15-Nov-06	15-Nov-07	15-Nov-08	15-Nov-09	23-Dec-10		15-Nov	15-Nov	15-Nov	15-Nov	15-Nov
Answers to Judge's Questions re: Annual Report		30-Jan-09	28-Feb-08	1-Feb-09	5-Feb-10	None					
Declaration of Replenishment Water Availability	Feb-06	Dec-06	Dec-07	18 Mar	2-Dec-09	1-Dec-10	Dec-11	Dec-12	Dec-13	Dec-14	Dec-15

MONTHLY MILESTONES	2006-10	Jan 11	Feb 11	Mar 11	Apr 11	May 11	Jun 11	Jul 11	Aug 11	Sep 11	Oct 11	Nov 11	Dec 11
Board Directors Terms													
Fiscal Year tentative budgets distribution to all parties													
Operating Yield of 5,600 decreased 10% ; Declaration of Replenishment Water Available	18-Mar-09												
Administrative Assessments				2009, 10 & 11 Seaside Not Recvd									
Operations Assessments				2009, 10 & 11 Seaside Not Recvd									
Capital Assessments				2009, 10 & 11 Seaside Not Recvd									
Replenishment Assessments					In-Lieu Offset in progress								
Develop Repl Assessment Unit Cost													

SPECIAL ISSUES	2006-10	Jan 11	Feb 11	Mar 11	Apr 11	May 11	Jun 11	Jul 11	Aug 11	Sep 11	Oct 11	Nov 11	Dec 11
Cal-Am CWP/Alternative Projects EIR	Ratepayer Advocates Issue			CPUC Certification and Final N.O.D.									
SWRCB Cease Desist Order California American Water	In Effect												
Storage and Recovery Application and Agreement Development	Templates Approved												
Watermaster Board Regular Meeting Schedule		5-Jan cancl'd	2-Feb	2-Mar cancl'd	6-Apr cancl'd	4-May	1-Jun	6-Jul	3-Aug	7-Sep	5-Oct	2-Nov	7-Dec

SUMMARY PROJECT SCHEDULE (See detailed project schedule for more information)	*Monitoring and Management Program 2011*
Program Administration, Database Management (MPWMD)	1/1/11 - 12/31/11
Coastal Wells Cross-Aquifer Contamination Potential Evaluation (MPWMD)	06/01/11 - 12/31/11
Production Water Level & Water Quality Monitoring (Hydrometrics, MPWMD)	1/1/11 - 12/31/11
Refine/Update BMAP (Hydrometrics)	1/1/11-12/31/11
Seawater Intrusion Analysis (Hydrometrics)	10/6/11-11/2/11

Complete =
Yet to be completed =
Scheduled for Board or TAC meeting =
Imminent Critical Deadline =

Revised April 27, 2011

D-R-A-F-T
MINUTES

Seaside Groundwater Basin Watermaster
Technical Advisory Committee Meeting
February 9, 2011

Attendees: **TAC Members**
City of Seaside – Rick Riedl
California American Water – No Representative
City of Monterey – Norm Green
Laguna Seca Property Owners – Bob Costa
MPWMD – Joe Oliver
Public Member – Richard Willis
MCWRA – Rob Johnson
City of Del Rey Oaks – No Representative
City of Sand City – Richard Simonitch
Coastal Subarea Landowners – No Representative

Watermaster
Technical Program Manager - Robert Jaques
Chief Executive Officer – Dewey Evans
Administration – Laura Dadiw

Consultants
None

Others:
MPWMD – Jonathan Lear

The meeting was called to order at 1:39 p.m.

1. Administrative Matters:
Prior to starting the Agenda items for today's meeting, Mr. Richard Willis, the newly appointed Public Member of the TAC, was introduced. TAC members then introduced themselves and identified their affiliations to Mr. Willis

A. Approve Minutes from January 12, 2011 Meeting
On a motion by Mr. Oliver, second by Mr. Costa, the minutes were unanimously approved as presented.

2. Discuss Populating of Watermaster Database with Historical Data that is Currently Not in It
Mr. Jaques and Mr. Oliver summarized the agenda packet materials for this item. It was agreed that if March is too soon to provide a report to the TAC on this topic, then it will be deferred until the April TAC meeting.

Mr. Riedl asked Mr. Oliver if he was reluctant to use Zone 24x7 for further work on the Database. Mr. Oliver responded that he was not reluctant, but that the SQL programming language which is used in the Database is

not familiar to local staff, and that it may be more cost-effective to use another approach rather than continuing to populate the existing Database.

Mr. Johnson asked to participate in the next group meeting to further examine the Database issues. Mr. Oliver extended the meeting invitation to all TAC members who might be interested. It was agreed that the group would meet again on Tuesday February 22 at 2:00 PM at the MPWMD offices.

3. Offer by Pasadera to Discuss Possible Use of Storm Water Runoff from Pasadera as a Water Source for Helping to Recharge the Seaside Basin

Mr. Jaques summarized the agenda packet materials on this item.

Mr. Oliver reported that the EIR for the Pasadera development (previously known as the Bishop Ranch subdivision) included a water balance that assumed there would be storm water recharge on the order of 30 acre feet per year.

Mr. Johnson reported that seven acre feet of storm water per year is to be held in retention basins or lakes, and that 23 acre feet per year of storm water is supposed to be recirculated through the lake system to recharge groundwater and not to be discharged as runoff. He reported that 2010 was the first year in which the project had met this requirement by recirculating 23.2 acre feet.

Mr. Evans reported that there is considerable flow in the creek that passes through Del Rey Oaks and that it has been causing erosion. Mr. Oliver stated that the storm water flow through Del Rey Oaks comes from the upstream drainage area which includes Ryan Ranch, Pasadera, and Laguna Seca.

Mr. Costa reported that Pasadera storm water flows through Laguna Seca's golf course lake.

Mr. Riedl asked if there was a stream gauge on the creek that flows through Del Rey Oaks, and Mr. Oliver responded that there was. He reported that the U.S.G.S. had operated a stream gauge there until 1978, but discontinued its operation at that time. In 2003 MPWMD reinstituted the stream gauging station. Thus, there is data since 2003, but the gauging station measures flows from all upstream areas to that point, not just the flows from Pasadera. Mr. Oliver's recollection was the flow was probably on the order of several hundred acre feet per year at the stream gauging location, and offered to summarize the stream gauging data for use by the TAC.

Mr. Oliver said that the recharge concept being proposed by Pasadera has come up in the past. He commented that this would be a good area for recharge due to the hydrogeologic conditions at this location. However, production capacity of wells is greater in the vicinity of the current A. S. R. wells along General Jim Moore Boulevard, and therefore recharge in that location would be of greater benefit to the Basin.

Mr. Riedl asked if water quality issues would have to be addressed if storm water was to be was used for groundwater recharge. Mr. Jaques, Mr. Johnson, Mr. Lear, and Mr. Oliver all responded that water quality issues would need to be taken into consideration.

Mr. Evans commented that it would be desirable to investigate any opportunities to find water to help benefit the Seaside Groundwater Basin.

Mr. Riedl asked if there was any opportunity for in-stream recharge in the creek flowing adjacent to Pasadera, and Mr. Oliver responded yes, that there was some potential for recharge, but he did not feel it would be of significant benefit to the Basin.

Mr. Johnson offered to bring the MCWRA staff person that is most familiar with the Pasadera project's storm water recharge requirement to a future TAC meeting, so the discussions regarding Pasadera could be continued.

Mr. Green noted there may be many approaches to help recharge the Basin in addition to the approach being proposed by Pasadera, but that getting the water for those recharge projects will be difficult.

Mr. Simonitch commented that cisterns are being used in Santa Cruz, and that this is another way of reducing demand thus allowing in-lieu recharge.

Mr. Evans asked about the feasibility of diverting water from the Big Sur River, and Mr. Oliver and Mr. Johnson said that overcoming many political and/or regulatory obstacles, as well as high costs, would be associated with such an undertaking.

Mr. Willis asked if storm water was used for recharge would there be downstream production well owners that would contend that this was adversely affecting them. Mr. Oliver's response was that perhaps this would be the case, but noted that the Basin is already under adjudication in the court system.

Mr. Oliver commented that percolation in the Laguna Seca area may only go into a shallow aquifer and not into the Santa or Paso Robles aquifers.

Mr. Lear reported that in Watsonville some natural runoff is captured and put into a slough where groundwater recharge occurs.

It was agreed that Mr. Jaques and Mr. Johnson would confer prior to the next TAC meeting to further assess the Pasadera proposal, so that further information could be provided to the TAC at that time.

4. Progress Report on Investigation of Potential for Aquifer Cross-Contamination in the Coastal Wells

Mr. Lear reported that work has not yet started on this task, due to MPWMD's workload on other activities. However, he reported that work would probably start in May or June. Mr. Jaques will revise the schedule for this task accordingly, and said there would likely be a progress report on this at the July TAC meeting.

5. Schedule

Mr. Jaques briefly discussed the 2011 Schedule, and provided a brief update on the upcoming Central Coast Surveyors wellhead survey work which he anticipates starting in early March. He also noted that further discussion of the Modeling, Protective Water Level, and BMAP topics had been scheduled to the June 8, 2011 TAC meeting in accordance with action taken at the TAC's January 2011 meeting.

6. Other Business

There was discussion by Mr. Johnson and other TAC members about setting a future agenda item to brainstorm creative solutions to help solve the Basin's overdraft problems. Mr. Oliver recommended referring to the Basin Management Action Plan for possible ideas on this. For the March TAC meeting Mr. Jaques will put together a preliminary list of ideas for discussion, drawing on the Basin Management Action Plan and also the EIR for the Coastal Water Project for such a list.

7. Set next meeting date:

The next regular meeting was set for Wednesday, March 9, 2011 at 1:30 p.m. at the MRWPCA Board Room

At 2:53 p.m. a motion was made by Mr. Costa, seconded by Mr. Simonitch, and unanimously approved to adjourn the meeting.

D-R-A-F-T
MINUTES

Seaside Groundwater Basin Watermaster
Technical Advisory Committee Meeting
March 9, 2011

Attendees: **TAC Members**
City of Seaside – Rick Riedl
California American Water – Eric Sabolsice
City of Monterey – Norm Green
Laguna Seca Property Owners – Bob Costa
MPWMD – Joe Oliver
Public Member – Richard Willis
MCWRA – Rob Johnson
City of Del Rey Oaks – Dan Dawson
City of Sand City – No Representative
Coastal Subarea Landowners – No Representative

Watermaster
Technical Program Manager - Robert Jaques
Chief Executive Officer – Dewey Evans
Administration – Laura Dadiw

Consultants
HydroMetrics – Georgina King (via telephone)

Others:
MPWMD – Jonathan Lear

The meeting was called to order at 1:36 p.m.

1. **Administrative Matters:**
   A. Approve Minutes from February 9, 2011 Meeting
   On a motion by Mr. Riedl, seconded by Mr. Oliver, the Minutes were unanimously approved as presented.

2. **Discuss Changes to the Inputting and Management of Data in the Watermaster Database**

Mr. Jaques summarized the agenda packet materials on this item. The numbered items below correspond to the numbered "Threshold Questions" contained on page 11 of the agenda packet.

1. <u>What is the purpose of having a database on the Watermaster's website?</u>

Mr. Costa inquired as to whether the Court Decision imposed any requirements with regard to the Database. Mr. Jaques responded that the Database was not required by the Decision. Rather, it had been developed by the Watermaster in conjunction with its consultants to become an element of the Work Plan for carrying out the Monitoring and Management Program. It had been approved by the Court, but was not required by the Court.

Mr. Willis asked if there any "freedom of information" issues pertaining to the Database. Mr. Riedl, Mr. Jaques, and Mr. Lear responded that, except for confidential data which is protected by the California Water Code, such as well logs and well location information, all of information that would appear to be information that one might request under the Freedom of Information Act was already available on the Web site.

Mr. Sabolsice inquired as to how many "hits" the Watermaster's Website was getting. No information was on was available in order to respond that question, but Ms. Dadiw said that she would check with the Web site hosting company and provide that information at a future meeting. Mr. Willis also noted that there may be a separate Web-counter just for the Database itself, and Ms. Dadiw will inquire about that as well.

2. <u>What is the audience that we want the database to be accessible to?</u>
Mr. Johnson reported that other than MCWRA itself, he was unaware of any other departments or agencies within Monterey County that would have concerns with regard to Database issues.

Ms. King reported that HydroMetrics has to obtain data for all of their projects from their respective clients. She said she believed that the Watermaster was the only agency that had an on-line database where such information could be accessed. She said for all their other clients, they had to submit a formal request to obtain data.

3. <u>Is it necessary for the website database to be interactive?</u> <u>If all data accessible from the current website Database could be readily accessed using another approach, such as that described in the paragraph above, would there be any drawbacks to changing over to such an approach?</u>
Mr. Riedl and Mr. Dawson asked whether it would be possible to simply put the entire Access database on the Web site. Mr. Lear responded that he anticipated that very few persons would want to access the entire database, which is quite large in terms of the amount of data it contains. However, for those who do they could have the Access database sent to them as a ZIP file via e-mail. He noted that the Access database is approximately 5 MB in size.

4. <u>Would being able to download data from the Watermaster's website only in .pdf format, and not in Excel format as can currently be done, be a drawback, assuming that under the new approach Excel versions of that data could be obtained via an email request?</u>
Mr. Costa asked if it was anticipated that there would be efficiency cost savings by making the change from the current Database to the Access database approach. Mr. Jaques and Mr. Oliver responded that they did anticipate such savings to occur, but it would be hard to quantify the savings. One savings would come from not having to populate all of data that has not yet been input to the Database. Mr. Lear also noted that the Monterey Bay Analytical Services laboratory data is currently received by MPWMD in electronic form, so it can be directly input into the Access database without having to manually enter the data.

Mr. Willis suggested having the information not only in .pdf format, but also in an Excel format. Mr. Lear responded that he would be able to do that.

Mr. Willis also suggested that in order to save time in processing a data request, it would be good to develop a simple procedure/protocol for submitting a request. Mr. Jaques said he would pursue that.

5. <u>Do we really need all of the types of Reports and screen displays that are currently part of the existing Database, e.g. "Compliance Report," "Production Summary Report,", or "Contacts Report?"</u>
No questions or issues were raised with regard to this threshold question.

6. Would populating the database with data going back to 2006, the year the Watermaster was formed by the Court Decision, be satisfactory, or should data further back, if it exists from other sources such as MPWMD's Access database, also be put into the Watermaster's database? There would be additional time and expense associated with populating data from further back in time.
Mr. Lear recommended that all available data prior to 2006 be put into the database, but that production data only going back to 2006, when the Watermaster was created, would be acceptable. He noted that all of the historical data other than production data is already in the Access database.

7. The current Database is the property of the Watermaster's but it physically resides on the MPWMD's computer system. Would there be any ownership concerns if under a new approach the data also resided on MPWMD's computer system?
Mr. Lear and Mr. Oliver reported that the Watermaster had purchased the Watermaster Web site server (computer), and it is currently housed in MPWMD's offices. Under the proposed approach, Mr. Lear said he would put the current Access database for the Seaside Groundwater Basin on the Watermaster's server, and it would continue to be physically located within the MPWMD's offices. The Watermaster would be the owner of the Access database and the server hardware. There was consensus that this would be an acceptable approach.

There was TAC consensus to proceed with further development of the proposed approach. Mr. Jaques said that he would schedule another meeting to further refine the database issues, and that any TAC members who wished to attend were cordially invited to do so. He asked that they notify him of their interest by e-mail, so he could be sure to notify them when the next meeting is being set up.

3. Continued Discussion of Offer by Pasadera to Discuss Possible Use of Storm Water Runoff from Pasadera as a Water Source for Helping to Recharge the Seaside Basin

Mr. Jaques summarized the agenda materials for this item.

Mr. Sabolsice asked if Pasadera was required to perform storm water recharge. Mr. Johnson responded "yes", by virtue of Monterey County development approval requirements for the project.

Mr. Costa reported that local golf courses in the Laguna Seca area typically do not need to irrigate from approximately November 1st through the middle of March, because natural rainfall provides for the irrigation needs of the golf course. Mr. Jaques commented that perhaps, in view of this information, the storm water recharge plan developed for the Pasadera project may have been overly optimistic with regard to the amount of storm water that could be recharged during winter months.

Mr. Riedl commented that if 77 AFY of runoff was forecast in the Pasadera development plan, and approximately 30 AFY is to be used for storm water recharge to satisfy Condition No. 138, then approximately 47 AFYof runoff should be occurring. He wondered if this was worth pursuing in terms of attempting to capture that runoff for recharge of the Basin. Mr. Lear and Mr. Oliver said the total pumping from the Laguna Seca subarea is about 500 AFY, so recharging that amount would constitute about 10 percent of the current amount being pumped annually.

Mr. Sabolsice asked Mr. Johnson if the permit condition issue needs to be resolved before the TAC considers the Pasadera recharge concept proposal further. Mr. Johnson said yes, that the permit condition issue should first be resolved.

Mr. Riedl noted that diversion of any water away from its natural discharge into the Arroyo Del Rey would probably require an Environmental Impact Report. There was consensus that this would be the case.

There was consensus by the TAC to have Mr. Jaques communicate the TAC's position on this matter to Mr. Leonard, and to indicate that the TAC would be open to discussing his proposal further, once the issues with regard to Condition No. 138 have been resolved.

Mr. Costa commented that it probably was not possible for Pasadera to use 23 AFY of storm water, because the bulk of the storm water runoff occurs when irrigation is not needed by the golf course. Mr. Jaques also noted that the reclaimed water storage pond may be too small to provide enough storage capacity for both the wintertime reclaimed water production as well as capturing storm water for use during the irrigation season.

Mr. Riedl asked Mr. Oliver about the feasibility of putting in a gauging station on Arroyo Del Rey upstream of the point of discharge of storm water from the Pasadera project, in order to see how much storm water is coming from the project. This may be discussed in the future time when/if discussion resumes with regard to the Pasadera storm water recharge concept.

Mr. Oliver suggested that members of the TAC may wish to visit the Pasadera site, if condition No. 138 issues are first resolved, in order to get a first-hand view and understanding of the Pasadera facilities.

4. Schedule

Mr. Jaques reported that the wellhead survey work (ID No. 48 in the Schedule) has been delayed due to scheduling conflicts between MPWMD and Central Coast Surveyors. The work is now projected to begin in late March, as shown in the Schedule in the Agenda packet. There were no questions or other discussions under this item.

5. Other Business

Mr. Green asked if it would be necessary to treat storm water for direct injection. Mr. Sabolsice responded that direct injection of storm water would have impacts on Basin water quality and would thus be of concern to the State Department of Public Health. He said it would probably be necessary to treat the water in accordance with the Surface Water Treatment rules for bacterial content and other constituents. Treatment would probably require microfiltration along with reverse osmosis at a minimum.

Mr. Green commented that treating storm water for direct injection may be economically competitive with the cost of producing water from desalination, so direct injection of storm water for recharge may be worth considering. Mr. Lear and Mr. Sabolsice commented that once water enters Laguna Grande, from Arroyo Del Rey, it becomes a "water of the state" which means that a water diversion permit would have to be obtained, if water were to be taken from that location for direct injection.

Mr. Riedl said that Stanford University has contacted the City of Seaside and wants to do a geophysical survey of the Seaside Groundwater Basin. Mr. Lear said he was aware of the proposed work which would be performed by the Stanford Geophysics group. He said the Stanford group is getting money to use its geophysical tools to gain data about the subsurface geology within the Seaside Groundwater Basin. One objective would be to see if there might be potential sites from which additional desalination source water could be taken.

6. Set next meeting date:

The next regular meeting was set for Wednesday, April 13, 2011 at 1:30 p.m. at the MRWPCA Board Room

The meeting adjourned at 3:12 p.m.

2011 WATER YEAR

ITEM X.C.

5/4/2011

Seaside Groundwater Basin Watermaster

Reported Quarterly and Annual Water Production (in Acre Feet) From the Seaside Groundwater Basin

For All Producers Inclued in the Seaside Basin Adjudication

(All Values in Acre-Feet ([AF])

Producer	Type	Quarters				Annual To-Date Reported Total	Base Operating Yield Allocation	Carry Over from 2009/10	Total Allocation 2010/11	Stored Water Credit from 2009/10
		Oct-Dec 2010	Jan-Mar 2011	Apr-Jun 2011	Jul-Sep 2011					
Coastal Subareas										
CAW (Coastal Subareas)	SPA	0.0	96.3	-	0.0	96.3	3,086.7	115.1	3,201.8	1,110.5
Seaside (Municipal)	SPA	60.2	45.7	0.0	0.0	105.9	253.1	-	253.1	-
Granite Rock Company	SPA	Exempt	Exempt	Exempt	Exempt	0.0	23.8	114.7	138.5	-
DBO Development No. 30	SPA	Exempt	Exempt	Exempt	Exempt	0.0	43.3	235.9	279.2	-
City of Seaside (Golf Courses)	APA	0.0	0.0	-	-	0.0	540.0	-	540.0	-
Sand City	APA	0.2	0.3	-	-	0.4	9.0	-	9.0	-
Security National Guaranty	APA	-	-	-	-	0.0	149.0	-	149.0	-
Cypress Pacific Investors*	APA	Exempt	Exempt	Exempt	Exempt	0.0	14.0	-	14.0	-
Alderwoods Group (Mission Memorial)	APA	3.3	2.3	-	0.0	5.6	31.0	-	31.0	-
Coastal Subarea Totals		***63.7***	***144.5***	***0.0***	***0.0***	***208.1***	***4,149.9***	***465.7***	***4,615.6***	***1,110.5***
Previous Year Totals (2009)		*1,023.1*	*114.2*	*1,047.7*	*1,494.9*	*3,679.9*	*4,150.0*	*779.4*	*0.0*	*0.0*
Laguna Seca Subareas										
CAW (Inland Subareas)	SPA	86.9	63.0	-	-	149.9	246.1	-	246.1	
Pasadera Country Club	APA	23.0	2.1	-	-	25.1	251.0	-	251.0	
Laguna Seca/Bishop	APA	23.5	0.0	-	-	23.5	320.0	-	320.0	
York School	APA	2.4	1.5	-	-	3.8	32.0	-	32.0	
Laguna Seca Park (County)	APA	4.6	4.8	-	-	9.4	41.0	-	41.0	
Laguna Seca Subarea Totals		***140.4***	***71.4***	***0.0***	***0.0***	***211.8***	***890.1***	***-***	***890.1***	
Previous Year Totals (2009)		*142.8*	*72.9*	*245.7*	*406.3*	*867.7*	*890.1*	*779.4*	*890.1*	
Subtotal Pumped		***204.0***	***215.9***	***0.0***	***0.0***	**419.9**	**5,040.0**	**465.7**	**5,505.7**	**1,110.5**
						Alternative Producers =	**67.4**			
						Standard Producers =	**352.1**			
City of Seaside Golf Course In-lieu										
Marina Coast Water District		***28.8***	***32.5***	***0.0***	***0.0***	***61.3***				
CAW ASR (Injection)/Recovery										
Monterey County District		***1,040.9***	***(486.2)***	***0.0***	***0.0***	***554.7***				

*Referred to as "M.E. Calabrese 1987 Trust" in Decision

Notes:

1. The Water Year (WY) begins October 1 and ends September 30 of the following calendar year. For example, WY 2011 began on October 1, 2010, and ended on September 30, 2011.
2. "Type" refers to water right as described in Seaside Basin Adjudication decision as amended, signed February 9, 2007 (Monterey County Superior Court Case No. M66343).
3. Values shown in the table are based on reports to the Watermaster as received by MPWMD by April 15, 2011.
4. All values are rounded to the nearest tenth of an acre-foot. Where required, reported data were converted to acre-feet utilizing the relationships: 325,851 gallons = 43,560 cubic feet = 1 acre-foot.
5. Each producer's total authorized production allocation is the sum of Base Operating Yield Allocation and Carry Over from Prior Year and is taken from the Watermaster Producer Allocations for this Water Year.
6. Any minor discrepancies in totals are attributable to rounding.
7. APA = Alternative Producer Allocation; SPA = Standard Producer Allocation; CAW = California American Water.
8. The Marina Coast Water District supply of non-native water for the City of Seaside golf courses as In-lieu production to offset annually the City's balance of Replenishment Assessment is monitored but not calculated into quarterly water production.
9. CAW deducted transfer of 16.3 AF from Coastal Subarea to City of Seaside from first quarter production (transfer occurred 10/1 to 10/24/10).

ITEM NO. XI.

DIRECTOR'S REPORTS

ITEM NO. XII.

EXECUTIVE OFFICER COMMENTS