

1 SOMACH, SIMMONS & DUNN
A Professional Corporation
2 STUART L. SOMACH, ESQ. (SBN 090959)
SANDRA K. DUNN, ESQ. (SBN 119161)
3 NICHOLAS A. JACOBS, ESQ. (SBN 210091)
813 Sixth Street, Third Floor
4 Sacramento, CA 95814-4407
Telephone: (916) 446-7979
5 Facsimile: (916) 446-8199

6 Attorneys for Plaintiff and Cross-Defendant
CALIFORNIA AMERICAN WATER

7
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF MONTEREY

10
11 CALIFORNIA AMERICAN WATER,)
12)
Plaintiff,)

13 vs.)

14 CITY OF SEASIDE; CITY OF)
MONTEREY; CITY OF SAND CITY;)
15 CITY OF DEL REY OAKS; SECURITY)
NATIONAL GUARANTY, INC.; GRANITE)
16 ROCK COMPANY, INC.; D.B.O.)
DEVELOPMENT COMPANY NO. 27,)
17 INC.; MURIEL E. CALABRESE 1987)
TRUST; ALDERWOODS GROUP)
18 (CALIFORNIA), INC.; PASADERA)
COUNTRY CLUB, LLC; LAGUNA SECA)
19 RESORT, INC; BISHOP MC INTOSH &)
MC INTOSH, a general partnership; THE)
20 YORK SCHOOL, INC.; and DOES 1)
through 1,000, Inclusive,)

21 Defendants.)
22)

23 MONTEREY PENINSULA WATER)
MANAGEMENT DISTRICT,)

24 Intervenor.)

25 MONTEREY COUNTY WATER)
RESOURCES AGENCY,)

26 Intervenor.)

27 AND RELATED CROSS-ACTIONS)
28 //

FILED

MAR 15 2007

LISA M. GALDOS
CLERK OF THE SUPERIOR COURT
DEPUTY

J. NICHOLSON

Case No. M66343

**REPORT ON STATUS OF
CONSULTANT TO OVERSEE
IMPLEMENTATION OF THE
MONITORING AND MANAGEMENT
PROGRAM**

(Assigned to Hon. Roger D. Randall, Ret.)

1 On February 9, 2007, this Court approved the Seaside Groundwater Basin Monitoring and
2 Management Program ("MMP") and further ordered the Watermaster to submit a report
3 regarding implementation of the MMP no later than March 13, 2007. California American Water,
4 on behalf of the Seaside Groundwater Basin Watermaster Committee, submits this Report on
5 Status of Consultant to Oversee Implementation of the Monitoring and Management Program in
6 compliance with the Court's order.

7 A. Quarterly Water Testing

8 In the Annual Report submitted to the Court, the Watermaster Committee included the
9 Results of Ground Water Quality Samples Collected in Fall 2006 from MPWMD Monitor Wells
10 in and Near the Seaside Groundwater Basin. In addition, the Watermaster Committee approved a
11 contract on January 31, 2007, with the Monterey Peninsula Water Management District/Monterey
12 County Water Resources Agency to collect winter and spring 2007 quarterly groundwater samples
13 to comply with the Court's February 9, 2007 Order. Thereafter, water quality monitoring will
14 continue on a quarterly basis with reports to follow within 90 days as described in the
15 Implementation Plan, attached hereto as Exhibit 1.

16 B. Construction of Additional Monitoring Wells

17 The 2006 Annual Report included the Seawater Sentinel Monitoring Wells Workplan that
18 was approved by the Watermaster Committee on January 31, 2007. On February 20, 2007, the
19 Watermaster executed a contract with the hydrogeologist, Martin Feeney, to plan and install
20 sentinel wells. Mr. Feeney's contract is attached hereto as Exhibit 2.

21 As further described in the Implementation Plan, the approved Workplan has been slightly
22 modified based upon recommendations of the Watermaster Technical Committee. The permitting
23 and planning process for the construction of additional wells is currently underway and, pending all
24 necessary approvals, Mr. Feeney anticipates drilling will begin in approximately mid-May 2007.

25 C. Implementation Plan

26 The MMP, as approved by the Court, contains several primary tasks: (1) Basin
27 Monitoring Program; (2) Basin Management Program; and (3) Seawater Intrusion Contingency
28 Program. The Seaside Basin Watermaster Technical Advisory Committee has developed an

1 Implementation Plan (Exhibit 1 hereto) that incorporates those tasks already approved by the
2 Watermaster and which are currently underway, as well as a scope of work and/or an approach for
3 implementing the remaining aspects of the MMP.

4 The Implementation Plan was approved in concept by the Watermaster Committee on
5 March 7, 2007, and the Administrator for the Watermaster Committee was instructed to prepare
6 contracts with the appropriate consultants. The contracts are to be presented for approval at the
7 Watermaster's April 4, 2007 meeting.

8 D. Supplemental Water Supply

9 The development of supplemental water supplies is critical to ensuring a reliable source of
10 water for the Monterey Peninsula as well as the protection of the Seaside Groundwater Basin.
11 Thus, in addition to setting forth those tasks required for implementation of the MMP, the
12 Implementation Plan also provides the Court with a status report of the ongoing efforts toward
13 water supply development.

14 Respectfully submitted,

15 SOMACH, SIMMONS & DUNN

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17 Dated: March 13, 2007

18 By 

Sandra K. Dunn

19 Attorneys for California American Water
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PROOF OF SERVICE

I am employed in the County of Sacramento; my business address is Hall of Justice Building, 813 Sixth Street, Third Floor, Sacramento, California; I am over the age of 18 years and not a party to the foregoing action.

On March 13, 2007, I served a true and correct copy of

**REPORT ON STATUS OF CONSULTANT TO OVERSEE IMPLEMENTATION OF
THE MONITORING AND MANAGEMENT PROGRAM**

(by mail) on all parties in said action listed below, in accordance with Code of Civil Procedure §1013a(3), by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. At Somach, Simmons & Dunn, mail placed in that designated area is given the correct amount of postage and is deposited that same day, in the ordinary course of business, in a United States mailbox in the City of Sacramento, California.

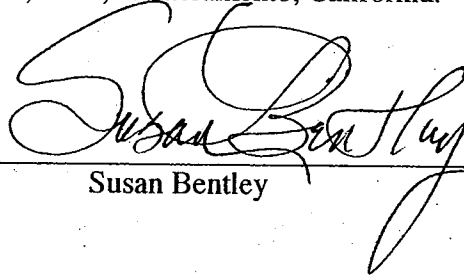
SEE ATTACHED SERVICE LIST

(by e-mail) to the persons at the email addresses set forth on the attached E-Mail Service List.

(by personal delivery) by personally delivering a true copy thereof to the person and at the address set forth below:

(by facsimile transmission) to the person at the address and phone number set forth below:

I declare under penalty of perjury that the foregoing is true and correct under the laws of the State of California. Executed on March 13, 2007, at Sacramento, California.



Susan Bentley

SERVICE LIST

1
2 J. Terry Schwartz
3 Craig A. Parton Attorneys for Intervenor Monterey
4 Price, Postel & Parma Peninsula Water Management District
5 200 E. Carrillo Street,
6 Suite 400
7 Santa Barbara, CA 93101-2190
8 Facsimile: (805) 965-3978

6 Thomas D. Roth Attorneys for Defendant
7 Law Offices of Thomas D. Roth Security National Guaranty, Inc.
8 One Market, Spear Tower,
9 Suite 3600
10 San Francisco, CA 94105
11 Facsimile: (415) 435-2086

10 Jacqueline M. Zischke Attorneys for Defendant
11 Virginia A. Hines Laguna Seca Resort, Inc.
12 Lombardo & Gilles
13 318 Cayuga Street
14 P.O. Box 2119
15 Salinas, CA 93902-2119
16 Facsimile: (831) 754-2011

14 Robert Allan Goodin On behalf of Defendant
15 Anne Hartman Pasadera Country Club, LLC
16 James Squeri
17 Goodin, MacBride, Squeri, Ritchie & Day, LLP
18 505 Sansome, Suite 900
19 San Francisco, CA 94111
20 Facsimile: (415) 398-4321

18 James Heisinger Attorneys for Defendant
19 Heisinger Buck Morris et al. City of Sand City
20 P. O. Box 5427
21 Carmel, CA 93921-5427
22 Facsimile: (831) 625-0145

21 David C. Sweigert Attorneys for Defendant
22 Fenton & Keller D.B.O. Development Company
23 2801 Monterey-Salinas Highway
24 P.O. Box 791
25 Monterey, CA 93942-0791
26 Facsimile: (831) 373-7219

24 Rob Wellington Attorneys for Defendant
25 Wellington Law Offices City of Del Rey Oaks
26 857 Cass Street, Suite D
27 Monterey, CA 93940
28 Facsimile: (831) 373-7106

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27
28

Scott S. Slater
Russell McGlothlin
Hatch and Parent
21 East Carrillo Street
Santa Barbara, CA 93101-2782
Facsimile: (805) 965-4333

Attorneys for Defendant
City of Seaside

Donald G. Freeman, City Attorney
Law Offices of Perry and Freeman
P.O. Box 805
Carmel, CA 93921
Facsimile: (831) 624-5839

Attorneys for Defendant
City of Seaside

Deborah Mall
Office of the City Attorney
City Hall
Monterey, CA 93940
Facsimile: (831) 373-1634

Attorneys for Defendant
City of Monterey

Mark Pearson
Iverson, Yoakum, Papiano & Hatch
1 Wilshire Bldg., 27th Fl.
624 S. Grand Avenue
Los Angeles, CA 90017
Facsimile: (213) 629-4563

Attorneys for Defendant
Mission Memorial Park

Brian Finegan
Law Offices of Brian Finegan
P.O. Box 2058
Salinas, CA 93902
Facsimile: (831) 757-9329

Attorneys for Defendant
Granite Rock Company

Michael Albov
Hudson, Martin, Ferrante & Street
P.O. Box 112
Monterey, CA 93942-0112
Facsimile: (831) 375-0131

Attorneys for Defendant
Muriel E. Calabrese 1987 Trust

David Laredo
DeLay & Laredo
606 Forest Avenue
Pacific Grove, CA 93950
Facsimile: (831) 646-0377

Attorneys for Intervenor Monterey Peninsula
Water Management District

James J. Cook
Horan, Lloyd, Karachale, et al.
499 Van Buren Street
Monterey, CA 93940
Facsimile: (831) 373-8302

Attorney for Defendant The York School

1
2
3
4
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9
10
11
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15
16
17
18
19
20
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27
28

Eric N. Robinson
Kronick, Moskovitz, Tiedemann &
Girard
400 Capitol Mall, 27th Floor
Sacramento, CA 95814
Facsimile: (916) 325-4555

Attorneys for
Bishop McIntosh & McIntosh

Irven L. Grant
Office of Monterey County Counsel
168 West Alisal St., 3rd Floor
Salinas, CA 93901-2680
Facsimile: (831) 755-5283

Attorneys for County of Monterey

Kevin M. O'Brien
Downey, Brand
555 Capitol Mall, 10th Floor
Sacramento, CA 95814
Facsimile: (916) 444-2100

Attorneys for Intervenor Monterey
County Water Resources Agency

John Garrick
Larson, Garrick & Lightfoot, LLP
633 West Fifth St., Suite 1750
Los Angeles, CA 90071
Facsimile: (213) 404-4123

Attorneys for Alderwood Group, Inc. dba
Mission Memorial Park

Dewey Evans
Watermaster Executive Officer
2600 Garden Road, Suite 228
Monterey, CA 93940

Watermaster Executive Officer

Steve Leonard
Vice President and Manager
California American Water
50 Ragsdale Dr., Suite 100
P.O. Box 951
Monterey, CA 93940-5758

Robert Costa
Laguna Seca Golf Ranch
10520 York Road
Monterey, CA 93940

Kelly Morgan
City Administrator
City of Sand City
1 Sylvan Park
Sand City, CA 93955

Mayor Dan Albert
City of Monterey
City Manager's Office Attn: Elaine Ramos
Monterey, CA 93940

Mayor Joseph Russell
650 Canyon Del Rey Road
Del Rey Oaks, CA 93940

Mayor Ralph Rubio
City of Seaside
440 Harcourt Avenue
Seaside, CA 93955

Jerry Smith
District 4 Supervisor
2616 1st Avenue
Marina, CA 93933

E-MAIL SERVICE LIST

1
2 Mark Pearson <mpearson@iyph.com>
Dewey Evans watermasterseaside@sbcglobal.net
3 David Pendergrass sandcitymyr@aol.com
Jeff Haferman <haferman@ci.monterey.ca.us>
4 Jerry Smith district4@co.monterey.ca.us
Joseph Russell jprussell@sbcglobal.net
5 Michelle Knight Michelle_Knight@sbcglobal.net
Paul Bruno paul@mpe2000.com
6 Ralph Rubio rrubio@ci.seaside.ca.us
Robert Costa bcosta@lagunasecagolf.com
7 Steve Leonard leonardsd@amwater.com
Barbara Carballo bcarballo@ci.seaside.ca.us
8 Brian Finegan brian@bfinegan.com
Curtis Weeks weeksc@co.monterey.ca.us
9 David Berger david@mpwmd.dst.ca.us
David C. Sweigert dsweigert@fentonkeller.com
10 David Laredo <dave@laredolaw.net>
Deborah Mall mall@ci.monterey.ca.us
11 Diana Ingersoll Dingersoll@ci.seaside.ca.us
Elaine Ramos "" <ramos@ci.monterey.ca.us>
12 Elizabeth Gianola gianola@horanlegal.com
Fred Meurer meurer@ci.monterey.ca.us
13 Irvn L. Grant <granti@co.monterey.ca.us>
Jacqueline M. Zischke jacqui@lomgil.com
14 James Heisinger jim@carmellaw.com
Judi Lehman jlehman@redshift.com
15 Kathleen Thomasberg thomasbergk@co.monterey.ca.us
Kelly Morgan kelly@sandcity.org
16 Laura J. Dadiw <laura.dadiw@dadiwassoc.com>
Les Turnbeaugh <turnbeau@ci.monterey.ca.us>
17 MCWRA <lampor@co.monterey.ca.us>
MPWMD <arlene@mpwmd.dst.ca.us>
18 Nancy Rose rose@ci.monterey.ca.us
Nick Jacobs "" <njacobs@lawssd.com>
19 Pat Kelly PKelly@oroscogroup.com
Ray Corpuz <rcorpuz@ci.seaside.ca.us>
20 Robert Wellington <attys@wellingtonlaw.com>
Ron Langford <droclerk@redshift.com>
21 Sandra K. Dunn <sdunn@lawssd.com>

22
23
24
25
26
27
28

Stuart Somach <ssomach@lawssd.com>
Tim O'Halloran TO'Halloran@ci.seaside.ca.us
Tom Bunosky <tom.bunosky@amwater.com>
Tom D. Roth <rothlaw1@comcast.net>
Virginia A. Hines <gini@lomgil.com>
Ann Hartman <ahartman@gmssr.com>
Roxan Schwab roxan.schwab@sci-us.com
Bob McKenzie <bobmck@mbay.net>
Charles W. Kemp <charles.kemp@amwater.com>
Craig Parton <cap@ppplaw.com>
Darby Fuerst <darby@mpwmd.dst.ca.us>
Don Freeman <klglegal@hotmail.com>
Ed Ghandor <edg.sng@equusassetmanagement.com>
Eric Robinson <erobinson@kmtg.com>
Heidi A. Quinn "" <heidi@laredolaw.net>
James Cook <jcook@horanlegal.com>
Janna Aldrete <jaldrete@sierraholdings.net>
Jim Markman "" <jim@rwglaw.com>
Joe Oliver <joe@mpwmd.dst.ca.us>
John Fischer "" <wvrdjon@yahoo.com>
John P. Christian <jchristian@tobinlaw.com>
Kevin O'Brien <kobrien@downeybrand.com>
Larry Silver "" <larysilver@celproject.net>
Lawrence E. Gallery <gallery100@rbf.com>
Michael Stamp <stampoffice@yahoo.com>
Mike Albov "" <michaelalbov@aol.com>
Nancy Isakson <nisakson@mbay.net>
Patrick Orosco <porosco@oroscogroup.com>
Richard Simonitch rsimonitch@mt.cdengineers.com
Roger K. Masuda <rmasuda@calwaterlaw.com>
Ron Scholl <rscholl@fentonkeller.com>
Russell McGlothlin RMCGLothlin@hatchparent.com
Sarah Hardgrave <shardgrave@rbf.com>
Scott Slater "" <sslater@hatchparent.com>
Sierra Club <ventana@mbay.net>
Steve Beals "" <steve@carmellaw.com>
Tom Squeri <tsqueri@Graniterock.com>
Tyla Montgomery <tmontgomery@rbf.com>