

**SEASIDE GROUNDWATER BASIN WATERMASTER
REGULAR MEETING MINUTES**

**Via Zoom Teleconference
Wednesday, January 5, 2022**

I. CALL TO ORDER – Vice Chair Albert called the meeting to order at 2:00pm

II. ROLL CALL

Laguna Seca Subarea Landowner – Director Wesley Leith
City of Sand City – Mayor Mary Ann Carbone
California American Water (CAW) – Director Christopher Cook
City of Monterey – Council Member Dan Albert – Vice Chair
Monterey Peninsula Water Management District (MPWMD) – Director George Riley
Monterey County/Monterey County Water Resources Agency – Supervisor Mary Adams
City of Seaside – Mayor Ian Oglesby
Absent: Coastal Subarea Landowner – Director Paul Bruno – Chair
City of Del Rey Oaks – Council Member John Gaglioti

Others Present:

Robert Jaques, Watermaster Technical Program Manager (TPM)
Laura Paxton, Watermaster Administrative Officer (AO)
Jonathan Lear, MPWMD
Lorrie Muriel, Mission Memorial Park
Steve Gurnee, Mission Memorial Park Legal Counsel
Alvin Edwards, Chair, MPWMD Board of Directors
Georgina King, Montgomery & Associates
Sarah Hardgrave, Chief of Staff, Office of Supervisor Adams
Ian Crooks, VP of Engineering, California American Water (CAW)
Tim O’Halloran, Engineering Manager, CAW
Aiko Yamakawa, Attorney, CAW
Rick Riedel, Wallace Group
Michael Paxton, Assistant AO
Susan Schiavone
Kevin Houghausen (Sp?)

III. PUBLIC COMMUNICATIONS – None

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

V. MINUTES – Approve Minutes of Regular Board meeting held September 1, 2021

It was moved by Director Riley and seconded by Mayor Oglesby to approve as presented the minutes of the Regular Board meeting held September 1, 2021. Mayor Oglesby – Aye; Director Cook – Aye; Councilmember Albert – Aye; Mayor Carbone – Aye; Supervisor Adams – Aye; Director Riley – Aye; Director Leith – Aye. Motion carried.

VI. CONSENT CALENDAR

A. Consider Adopting Watermaster Resolution 22-01 finding that the continuing Covid-19 pandemic state of emergency declared by Governor Newsom directly impacts the ability of the board to meet safely in person.

- B. Consider Approving the Board and TAC schedule of meetings for 2022
- C. Consider Approving Summary of Payments made August 2021 through November 2021 totaling **\$100,065.13**
- D. Consider Approving Fiscal Year 2021 Financial Reports through November 30, 2021
- E. Consider Approving Administrative Inter-fund Budget Transfer

Director Leith opposed Item A.

It was moved by Mayor Carbone and seconded by Supervisor Adams to approve the consent calendar as presented. Mayor Oglesby – Aye; Director Cook – Aye; Councilmember Albert – Aye; Mayor Carbone – Aye; Supervisor Adams – Aye; Director Riley – Aye; Director Leith – Nay. Motion carried.

VII. ORAL PRESENTATION – Presentation by Georgina King, Montgomery & Associates on the 2021 Seawater Intrusion Analysis Report (SIAR).

TPM Jaques gave an overview of the report, stating that the TAC approved a draft version of the report at its November meeting. Ms. King gave a PowerPoint presentation pointing out the various wells used for data collection. A hole was found in Well FO-9 and is being destroyed. Wells FO-10 Shallow and Ord Grove-2 had slight chloride increases but nothing indicating seawater intrusion. King stated the PCA East Shallow Well in the Northern Coastal area shows groundwater levels that continue to decline. There is no increasing or decreasing trend in groundwater levels in the coastal area deep aquifer. King concluded that groundwater levels in three of the four wells monitored along the coast are far below sea level continuing the threat of seawater intrusion. She recommended replacing Well FO-9 as a monitoring point, and continuing or increasing FO-10 sampling frequency. Groundwater levels in the Laguna Seca Subarea continue to decline.

Director Riley inquired whether drastic action by Watermaster would affect the timeline for correcting decreasing water levels; Ms. King responded that even if all pumping from the Laguna Seca Subarea stopped, water levels would continue to decrease as the cause is due to factors outside of the Basin. In response to Supervisor Adams' inquiry, TPM Jaques stated there are differences between the Seaside Basin model and the Monterey Subbasin (MSB) model regarding intra-basin flow however differences are planned to be resolved before the MSB Groundwater Sustainability Plan is finalized. Based on slides presented, Director Leith interpreted 2,000-acre feet (AF) more of water was extracted from the Basin in 2021 than the year before. Director Cook responded the high extraction numbers are due to recovery of injected Aquifer Storage & Recovery and Pure Water Monterey water. Separate charts of native and injected water extraction will be presented next year for better clarity.

VIII. NEW BUSINESS

- A. Consider Approving the Seawater Intrusion Analysis Report for 2021.

It was moved by Director Riley and seconded by Supervisor Adams to approve as presented the 2021 Seawater Intrusion Analysis Report. Mayor Oglesby – Aye; Director Cook – Aye; Councilmember Albert – Aye; Mayor Carbone – Aye; Supervisor Adams – Aye; Director Riley – Aye; Director Leith – Aye. Motion carried unanimously.

- B. Discussion/Consider Adopting for Water Year 2022 a Declaration regarding the Unavailability of Artificial Replenishment Water (Water Year 2022 Production Allocations and Basin Storage Allocations attached)

It was moved by Director Riley and seconded by Director Cook to adopt as presented the Watermaster Declaration Regarding Unavailability of Artificial Replenishment Water for Water Year 2022. Mayor Oglesby – Aye; Director Cook – Aye; Councilmember Albert – Aye; Mayor Carbone – Aye; Supervisor Adams – Aye; Director Riley – Aye; Director Leith – Aye. Motion carried unanimously.

C. Discussion/Consider Approving the Watermaster 2021 Annual Report to Court.

Bob Jaques reported the TAC reviewed and approved the version of the annual report presented to the Board however a revision addressing Mission Memorial Park's replenishment assessment will state: A writ to the court has been filed requesting the cancellation of the 2021 assessment, that the court is expected to make a ruling in 2022, and that the conclusion of the matter will be included in the 2022 Annual Report. Director Cook noted the typo in the Table of Contents on page 3 – 2020 needs to be changed to 2021.

It was moved by Director Cook and seconded by Mayor Carbone to approve with amendments the Watermaster Annual Report for Water Year 2021. Mayor Oglesby – Aye; Director Cook – Aye; Councilmember Albert – Aye; Mayor Carbone – Aye; Supervisor Adams – Aye; Director Riley – Aye; Director Leith – Aye. Motion carried.

D. Consider Approving RFS 2022-01 with Baker Manock & Jensen PC Attorneys at Law to provide legal services to Watermaster in 2022.

It was moved by Mayor Oglesby and seconded by Mayor Carbone to approve RFS 2022-01 with Baker Manock & Jensen to provide 2022 Watermaster legal services. Mayor Oglesby – Aye; Director Cook – Aye; Council Member Albert – Aye; Mayor Carbone – Aye; Supervisor Adams – Aye; Director Riley – Aye; Director Leith – Aye. Motion carried unanimously.

E. Discussion/Consider Supporting Mission Memorial Park (Alderwood) court petition for Watermaster 2021 Replenishment Assessment Fee reduction/waiver.

AO Paxton reviewed her memorandum on Mission Memorial Park (a party to the Watermaster adjudication decision) 2021 overproduction and subsequent appeal to reduce or waive what it termed inadvertent overproduction in a letter to Watermaster.

Mission Memorial Park's legal counsel Steve Gurnee explained why Mission Memorial Park (MMP) overproduced its allocated amount, the main reason being during dry warm weather in 2021 MMP was adhering to a state mandate requiring cemeteries to keep lawns green. Lorrie Muriel, MMP Location Leader claimed families of those in the cemetery were upset with the browning lawn so irrigation was increased. Ms. Muriel began with MMP in November 2021 and was not made aware by previous management of the Adjudication Decision nor the pumping limitations. She stated staff will no longer increase irrigation unless absolutely necessary, the meter will be monitored every month, water retaining mulch will be added during ground disturbance, and higher efficiency sprinkler heads will be installed. Mayor Carbone noted that MMP relandscaped and installed many new trees and shrubbery and encouraged MMP to reevaluate its landscaping plan with water conservation in mind.

The Board requested the matter be tabled and an opinion obtained from Watermaster legal counsel on whether addressing less than and up to a full pardon of the assessment rests solely with the court, or if the board has discretion in the matter. Additionally, the Board requested a policy/procedure be recommended by counsel for deciding contested replenishment assessments.

It was moved by Supervisor Adams and seconded by Mayor Oglesby to table the Mission Memorial Park issue until Watermaster legal counsel renders an opinion on the board's authority to alter replenishment assessments and recommends a process for deciding contested replenishment assessments. Mayor Oglesby – Aye; Director Cook – Aye; Council Member Albert – Aye; Mayor Carbone – Aye; Supervisor Adams – Aye; Director Riley – Aye; Director Leith – Aye. Motion carried unanimously.

IX. OLD BUSINESS

A. Discussion of Watermaster Replenishment Fund

It was moved by Mayor Carbone and seconded by Director Riley to table discussion on the Watermaster Replenishment Fund until the next Board meeting when Replenishment Ad Hoc Committee Chair Bruno is present. Mayor Oglesby – Aye; Director Cook – Aye; Council Member Albert – Aye; Mayor Carbone – Aye; Supervisor Adams – Aye; Director Riley – Aye; Director Leith – Aye. Motion carried unanimously.

X. INFORMATIONAL REPORTS (No Action Required)

- A.** Technical Advisory Committee (TAC) minutes from August 11, October 20, November 17 (draft version), and December 15, 2021 (draft version)
- B.** Watermaster report of production of the Seaside Basin through Water Year 2021 (October 1, 2020 – September 30, 2021)
- C.** Replenishment Fund Assessment calculations and 2021 Standard Producer Assessments
- D.** Correspondence from Watermaster Board Chair to MPWMD Board Chair re: Importance of maintaining a Paso Robles shallow aquifer monitoring well at the F0-09 site and seeking three party funding of a replacement well at that location
- E.** Summary of Pure Water Monterey, Salinas Valley Groundwater Sustainability, and Marina Coast Water District groundwater sustainability meetings September – December 2021
- F.** Watermaster Public Awareness Committee formation status

XI. DIRECTOR'S REPORTS – Supervisor Adams announced that, if the Board of Supervisors approves at its next meeting, from then on Wendy Root Askew, Supervisor for District 4 will be the County representative to the Watermaster Board as her district encompasses the Basin. Supervisor Adams will be the alternate.

Director Riley requested, and TPM Jaques provided an update on the FO-09 well destruction/replacement.

Director Riley noted that in a recent meeting LAFCO reaffirmed its vote 5-2 to deny MPWMD latent powers to become a retail water utility.

XII. STAFF COMMENTS – TPM Jaques expected a full report at the February board meeting on the Board-authorized modeling to update replenishment water needed to achieve protective water levels within a twenty-year period. Preliminary findings are that the 1,000AFY established previously still stands as what is needed to achieve protective levels.

XIII. NEXT REGULAR MEETING DATE – Wednesday, February 2, 2022 - 2:00 P.M.

XIV. ADJOURNMENT – There being no further business, Vice Chair Albert adjourned the meeting at 3:50pm.