

**SEASIDE GROUNDWATER BASIN WATERMASTER
REGULAR MEETING OF THE BOARD OF DIRECTORS**

VIRTUAL

Wednesday, May 4, 2022 – 2:00pm Draft Agenda

IN KEEPING WITH GOVERNOR NEWSOM’S EXECUTIVE ORDERS N-29-20 AND N-35-20, THE WATERMASTER REGULAR BOARD MEETING WILL NOT BE HELD IN PERSON. YOU MAY ATTEND AND PARTICIPATE IN THE MEETING BY JOINING FROM A PC, MAC, IPAD, IPHONE OR ANDROID DEVICE AT THIS WEB ADDRESS:

<https://us02web.zoom.us/j/86218477688?pwd=SE02S0tHVzhKNctWOWVFMIBPZFluQT09>

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Meeting ID: 862 1847 7688 Passcode: 428188

Watermaster Board

Coastal Subarea Landowner – Director Paul Bruno, Chair

City of Seaside – Mayor Ian Oglesby

California American Water – Director Christopher Cook

City of Sand City – Mayor Mary Ann Carbone

Monterey Peninsula Water Management District – Director George Riley

Laguna Seca Subarea Landowner – Director Wesley Leith

City of Monterey – Councilmember Dan Albert, Vice Chair

City of Del Rey Oaks – Councilmember John Gaglioti

Monterey County/Monterey County Water Resources Agency – Supervisor Wendy Root Askew, District 4

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC COMMUNICATIONS

Oral communications are 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 state their names.

IV. REVIEW OF AGENDA

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

V. CONSENT CALENDAR

- A.** Consider Adopting Watermaster Resolution 22-02 finding that continuing Covid pandemic state of emergency declared by Governor Newsom directly impacts ability of board to meet safely in person 3
- B.** Consider Approving Minutes of Regular Board meeting held January 5, 2022..... 5
- C.** Consider Approving Summary of Payments made December 2021 through April 2022 in the amount of \$123,577.90 9
- D.** Consider Approving Fiscal Year 2022 Financial Reports through March 31, 2022 17

VI. ORAL PRESENTATION – None	
VII. NEW BUSINESS	
A. Consider Setting Policy / Revisions to Watermaster Rules and Regulations Regarding Replenishment Assessment Review	21
VIII. OLD BUSINESS	
A. Consider Making a Determination Regarding Mission Memorial Park (Alderwood) 2021 Overproduction Fee	41
IX. OTHER NEW BUSINESS	
X. COMMITTEE REPORTS	
A. TECHNICAL ADVISORY COMMITTEE (TAC)	
i. Discuss/Consider further Watermaster input on the Final Draft Groundwater Sustainability Plan for the Monterey Subbasin.....	47
B. PUBLIC AWARENESS COMMITTEE	
i. Consider approving the addition of a Public Awareness Page to the Watermaster website at a cost not to exceed \$3,000 and authorize a transfer from the Administrative Fund Reserve	53
ii. Consider Ratifying Montgomery & Associates RFS No. 2022-03 for \$5,000 issued by AO for Public Awareness Committee Scope of Work and authorize payment from the Administrative Fund Reserve	55
XI. CLOSED SESSION	
As permitted by Government Code Section 54956 et seq., the Board of Directors may adjourn to a Closed Session to consider specific matters dealing with litigation or certain personnel matters	
XII. INFORMATIONAL REPORTS (No Action Required)	
A. Minutes of January 11 and draft minutes of the February 8, 2022 Watermaster Public Awareness Committee Meeting	59
B. Technical Advisory Committee (TAC) meeting minutes January 12 and March 9, 2022 (review on website at https://www.seasidebasinwatermaster.org/sbwmARC.html)	
C. Watermaster Report of Production second quarter Water Year 2022 (Jan 1, 2022 – Mar 31, 2022).	63
D. Correspondence from Watermaster to Bureau of Reclamation in support of Pure Water Monterey Expansion Project	65
E. Update on Security National Guaranty litigation and status of well repair	67
XIII. DIRECTOR’S REPORTS	
XIV. STAFF COMMENTS	
XV. NEXT REGULAR MEETING DATE	
A. Consider setting the next regular meeting date for June 1, 2022 - 2:00 P.M.	
XVI. 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 One Water and the California American Water Company for posting on April 28, 2022 per the Ralph M. Brown Act, Government Code Section 54954.2(a).

SEASIDE GROUNDWATER BASIN WATERMASTER

ATTACHMENT A

DRAFT RESOLUTION NO. 2022-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SEASIDE GROUNDWATER BASIN WATERMASTER PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE STATE OF EMERGENCY PROCLAIMED ON MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF ALL WATERMASTER LEGISLATIVE BODIES FOR THE FOLLOWING 30 DAYS IN ACCORD WITH THE RALPH M. BROWN ACT AND AB 361 (RIVAS)

FACTS

1. The Seaside Groundwater Basin Watermaster (Watermaster) is public entity established under the laws of the State of California.
2. The Watermaster is committed to preserving and nurturing public access and participation in meetings of the Watermaster Board and Committees; and
3. All meetings of Watermaster legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code sections 54950 – 54963), so that any member of the public may attend, observe, and participate when Watermaster legislative bodies conduct business; and
4. The Brown Act, Government Code section 54953(e), enables remote teleconferencing participation in meetings by members of a legislative body, without strict compliance with requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and
5. One required condition is that a state of emergency has been declared by the Governor of the State of California pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and
6. A proclamation is made that there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the Watermaster’s jurisdiction, caused by natural, technological, or human-caused disasters; and
7. State or local officials have imposed or recommended measures to promote social distancing, or having the legislative body meet in person would present imminent risks to the health and safety of attendees; and
8. The Watermaster Board affirms these conditions now exist. Specifically, on March 4, 2020, the Governor proclaimed a State of Emergency to exist as a result of the threat of COVID-19. That Proclamation has not been terminated by either the Governor or the Legislature pursuant to Government Code section 8629; and
9. Despite sustained efforts to remedy this circumstance, the Watermaster Board determines that meeting in person poses an imminent risk to health and safety of attendees due to the COVID-19 virus and its variants; and
10. The Watermaster Board finds the emergency created by the COVID-19 virus and its variants has caused, and will continue to cause, conditions of peril to the safety of persons that are likely to be beyond the control of services, personnel, equipment, and facilities of an agency hosting the Watermaster board meetings and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor and similar local health orders that require social distancing; and
11. As a consequence of the local emergency, the Watermaster Board determines that all legislative bodies of the Watermaster are required to conduct their meetings without full compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section

54953, and that those Watermaster legislative bodies shall comply with the requirements to provide public access to the meetings remotely as prescribed in paragraph (2) of subdivision (e) of section 54953; and

12. Each Watermaster legislative body shall continue to conduct meetings with public access available via call-in or internet-based service options and the public shall be allowed to address the legislative body directly in real time; and
13. This Resolution shall authorize the Administrative Officer to establish and maintain platforms necessary for each Watermaster legislative body to hold teleconference meetings and provide an avenue for real-time public comments for such meetings; and
14. The Watermaster Board finds the introduction and adoption of this resolution is not subject to the California Environmental Quality Act (CEQA) as the activity is not a project as defined in Section 15378) of the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS THE SEASIDE GROUNDWATER BASIN WATERMASTER:

SECTION 1. RECITALS. The foregoing findings are true and correct and are adopted by the Watermaster Board as though set forth in full.

SECTION 2. PROCLAMATION OF LOCAL EMERGENCY. The Board hereby proclaims that a local emergency now exists and meeting in person would present imminent risk as a result of the COVID-19 virus and its variants.

SECTION 3. RATIFICATION OF PROCLAMATION OF A STATE OF EMERGENCY. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

SECTION 4. REMOTE TELECONFERENCE MEETINGS. The Administrative Officer and legislative bodies of the Seaside Groundwater Basin Watermaster are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

SECTION 5. EFFECTIVE DATE OF RESOLUTION. This Resolution shall take effect immediately upon its adoption and shall remain in effect for a period of 30 days, or until such time the Watermaster Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which Watermaster legislative bodies may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED on this 4th day of May, 2022 on a motion by Director _____ and second by Director _____ by the following vote, to wit:

AYES: NOES: ABSENT:

I, Laura J. Paxton, Secretary to the Board of Directors of the Seaside Groundwater Basin Watermaster, hereby certify the foregoing is a resolution adopted on 4th day of May, 2022.

Laura J. Paxton, Secretary to the Board

**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.

									ITEM V.C.
SEASIDE GROUNDWATER BASIN WATERMASTER									5/4/22
TO:	Board of Directors								
FROM:	Laura Paxton, AO								
DATE:	May 4, 2022								
SUBJECT:	Summary of Payments made from December 2021 through March 2022								
RECOMMENDATIONS:									
Consider approving payment of bills submitted and authorized to be paid December 2021 - March 2022									
Summary of Payments Made December 2021									
Paxton Associates (Administrative Officer (AO))									
November 26, 2021 through December 25, 2021									\$ 4,400.00
Responded to telephone inquiries, e-mail, and other correspondence as needed regarding the Seaside Basin. Finalize Replenishment assessment(RA) fund/send to Director Riley; Email RA invoice & docs to Mission Memorial & send by certified mail; Other agency funding research to C. Cook; Review Jaques invoice; process invoices to seaside; Begin summary of Payments; Begin collecting/preparing 1/5 agenda & items; Draft agenda for 1/5/22 meeting/begin collecting item documents; summary of payments; financial rpts through Nov. 30th; prepare items for 1/5/22 agenda packet - summary of payments/declaration/legal RFS/FO9 update/AB361 resolution; review Monterey Subbasin GSP in preparation for Tech advisory Committee meeting; prep/attend meeting; Status of FO-9 well destruction from J. Lear; Arrange M1W Board Room use if board so chooses; write up summary for 12/16 SVBGSA Advisory committee meeting; 9/1 board mtg minutes prep; Assessment invoicing/recalc assessments due to flow vel & repl modeling change in 2022 budgets; determine 1/5 board mtg will be zoom w/ resolution; arrange to meet w/ Oglesby re: public awareness committee; Email assessment invoice docs to parties; coordinate schedule for public awareness committee; call to P. Bruno re: MMP & draft agenda; Edwards email re: FO-9 replacement; records request/fulfilled Brad Coleman Pasadera 2019 & 2020 production reports; review M&A/Jaques modeling emails; Repl ad hoc committee mtg minutes; Confer w/ Jaques regarding Watermaster Issues; Collect/follow up/post production and level reporting. Routinely picked up mail from PO Box; reconciled accounts to the City of Seaside Watermaster accounts; prepared financial reports; processed invoices; reviewed and posted items to web site.									
Robert Jaques (Technical Program Manager)									
December 1, 2021 through December 31, 2021									3,600.00
Responded to emails, telephone inquiries, and other correspondence on a variety of Watermaster issues. Prepare for/attend SVBGSA Advisory committee meetings 12/13; Prepare TAC 12/15 meeting agenda packet; attend TAC meeting; prepare minutes; Work on annual Report; Prepare Board Agenda Transmittals; Prepare and submit application to be on the Implementation Committee for the Monterey Subbasin GSP; Discuss replenishment and MPWMD issues with L. Paxton; Review G. King email re: interbasin flow volumes to/from Seaside Subbasin and send comments/questions to her; Telecon w/ G. King re: Monterey Subbasin and BMAP interbasin flow issues and status of replenishment water and flow direction/flow velocity modeling work; review/approve L. Paxton invoice									

Montgomery & Associates (Technical Consultant)							
November 1, 2021 - November 30, 2021				173.5			27,840.00
RFS 2021-01 General Hydrogeologic Consulting							
Professional services: per B. Jaques request conduct review of Monterey Subbasin GSP Appendix 6 and 7 with email to B. Jaques on findings.							
RFS 2021-2 Seawater Intrusion Analysis Report							
Professional services: review findings by M. Feeney on FO-10 shallow e-log and incorporate; revise report text; incorporate new information received from client; download, hand-record, and process water level and water quality data from City of Seaside wells; revise figures with updated data; prepare presentation for TAC meeting; edit production figure; prepare for and attend SIAR TAC meeting; research aquifer designation and plans for FO-10 shallow in neighboring Monterey subbasin draft GSP; QC database and prepare Appendix B with water level information; identify issue with MPWMD RPE logging for Ord Grove #2 and request correct RPE from MPWMD staff; identify issues with RPE and comment fields for multiple wells and correct; prepare water quality appendix and QC water quality entries in database; finalize Appendix C with piper diagrams; senior review of SIAR and appendices; and finalize SIAR text.							
Professional services: review sea water intrusion and geophysical survey data; and review and compare historical model heads with past SIAR contouring figures and data points; review historical sea level rise data for Monterey Bay and previous model implementation of GHB (general head boundary); QC review of previous historical model (2018) update							
Christopher Campbell, Baker Manock & Jensen (WM Legal Counsel)				1.8	300		\$ 540.00
November 1, 2021 through November 31, 2021					Telephone & Postage		-
							540.00
Review of the initial information for the LAFCO Hearing on the potential change in the MPWMD to add territory to the MPWMD. review of the materials, prepare for/attend the 10/20/2021 Ad hoc meeting concerning protective level of seawater. Review of Paul Bruno's concept for discussion in the ad hoc meeting. Review of the information submitted for the LAFCO meeting on the Cal Am Buyout. Review of the Monterey LAFCO meeting on YouTube to report to the watermaster concerning the potential purchase and sale of the Cal Am water system.							
				Total for December 2021			\$ 36,380.00

Summary of Payments Made January 2022							
Paxton Associates (Administrative Officer (AO))							
December 26, 2021 through January 25, 2022					57.5		\$ 6,135.00
<p>Responded to telephone inquiries, e-mail, and other correspondence as needed regarding the Seaside Basin. Minutes of 9/1/21 Board Meeting; Draft transmittals for MMP appeal/Pub Aware Cmt status/revisions to RA Fund trx/Admin Fund budget adj-Damiano confer; complete 9/1 minutes; provide RA unit cost calc scenario to Riley; Review & revise agenda item docs; finalize agenda; distribute; Finalize minutes of 10/20 ad hoc Repl Com mtg; work on board mtg transmittals; Assemble full packet/reduce size/review & revise; assemble summary pkt; distribute pkts; post items to website; Draft agenda & suggested mtg points for Public Awareness Cmtee 1/11/22 mtg; Telecon w/MMP re: court filing & WM board mtg attendance; telecon w/Bruno re: absent from board mtg; Prep for/attend/follow up on WM board meeting; final AR to Campbell for filing; PAC agenda for posting; Process invoices & submit to SS for payment; distribute 1/11 PAC mtg agenda; Transmittal for PAC mtg-finalize and distribute w/agenda; budget breakdown for Victor/Seaside alternate fiscal year act system; Prep for/attend PAC mtg; respond to Ottmar re: RA emailed questions; MMP legal prep; attend 1/12 TAC meeting; Chk w/Paul & Cancel 2/2 board mtg; meet w/JP re: illustrating intra basin flows; detail and request legal opinion re: reducing/waiving assessments; Review TAC minutes; work on PAC meeting items; PAC minutes; Review 180/400 implementation committee pkt; flow map from Georgina; post 1st qtr production & follow up w/non-reporters; Campbell MMP opinion follow up; CAW assessment payment followup; receive legal opinion re: MMP; Notice of production reporting 1st qtr 2022 to pumpers; Confer with Jaques about various issues; Collect/follow up/post production and level reporting. Routinely picked up mail from PO Box; reconciled accounts to the City of Seaside Watermaster accounts; prepared financial reports; processed invoices; reviewed and posted items to web site.</p>							
Robert Jaques (Technical Program Manager)							
January 1, 2022 through January 31, 2022					39		5,850.00
<p>Responded to emails, telephone inquiries, and other correspondence on a variety of Watermaster issues. Prepare for/attend 1/5/22 Board Meeting; Prepare TAC meeting agenda packet. Prepare for/attend SVBGSA Advisory/TAC meetings 1/12, 1/24; Review G. King Powerpoint presentation for 1/5/22 Board Meeting; Begin/Finish review of Replenishment Water Modeling Tech Memo; Prepare and send comments/edits to P. Benito on replenishment Water Modeling Tech Memo; Review GSP comment responses from MCWDGSA and SVBGSA; Work on revised assumptions Memo re: Replenishment Water Modeling and send to Cal-Am and seaside for review; Research and send info to L. Paxton on the 180/400 foot aquifer GSP; Discuss replenishment water and subbasin GSP issues with L. Paxton; Edits to draft replenishment water PowerPoint modeling presentation to Board; MicroSoft Meeting w/ C. Cook and D. Stoldt re: replenishment water issues; Telecon w/ G. King re: Protective Water levels; Review revised Final Draft of Replenishment Water Modeling Tech Memo, send comments to P. Benito; Review Modeling reports re: Protective Water Levels.</p>							

Summary of Payments Made February 2022						
Paxton Associates (Administrative Officer (AO))						
January 26, 2022 through February 25, 2022				59.5		\$ 5,785.00
<p>Responded to telephone inquiries, e-mail, and other correspondence as needed regarding the Seaside Basin. PAC meeting items and agenda prep; Respond to Ottmar's questions; BLM letter of support for PWMX; Distribute PAC meeting agenda/packet work; Ottmar inquiry response/review storage agreement w/ seaside; post production; RA assesment disputes consider policy development; review/approve Jaques Jan. invoice; Prepare deposit of all 2022 data collection on behalf of WM; Process 2022 assessment checks and take to Seaside; process invoices; 2022 collection contract ro Lear for rates; Prep for/attend PAC meeting; Rough out website graphic; reconcile books to Seaside; confer w/ Board chair re: cancelling 3/2 meeting and other Board matters; Reconcile Montgomery & Assoc 2021 Budget balance; Confer w/ Jaques on several WM issues; Begin/finish legal opinion rendered to Rules & Regs revision and send to Campbell; Collection contract to LEar for new rates; Work up/finish 2022 collection contracts with new rates; Scope of Work for M&A re: PAC and send to Jaques; post 1st quarter ASR reserves & PWM injection/extraction; Response to Reidl re: RA fund; Mayor Carbone addresses request; MPWMD invoices 4th quarter 2021; response to L. Gomez re: 2022 collection services contract; M&A scope response and more info supplied; MPWMD agreements received in mail/scanned; web page rendering and scope questions from M&A; post MPWMD 2021 4th quarter invoices to QuickBooks/reconcile 2021 expenses to 2021 budget; API article from Bruno; GSP questions mtg; MPWMD 2022 agreement to Jaques for signature; 3D model draft; Collect/follow up/post production and level reporting for year end; add PWM injection/extraction to report. Routinely picked up mail from PO Box; reconciled accounts to the City of Seaside Watermaster accounts; prepared financial reports; processed invoices; reviewed and posted items to web site.</p>						
Robert Jaques (Technical Program Manager)						
February 1, 2022 through February 28, 2022				34.5		5,175.00
<p>Responded to emails, telephone inquiries, and other correspondence on a variety of Watermaster issues. Prepare for/attend SVBGSA Advisory/TAC meetings 2/13, 2/17, 2/28. Work on TAC agenda packet. Cancel 2/2/22 TAC meeting. Review Flow Direction/Flow Velocity Tech Memo graphics and discuss w/ P. Benito. Review/approve L. Paxton invoice. Review/Approve M&A invoice. Discuss replenishment water issues w/ L. Paxton; telecon w/ E. Gardner of SVBGSA re: Public Awareness Committee agenda items. Review M&A Change in Storage Memo for inclusion with annual SGMA report to DWR. Prepare and submit annual SGMA report to DWR; research status of RFS signing for M. Feeny and MPWMD and request that they sign their 2022 RFSs. Review Flow Direction/Flow Velocity documents provided by P. Benito; review draft Scope of Work prepared by L. Paxton for RFS to M&A to prepare materials for use by the Public Awareness Committee and email suggested edits to her. Review/approve invoices from MPWMD; work on monthly meeting summaries. Discuss replenishment water and GSP issues w/ L. Paxton. Research GSP issues and provide info to L. Paxton; ; send email to Vera Nelson @ EKI to get clarification of items in the Monterey Subbasin GSP. Start/complete review of Flow Direction/Flow Velocity Tech Memo and send comments/questions/suggested edits to P. Benito. Complete review of edited version of Flow Direction/Flow Velocity Tech Memo, make minor corrections to it and begin review of edited version.</p>						

Seaside Groundwater Basin Watermaster
Budget vs. Actual Administrative Fund
 Fiscal Year (January 1 - December 31, 2022)
 Balance through March 31, 2022

	2022 Adopted Budget	Contract Amount	Year to Date Revenue / Expenses
Available Balances & Assessments			
Dedicated Reserve	-		-
FY (Rollover)	34,500.00		52,000.00
Admin Assessments	65,500.00		65,500.00
Available	100,000.00		117,500.00
Expenses			
Contract Staff	55,000.00	55,000.00	15,495.00
Legal counsel	20,000.00	20,000.00	3,143.00
Filing fees and postage			-
Total Expenses	75,000.00	75,000.00	18,638.00
Total Available	25,000.00		
Dedicated Reserve	25,000.00		25,000.00
Net Available	-		73,862.00

Seaside Groundwater Basin Watermaster
Budget vs. Actual Monitoring & Management - Operations Fund
 Fiscal Year (January 1 - December 31, 2022)
 Balance through March 31, 2022

	2022 Adopted Budget	Contract Encumbrance	Year to Date Revenue/Expenses
Available Balances & Assessments			
Operations Fund Assessment	\$ 232,878.00	\$ -	\$ 232,878.00
Pass Through		-	-
FY 2020 Rollover	38,000.00	-	50,950.00
Total Available	\$ 270,878.00	\$ -	\$ 283,828.00
Appropriations & Expenses			
GENERAL			
Technical Project Manager*	\$ 75,000.00	\$ 75,000.00	\$ 14,700.00
Contingency @ 10% (not including TPM)	17,807.00	-	
Total General	\$ 92,807.00	\$ 75,000.00	\$ 14,700.00
CONSULTANTS (Montgomery; Web Site Database)			
Program Administration	\$ 21,940.00	\$ 24,340.00	\$ 3,161.00
Production/Lvl/Qty Monitoring	2,400.00		
Basin Management	30,000.00		
Seawater Intrusion Analysis Report	26,290.00	26,290.00	-
Total Consultants	\$ 80,630.00	\$ 50,630.00	\$ 3,161.00
MPWMD			
Production/Lvl/Qty Monitoring	\$ 68,876.00	68,876.00	-
Pass Through 2021		-	-
Basin Management	-		-
Seawater Intrusion	-	-	-
Direct Costs	-	-	-
Total MPWMD	\$ 68,876.00	\$ 68,876.00	\$ -
CONTRACTOR (Martin Feeney)			
Hydrogeologic Consulting Services	\$ 4,000.00	4,000.00	-
Production/Lvl/Qty Monitoring	20,565.00	20,565.00	-
	\$ 24,565.00	\$ 24,565.00	\$ -
CONTRACTOR (Todd Groundwater)			
Hydrogeologic Consulting Services	\$ 4,000.00	\$ 4,000.00	-
Total Appropriations & Expenses	\$ 270,878.00	\$ 223,071.00	\$ 17,861.00
Total Available	-		265,967.00

**Seaside Groundwater Basin Watermaster
 Budget vs. Actual Monitoring and Management - Capital Fund
 Fiscal Year (January 1 - December 31, 2022)
 Balance through March 31, 2022**

ITEM V.D.
 5/4/22

	2022 Adopted Budget	Contract Encumbrance	Year to Date Revenue / Expense
Available Balances and Assessments:			
Monitoring & Management Fund - Capital	\$ 66,667		\$ 66,667
FY 2007-2014 Rollover to 2015	-		-
Transfer out to Operations Fund	-		-
Subtotal	<u>66,667</u>		<u>66,667</u>
Appropriations & Expenses:			
Professional Services			
Project Management	-	-	-
Subtotal	<u>-</u>	<u>-</u>	<u>-</u>
Direct Costs			
Well Drilling -	-	-	-
Subtotal	<u>-</u>	<u>-</u>	<u>-</u>
Total Appropriations and Expenses	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Total Available	<u><u>\$ 66,667.00</u></u>		<u><u>\$ 66,667.00</u></u>

TO: Board of Directors

FROM: Laura Paxton, Administrative Officer (AO)

DATE: May 4, 2022

SUBJECT: Consider Setting Policy / Revisions to Watermaster Rules and Regulations Regarding Replenishment Assessment Review

BACKGROUND:

Mission Memorial Park (MMP) is an Alternative Producer as described in the Court Decision with a fixed production allocation of 31 acre-feet per year. In Water Year 2021, MMP exceeded its allocation by 15.77 acre-feet, incurring a Natural Safe Yield Overproduction Replenishment Assessment of \$46,488.32 and an Operating Yield Overproduction Replenishment Assessment of \$11,626.02, \$58,114.34 in total. At the January 5, 2022 meeting of the Watermaster Board, AO Paxton reviewed her memorandum on Mission Memorial Park’s 2021 overproduction and subsequent appeal to the Superior Court Judge O’Farrell (per Item 3 on page 44 of the Amended Decision – process for reviewing any Watermaster action or decision), to reduce or waive what it termed inadvertent overproduction expressed during the board meeting and in correspondence to Watermaster.

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.

DISCUSSION

Staff requested Watermaster Legal Counsel Campbell render a legal opinion on whether review of any Watermaster action or decision by a party to Watermaster rests solely with the Court. Counsel Campbell did provide a legal opinion, and it has been included in a proposed addition to the Watermaster Rules and Regulations (attached).

RECOMMENDATION:

It is recommended that the Board hear from Counsel Campbell and consider setting policy based on his legal opinion as stated in the revised Watermaster Rules and Regulations.

FISCAL IMPACT

Staff cost to address

ATTACHMENT

Red-line version of Watermaster Rules and Regulations with suggested revisions
Legal Opinion

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.

<u>Party/Group</u>	<u>Votes</u>
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 must reside within the boundaries of the Seaside Groundwater Basin and 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 Monterey Regional Water Pollution Control Agency, Monterey, California or another location set forth in the monthly meeting agenda and will begin at 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 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 “**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 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 a one time assessment of the “**Monitoring and Management: Capital Fund**” in an amount sufficient to fund the cost of the capital improvements 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) 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 Monitoring and Management: Capital Fund Budget Assessment shall not exceed ONE MILLION DOLLARS (\$1,000,000). The total amount of both the Monitoring and Management: Operations Budget and the Monitoring and Management: Capital 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 ($\pm 5\%$) 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 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~~may 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 Replenishment Assessment Review

Objections to a Replenishment Assessment by any Producer must be submitted in writing to the Watermaster Board within fifteen (15) days after the date of mailing of the Assessment. The Watermaster Board will promptly place the matter on a regular meeting agenda for the Producer to present their reasons that the Assessment is not appropriate. If the producer and the Watermaster reach a mutually agreeable resolution, the matter is closed.

If the Watermaster determines that the Assessment is appropriate, the Watermaster's determination will be final. If the Producer does not agree with the Watermaster decision, the Producer may Petition the Court.

If the Court accepts the petition, the Court will make its own determination, "De Novo." That is, the Court will consider the issue independently from the Watermaster.

16.3~~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.

16.4~~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.

MEMORANDUM

ATTORNEY-CLIENT INFORMATION PRIVILEGED & CONFIDENTIAL

TO: Seaside Groundwater Basin Watermaster
Post Office Box 51502
Pacific Grove, California 93650

FROM: Christopher L. Campbell
BAKER MANOCK & JENSEN, PC

DATE: January 25, 2022

RE: Legal Opinion for the Seaside Basin Watermaster

One of Seaside Basin's alternative producers, Mission Memorial Park, significantly exceeded its allocation for 2021. As required by the Judgment, the Watermaster notified Mission Memorial Park that it must pay a substantial replenishment fee. Memorial Park has now retained an attorney and is contesting the fee.

The time to contest a Watermaster action concerning a Production Allocation is within 15 days following mailing by the Watermaster. It appears that Memorial Park is alleging that there were extenuating circumstances such that Memorial Park should be allowed to contest the Production Allocation.

I assert that Memorial Park must first petition the Watermaster to hear Memorial Park's claim of extenuating circumstances. If the Watermaster determines that there were no extenuating circumstances, the Watermaster's assessment will be final. Then Memorial Park can petition to the Court.

If the Watermaster determines that there were extenuating circumstances, then the Watermaster should allow Memorial Park to present their reasons that the Assessment is not appropriate. Then the Watermaster makes a determination that is final. Memorial Park may now petition to the Court.

If the Court accepts the petition, the Court will make its own determination, “De Novo.” That is, the Court will consider the issue independently from the Watermaster.

The process can be lengthy, and, given the current state of crowding in the entire court system, this will not be resolved soon unless the Watermaster can reach an appropriate compromise with Memorial Park.

Please let me know if the Watermaster would like to discuss this in closed session. Thank you

CLC:tlw

TO: Board of Directors

FROM: Laura Paxton, Administrative Officer

DATE: May 4, 2022

SUBJECT: Discuss/Consider Making a Determination Regarding Mission Memorial Park (Alderwood) 2021 Overproduction Fee

BACKGROUND:

Mission Memorial Park (MMP) is an Alternative Producer as described in the Court Decision with a fixed production allocation of 31 acre-feet per year (AFY) that has not been exceeded since Amended Decision inception in 2007 through Water Year (October-September) 2020. MMP has under pumped on average 13AFY for a total of approximately 169AF. In Water Year 2021, MMP exceeded its allocation by 15.77 acre-feet, incurring a Natural Safe Yield Overproduction Replenishment Assessment of \$46,488.32 and an Operating Yield Overproduction Replenishment Assessment of \$11,626.02 derived from a unit cost of \$2,947.90 and \$737.22 respectively, totaling \$58,114.34 invoiced to MMP on November 29, 2021.

MMP Location Leader, Lorrie Ann Muriel submitted the attached correspondence to Watermaster dated December 7, 2021 inquiring of the appeal process for assessments levied by Watermaster. I phoned Ms. Muriel upon receipt of the letter on December 21st and informed her the process involved MMP appealing to the Superior Court, Judge O'Farrell, with copies of the appeal provided to Watermaster. Steven Gurnee, legal counsel for MMP petitioned the court for declaratory relief and a May 10th court date was set. Attorney Gurnee subsequently requested the Court reschedule the court date in the July time frame to allow time for any Watermaster Board action.

At the January 5, 2022 Watermaster Board meeting, Mr. Gurnee explained why MMP overproduced its allocated amount, the main reason being adherence to a state mandate requiring cemeteries keep lawns green per *16 CCR § 2333. Cemetery Maintenance Standards*. Though the standards require the grass and plants be kept green, it reads: (3) Provide a sufficient supply of water to keep cemetery grass and plants as green as seasonally possible in accordance with natural terrain, *availability of water*, and local or *county ordinances regarding water use*. [Emphasis added by Watermaster staff.] The State mandate allows for pumping limitations that must be met.

Watermaster staff has been tracking MMP quarterly production during WY 2022 and working with MMP to help ensure against repeated overproduction. However, Watermaster only learns of overproduction after the fact.

DISCUSSION

The Watermaster Board is authorized to review the MMP appeal of the assessment and make a determination in the matter as per Watermaster Rules and Regulations approved in the previous agenda item. Some suggested fee options:

- 1) Allow one-time waiver of RA fee and related staff expenditures.
- 2) Allow one-time waiver of RA fee and require MMP to cover staff expenditures related to the matter
- 3) Consider reducing the RA fee by a formulated amount involving past underproduction by MMP
- 4) Assess full \$58,114.34 with payment by MMP over a long-term period

RECOMMENDATION:

It is recommended that the Board hear from Counsel Campbell and MMP representatives and consider making a determination regarding Mission Memorial Park's 2021 Replenishment Assessment fee.

FISCAL IMPACT:

Option 1-staff costs; Options 2 and 3-up to a \$58,114.34 reduction in the Watermaster Replenishment Fund

ATTACHMENTS:

Correspondence from MMP dated December 7, 2021

16 CCR §2333 Cemetery Maintenance Standards

Watermaster Replenishment Fund with MMP 2021 overproduction assessment included



MISSION MORTUARY
& MEMORIAL PARK

December 7, 2021

Seaside Groundwater Basin Watermaster
PO Box 51502
Pacific Grove, CA 93950

Dear Ms. Paxton,

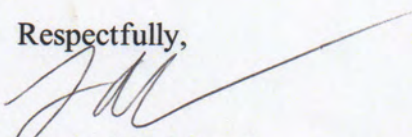
I am writing this letter to respectfully inquire if there is any sort of appeal process that we can go through for the overproduction assessments you sent me for the year 2021 (re: invoice number 55). As I am sure you can appreciate, \$58,114.34 is a substantial amount of money that we had not anticipated.

I have been the Location Leader here for less than a year, as the previous management left this past summer. He had never mentioned anything to me about a water allotment so, until I was phoned by you on 11/8/2021, I had no idea. Tom Lindberg (from your office) kindly came out and showed me where the meter is and gave me the contact information for several companies that could come out to check to see if our meter was functioning properly. The earliest someone was able to come out was this past Monday, November 29th.

I am in receipt of the documents you sent me, but I am honestly at a loss as to what our water allotment is and how we are to know how not to exceed it. The gentleman who tested the pump shared some helpful information as to how to install different sprinkler heads etc, we have turned down the time our sprinklers are running, and I am looking at having a company come investigate a suspected leak in our fountain. I assure you we are very motivated to do our part to save water, as it is one of earth's most precious resources.

Please let me know if there is anything that can be done. I appreciate any help you can provide regarding this matter.

Respectfully,



Lorrie Ann Muriel
Location Leader

16 CCR § 2333. Cemetery Maintenance Standards

(a) Every endowment care cemetery shall have cemetery maintenance standards to ensure the property is kept in a condition so as to prevent the cemetery's offensive deterioration. The cemetery maintenance standards shall be in accordance with either subdivision (b) or subdivision (c) of this Section.

(b) Each endowment care cemetery shall perform, at a minimum, the following maintenance on its cemetery property:

(1) Trim or mow grass and prune shrubs and trees in and around the cemetery. Grass shall be trimmed or mowed to a level where flat markers of individual graves can be seen.

(2) Suppress or remove weeds on the developed cemetery property.

(3) Provide a sufficient supply of water to keep cemetery grass and plants as green as seasonally possible in accordance with natural terrain, availability of water, and local or county ordinances regarding water use.

(4) Repair or restore improvements, structures and fences on the property which are owned by the cemetery.

(5) Keep cemetery roads seasonally accessible and repair surfacing which presents a hazard.

(6) Keep all occupied crypts and niches properly sealed or closed.

(7) Refill or reset settled graves and markers annually, or within 120 days of the cemetery office becoming aware of the issue.

(8) Repair any grave marker, monument, or burial vault that is damaged by the negligence of the cemetery or its employees or contractors.

(9) Supply and empty trash receptacles when filled, and keep public areas of the cemetery grounds and water features clear of trash and debris.

(10) Provide clear delineation of undeveloped cemetery property with the use of signage.

(11) Control vermin and insect problems.

(c) An endowment care cemetery may establish written rules and regulations in accordance with [Health and Safety Code Section 8300](#). At a minimum, the rules and regulations addressing maintenance of the cemetery's property shall include its lots, graves, grounds, landscaping, roads, paths, parking lots, fences, mausoleums, columbaria, vaults, crypts, utilities, and other improvements, structures, and embellishments.

(d) Notwithstanding subdivision (b), the care and maintenance of each cemetery may vary depending upon the cemetery size, location, topography and type of interments.

(e) Nothing contained in subdivision (b) shall be construed to require specific topography, structures or other cemetery-related items on the property. Cemeteries, including sections within a cemetery, that are specifically established and intended to be maintained in a natural condition are not subject to the requirements of subdivision (b), with the exception of (4), (5) and (9). Non-endowment care sections of a cemetery are exempt from the requirements of this Section.

(f) The cemetery contract shall include a statement notifying consumers that maintenance standards are available for inspection at the cemetery office. Upon the consumer(s)' request, the cemetery shall provide, for the consumer(s)' retention, a written copy of their maintenance standards.

(g) The amount collected by the cemetery in endowment care fees under [Health and Safety Code Section 8738](#) shall be reconsidered annually by the cemetery based upon current and projected maintenance expenditures, and adjusted as necessary to ensure that sufficient funds are available

Seaside Groundwater Basin Watermaster											
Replenishment Fund											
Water Year 2021 (October 1 - September 30) / Fiscal Year (January 1 - December 31, 2021)											
Balance through November 30, 2021											
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
	WY 05/06	WY 06/07	WY 07/08	WY 08/09	WY 09/10	WY 10/11	WY 11/12	WY 12/13	WY 13/14	WY 14/15	WY 15/16
Assessment Water Year											
Unit Cost:	a \$ 1,132 / \$283	\$ 1,132 / \$283	\$ 2,485 / 621.25	\$ 3,040 / \$760	\$ 2,780 / \$695	\$ 2,780 / \$695	\$ 2,780 / \$695	\$ 2,780 / \$695	\$ 2,702/\$675.50	\$ 2,702/\$675.50	\$ 2,702/\$675.50
Cal-Am Water Balance Forward	b \$ -	\$ 1,641,004	\$ 4,226,710	\$ (2,871,690)	\$ (2,839,939)	\$ (3,822,219)	\$ (6,060,164)	\$ (8,735,671)	\$ (6,173,771)	\$ (3,102,221)	\$ (676,704)
Cal-Am Water Production (AF)	c 3,710.00	4,059.90	3,862.90	2,966.02	3,713.52	3,416.04	3,070.90	3,076.61	3,232.10	2,764.73	1,879.21
Cal-Am Water NSY Over-Production (AF)	d 1,862.69	2,266.32	2,092.16	1,241.27	1,479.47	1,146.71	820.48	856.42	1,032.77	782.17	-
Exceeding Natural Safe Yield Considering Alternative Producers	e \$ 2,106,652	\$ 2,565,471	\$ 5,199,014	\$ 3,773,464	\$ 4,112,933	\$ 3,187,854	\$ 2,280,943	\$ 2,380,842	\$ 2,790,539	\$ 2,113,414	\$ -
Operating Yield Overproduction Replenishment	f \$ -	\$ 20,235	\$ 8,511	\$ -	\$ -	\$ -	\$ 154,963	\$ 181,057	\$ 281,012	\$ 312,103	\$ -
Total California American	g \$ 2,106,652	\$ 2,585,706	\$ 5,207,525	\$ 3,773,464	\$ 4,112,933	\$ 3,187,854	\$ 2,435,907	\$ 2,561,899	\$ 3,071,550	\$ 2,425,516	
CAW Credit Against Assessment	h \$ (465,648)		\$ (12,305,924)	\$ (3,741,714)	\$ (5,095,213)	\$ (5,425,799)	\$ (5,111,413)				
CAW Unpaid Balance	i \$ 1,641,004	\$ 4,226,710	(2,871,690)	\$ (2,839,939)	\$ (3,822,219)	\$ (6,060,164)	\$ (8,735,671)	\$ (6,173,771)	\$ (3,102,221)	\$ (676,704)	\$ (676,704)
City of Seaside Balance Forward	j \$ -	\$ 243,294	\$ 426,165	\$ 1,024,272	\$ 1,619,973	\$ 891,509	\$ (110,014)	\$ (773,813)	\$ (1,575,876)	\$ (2,889,325)	\$ (3,346,548)
City of Seaside Municipal Production (AF)	k 332.00	287.70	294.20	293.44	282.87	240.68	233.72	257.73	223.64	185.01	195.16
City of Seaside NSY Over-Production (AF)	l 194.07	153.78	161.99	153.06	113.21	50.84	58.82	85.17	52.71	25.77	37.87
Exceeding Natural Safe Yield Considering Alternative Producers	m \$ 219,689	\$ 174,082	\$ 402,540	\$ 465,300	\$ 314,721	\$ 141,335	\$ 163,509	\$ 236,782	\$ 142,410	\$ 69,630	\$ 102,330
Operating Yield Overproduction Replenishment	n \$ 12,622	\$ 85	\$ 4,225	\$ 16,522	\$ 20,690	\$ -	\$ 1,689	\$ 27,007	\$ 3,222	\$ 38	\$ 11,959
Total Municipal	o \$ 232,310	\$ 174,167	\$ 406,764	\$ 481,823	\$ 335,412	\$ 141,335	\$ 165,198	\$ 263,788	\$ 145,631	\$ 69,667	\$ 114,290
City of Seaside - Golf Courses (APA - 540 AFY)											
Exceeding Natural Safe Yield - Alternative Producer	p \$ -	\$ -	\$ 131,705	\$ 69,701	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Yield Overproduction Replenishment	q \$ -	\$ -	\$ 32,926	\$ 17,427	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Golf Courses	r \$ -	\$ -	\$ 164,631	\$ 87,128	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total City of Seaside*	s \$ 232,310	\$ 174,167	\$ 571,395	\$ 568,951	\$ 335,412	\$ 141,335	\$ 165,198	\$ 263,788	\$ 145,631	\$ 69,667	\$ 114,290
City of Seaside Late Payment 5%	t \$ 10,984	\$ 8,704	\$ 26,712	\$ 26,750	\$ 15,737						
In-lieu Credit Against Assessment	u \$ -	\$ -	\$ -	\$ (1,079,613)	\$ (1,142,858)	\$ (828,996)	\$ (1,065,852)	\$ (1,459,080)	\$ (526,890)	\$ (162)	\$ (162)
City of Seaside Unpaid Balance	v \$ 243,294	\$ 426,165	\$ 1,024,272	\$ 1,619,973	\$ 891,509	\$ (110,014)	\$ (773,813)	\$ (1,575,876)	\$ (2,889,325)	\$ (3,346,548)	\$ (3,232,420)
Mission Memorial Park											
Mission Memorial Park Production (AF)	w		20.80	26.40	12.80	22.40	27.00	24.95	24.89	17.97	13.67
Mission Memorial Park NSY Over-Production (AF)	x	-	-	-	-	-	-	-	-	-	-
Exceeding Natural Safe Yield - Alternative Producer	y \$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Yield Overproduction Replenishment	z \$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Mission Memorial Park	aa \$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Replenishment Fund Balance	bb \$ 1,884,298	\$ 4,652,874	\$ (1,847,417)	\$ (1,219,966)	\$ (2,930,710)	\$ (6,170,178)	\$ (9,509,483)	\$ (7,749,648)	\$ (5,991,546)	\$ (4,023,252)	\$ (3,909,125)
Replenishment Fund Balance Forward	cc \$ -	\$ 1,884,298	\$ 4,652,874	\$ (1,847,417)	\$ (1,219,966)	\$ (2,930,710)	\$ (6,170,178)	\$ (9,509,483)	\$ (7,749,648)	\$ (5,991,546)	\$ (4,023,252)
Total Replenishment Assessments	dd \$ 2,349,946	\$ 2,768,576	\$ 5,805,632	\$ 4,369,165	\$ 4,464,082	\$ 3,329,189	\$ 2,601,104	\$ 2,825,688	\$ 3,217,182	\$ 2,495,183	\$ 114,290
Total Paid and/or Credited	ee \$ (465,648)	\$ -	\$ (12,305,924)	\$ (3,741,714)	\$ (6,174,826)	\$ (6,568,657)	\$ (5,940,409)	\$ (1,065,852)	\$ (1,459,080)	\$ (526,890)	\$ (162)
Grand Total Fund Balance	ff \$ 1,884,298	\$ 4,652,874	\$ (1,847,417)	\$ (1,219,966)	\$ (2,930,710)	\$ (6,170,178)	\$ (9,509,483)	\$ (7,749,648)	\$ (5,991,546)	\$ (4,023,252)	\$ (3,909,125)
* 2010 = 319.55 AF golf course in-lieu replenishment and 68.8 AF 4-party agmt in-lieu replenishment											
2011 = 411.1 AF golf course in-lieu replenishment											
2012 = 298.2 AF golf course in-lieu replenishment											
2013 = 383.4 AF golf course in-lieu replenishment											
2014 = 552.4 AF golf course in-lieu capped at 540 AF											
2015 = 195.0 AF golf course in-lieu											
2016 = 00.06 AF golf course in-lieu											
2017 = 00.00 AF golf course in-lieu											

Seaside Groundwater Basin Watermaster Replenishment Fund										5/4/22
Water Year 2021 (October 1 - September 30) / Fiscal Year (January 1 - December 31, 2021)										Page 2
Balance through October 31, 2021										
	2017	2018	2019	2020	WY 2021	Totals WY 2006 Through 2021	Budget WY 2022	Projected Totals Through WY 2022		
Assessment Water Year	WY 16/17	WY 17/18	WY 18/19	WY 19/20	WY 20/21		WY 21/22			
Unit Cost:	\$2,872 / \$718	\$2,872 / \$718	\$2,872 / \$718	\$2,872 / \$718	\$2,947 / \$737		\$2,947 / \$737			
Cal-Am Water Balance Forward	\$ (676,704)	\$ (491,747)	\$ (48,797,949)	\$ (47,979,852)	\$ (46,855,121)		\$ (46,855,121)			
Cal-Am Water Production (AF)	2,029.51	2,229.45	2,120.22	2,245.88	1,664.04	46,041.03				
Cal-Am Water NSY Over-Production (AF)	64.40	374.65	284.85	334.21	-	14,638.57				
Exceeding Natural Safe Yield Considering Alternative Producers	\$ 184,957	\$ 1,075,995	\$ 818,097	\$ 959,859	\$ -	\$ 33,550,034	\$ 100,000	\$ 33,650,034		
Operating Yield Overproduction Replenishment				\$ 164,872	\$ -	\$ 1,122,753	\$ 20,000	\$ 1,142,753		
Total California American	\$ 184,957	\$ 1,075,995	\$ 818,097	\$ 1,124,731	\$ -	\$ 34,672,786	\$ 120,000	\$ 34,792,786		
CAW Credit Against Assessment		\$ (49,382,196)	\$ -	\$ -	\$ -	\$ (81,527,907)	\$ -	\$ (81,527,907)		
CAW Unpaid Balance	\$ (491,747)	\$ (48,797,949)	\$ (47,979,852)	\$ (46,855,121)	\$ (46,855,121)	\$ (46,855,121)	\$ (46,735,121)	\$ (46,735,121)		
City of Seaside Balance Forward	\$ (3,232,420)	\$ (3,142,500)	\$ (3,022,249)	\$ (2,919,806)	\$ (2,802,831)		\$ (2,708,828)			
City of Seaside Municipal Production (AF)	188.31	184.63	178.40	181.65	174.69	3,733.83				
City of Seaside NSY Over-Production (AF)	30.47	32.46	27.82	32.06	25.52	1,235.62				
Exceeding Natural Safe Yield Considering Alternative Producers	\$ 87,512	\$ 93,225	\$ 79,893	\$ 92,089	\$ 75,197	\$ 2,860,242	\$ 100,000	\$ 2,960,242		
Operating Yield Overproduction Replenishment	\$ 2,409	\$ 27,026	\$ 22,550	\$ 24,886	\$ 18,806	\$ 193,734	\$ 10,000	\$ 203,734		
Total Municipal	\$ 89,920	\$ 120,251	\$ 102,443	\$ 116,975	\$ 94,003	\$ 3,053,977	\$ 110,000	\$ 3,163,977		
City of Seaside - Golf Courses (APA - 540 AFY)										
Exceeding Natural Safe Yield - Alternative Producer	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 201,406		\$ 201,406		
Operating Yield Overproduction Replenishment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,353		\$ 50,353		
Total Golf Courses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 251,759		\$ 251,759		
Total City of Seaside*	\$ 89,920	\$ 120,251	\$ 102,443	\$ 116,975	\$ 94,003	\$ 3,305,736	\$ 110,000	\$ 3,415,736		
City of Seaside Late Payment 5%						\$ 88,887		\$ 88,887		
In-lieu Credit Against Assessment						\$ (6,103,451)		\$ (6,103,451)		
City of Seaside Unpaid Balance	\$ (3,142,500)	\$ (3,022,249)	\$ (2,919,806)	\$ (2,802,831)	\$ (2,708,828)	\$ (2,708,828)	\$ (2,598,828)	\$ (2,598,828)		
Mission Memorial Park (APA - 31 AFY)										
Mission Memorial Park Production (AF)	13.74	14.43	16.07	20.00	46.77	301.89				
Mission Memorial Park NSY Over-Production (AF)	-	-	-	-	15.77	15.77				
Exceeding Natural Safe Yield - Alternative Producer	\$ -	\$ -	\$ -	\$ -	\$ 46,488	\$ 46,488		\$ 46,488		
Operating Yield Overproduction Replenishment	\$ -	\$ -	\$ -	\$ -	\$ 11,626	\$ 11,626		\$ 11,626		
Mission Memorial Park Unpaid Balance	\$ -	\$ -	\$ -	\$ -	\$ 58,114	\$ 58,114		\$ 58,114		
Total Replenishment Fund Balance	\$ (3,634,247)	\$ (51,820,198)	\$ (50,899,658)	\$ (49,657,952)	\$ (49,505,835)	\$ (49,505,835)	\$ (49,333,949)	\$ (49,333,949)		
Replenishment Fund Balance Forward	\$ (3,909,125)	\$ (3,634,247)	\$ (51,820,198)	\$ (50,899,658)	\$ (49,657,952)		\$ (49,505,835)			
Total Replenishment Assessments	\$ 274,877	\$ 1,196,246	\$ 920,540	\$ 1,241,706	\$ 152,117	\$ 38,125,524	\$ 230,000	\$ 38,355,524		
Total Paid and/or Credited		\$ (49,382,196)				\$ (87,631,358)	\$ 58,114	\$ (87,573,244)		
Grand Total Fund Balance	\$ (3,634,247)	\$ (51,820,198)	\$ (50,899,658)	\$ (49,657,952)	\$ (49,505,835)	\$ (49,505,835)	\$ (49,217,721)	\$ (49,217,721)		

TO: Board of Directors

FROM: Robert S. Jaques, Technical Program Manager

DATE: May 4, 2022

SUBJECT: Discuss/Consider further Watermaster input on the Final Draft Groundwater Sustainability Plan for the Monterey Subbasin

RECOMMENDATIONS:

Provide direction to Staff regarding submitting further comments/concerns in letter-form or otherwise regarding the Groundwater Sustainability Plan for the Monterey Subbasin.

BACKGROUND:

The Sustainable Groundwater Management Act (SGMA) requires that each high- and medium-priority groundwater basin in California prepare a Groundwater Sustainability Plan (GSP). GSPs must describe groundwater conditions within the basin, and lay out a plan for the basin to reach sustainability within 20 years of GSP approval. Sustainability is achieved by preventing a list of “undesirable results” from occurring within the basin. These undesirable results are defined in SGMA as:

- Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply;
- Significant and unreasonable reduction of groundwater storage;
- Significant and unreasonable seawater intrusion;
- Significant and unreasonable degraded water quality;
- Significant and unreasonable land subsidence; and/or
- Depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of the surface water.

Throughout 2021 the Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA) and the Marina Coast Water District Groundwater Sustainability Agency (MCWDGSA) worked together to prepare a GSP for the Monterey Subbasin. A map showing the location of the Monterey Subbasin in relation to the Seaside Subbasin is attached. In January 2022 a Final Draft GSP was submitted to the Department of Water Resources, (DWR) by those GSAs. DWR reviews final draft GSPs, and either approves them (often conditionally with a list of corrections or additions that must be made), or disapproves them. One of the SGMA requirements is that GSPs evaluate the effect implementation of the GSP will have on adjacent basins. DWR approval is required, otherwise a basin will be in violation of SGMA and thereby the GSA(s) for the basin may lose authority to manage the basin and the State will take over that authority.

DISCUSSION:

Throughout the process of development of the Monterey Subbasin GSP I served on the committee formed by the SVBGSA to help guide that work and to provide timely input to the consultants that were preparing the document. In that role I often provided oral and written comments and concerns pertaining to the Seaside Subbasin to the consultants and staff of these GSAs.

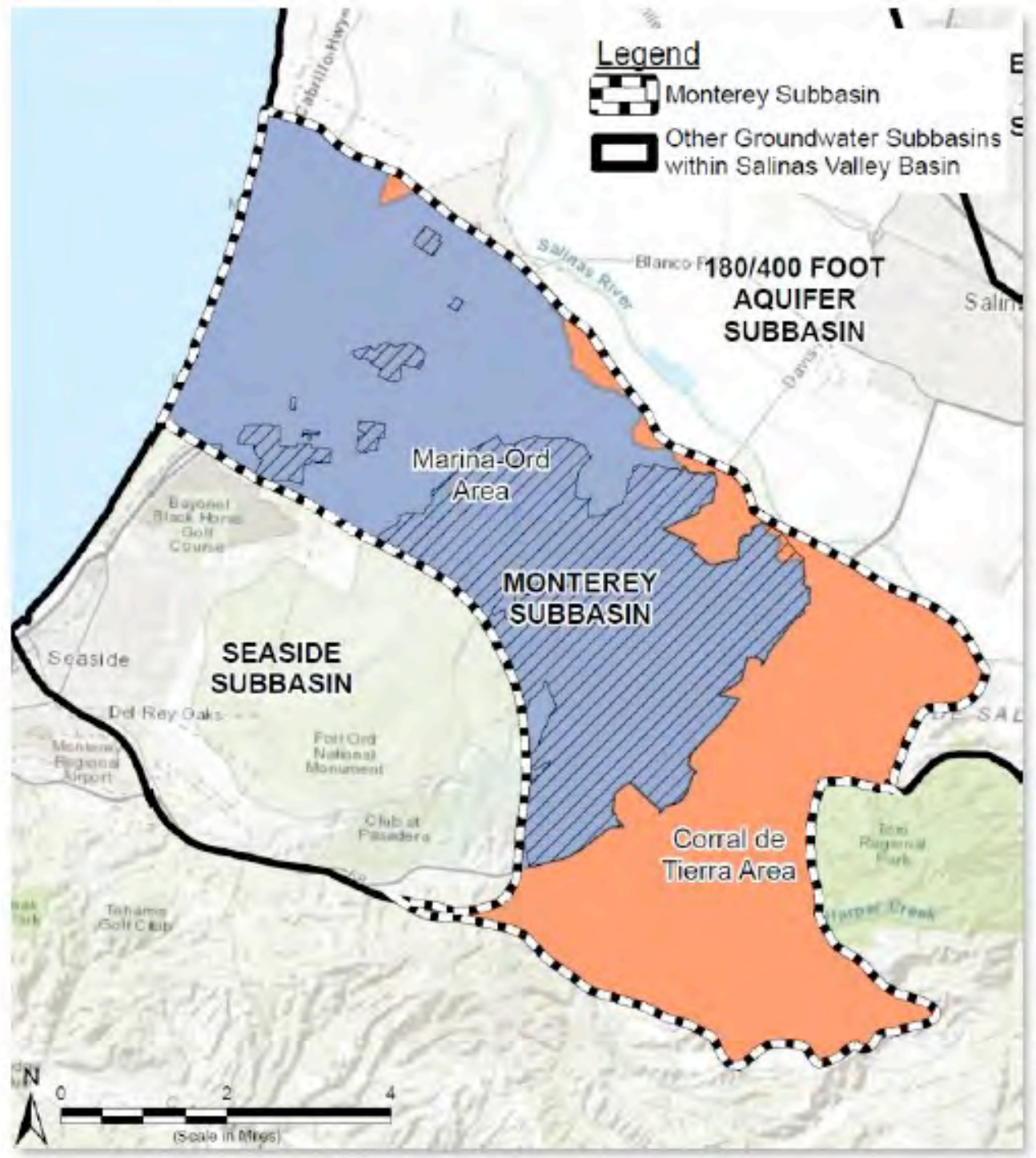
After reviewing the Final Draft Monterey Subbasin GSP I felt there were issues of concern to the Watermaster that the GSP had not addressed. I discussed this with the TAC at its March 9, 2021 meeting, and the TAC recommended that I submit comments on the GSP to DWR via its online comment-submittal portal. I submitted the attached comments a few days after that TAC meeting.

The TAC, and Mr. Gaglioti in particular, also recommended that the comments be forwarded to the Board to determine whether the Board wished to send a formal letter to DWR regarding these comments and concerns.

ATTACHMENTS:

1. Map showing subbasin locations
2. Comments submitted to the Department of Water Resources by the Technical Program Manager

ATTACHMENT 1



ATTACHMENT 2

COMMENTS FROM THE SEASIDE BASIN WATERMASTER CONCERNING THE GROUNDWATER SUSTAINABILITY PLAN FOR THE MONTEREY SUBBASIN OF THE SALINAS VALLEY GROUNDWATER BASIN

The Seaside Basin Watermaster raises the following concerns that it feels should be addressed in the Groundwater Sustainability Plan (GSP) for the Monterey Subbasin:

- No explanation is provided as to how the time line for recovery of declined groundwater levels was developed. The estimated costs to implement the numerous projects and management actions identified in this GSP and the GSP for the 180/400-foot subbasin run into the hundreds of millions of dollars, and some are likely to encounter extensive environmental and permitting issues. Some may potentially be determined to be infeasible, either from a financial or a permitting standpoint. Thus, implementing them will be a formidable task. This leaves us concerned that the recovery timeline is more a “wish” and a “hope” than something for which there is reasonable assurance of being achieved. We feel that the feasibility for the timeline for recovery of declined groundwater levels should be discussed and justified in the GSP.
- Many projects identified in the GSPs for both the Monterey Subbasin and other subbasins within the Salinas Valley Groundwater Basin involve using recycled wastewater to replace groundwater that is currently being pumped to meet demands. It appears that most, if not all, of these recycled water projects rely on wastewater coming into the Monterey One Water Regional Wastewater Treatment Plant. The total flow into that plant is already needed to supply the Castroville Seawater Intrusion Project (CSIP) and the Pure Water Monterey and Pure Water Monterey Expansion Projects. Thus, there may not be enough recycled water to supply all of these other GSP projects. We feel this is an issue that needs to be addressed in this GSP and in the GSPs for the other subbasins of the Salinas Valley Groundwater Basin.
- We are concerned about the amount of water that is currently being lost from the Seaside Subbasin to the Monterey Subbasin due to the downward hydraulic gradient from the Seaside Subbasin to the Monterey Subbasin. The Final Draft GSP for the Monterey Subbasin shows significant ongoing loss of groundwater from the Seaside Subbasin even when/if the Minimum Thresholds are achieved in the Monterey and 180/400-Foot Subbasins.

The attached Table 6-5 from the Final Draft GSP shows these projected interbasin flows. Table 6-5 has column headings including Minimum Threshold, Measurable Objective, and Seawater Intrusion Protective Boundary Conditions. According to one of the principal authors of the portion of this GSP pertaining to the Marina-Ord subarea, it is the intent of the MCWDGSA, via this GSP, is to achieve the Measurable Objective Sustainable Management Criteria (SMC) set forth in the GSP, recognizing that this may not be possible, but at least that is the desire/intent. We understand that there are no SMCs specified for inflows and outflows, and the inflows and outflows shown in Table 6-5 are not SMCs. However, the inflows and outflows identified on Table 6-5 are the predicted inflows and outflows from the Monterey Subbasin based upon water levels that are achieved under the SMCs contained in the 180/400 Foot Aquifer Subbasin.

It is our understanding that the “Seawater Intrusion Protective Boundary Condition” in Table 6-5 refers to groundwater levels that would have to be achieved within the 180/400 Foot Aquifer Subbasin to stop seawater intrusion in the absence of an injection or extraction barrier. To cite from the GSP:

They are groundwater levels along the entire boundary of the Monterey Subbasin and 180/400-Foot Aquifer Subbasin which are predicted to be protective against further seawater intrusion within the 180-and 400- Foot aquifers. These Seawater Intrusion Protective elevations are projected over the 20-year GSP implementation period (i.e., between 2022 and 2042). In the absence of the installation of a hydraulic injection and/or extraction barrier, which is one of the projects described in the 180/400-Foot Aquifer GSP, these SWI protective elevations represent the minimum groundwater elevations that would be needed in the coastal portions of the 180/400-Foot

Aquifer Subbasin to stop further seawater intrusion consistent with the MTs for seawater intrusion established in the 180/400-Foot Aquifer Subbasin GSP.

It is our further understanding that the 180/400-Foot Aquifer GSP does not commit the SVBGSA to achieving the Seawater Intrusion Protective groundwater elevations in order to create the Seawater Intrusion Protective Boundary Condition. Rather, the SVBGSA does commit to stopping further seawater intrusion as an SMC, so if no injection or extraction barrier is constructed this is likely the only other way of meeting that SMC. This means that if the extraction barrier is not constructed, then presumably the SVBGSA would have to achieve the Seawater Intrusion Protective groundwater elevations shown in Table 6-5. However, discussions at the meetings of the 180/400-foot Subbasin GSP Implementation Committee suggest that the SVBGSA will strive to construct the extraction barrier, if that is determined to be feasible. This is likely because raising groundwater levels in the 180/400-foot Subbasin high enough to achieve the Seawater Intrusion Protective groundwater elevations would be extremely difficult, if even possible.

If the extraction barrier is constructed, then it is our understanding that the Monterey Subbasin is committed to achieving SMCs that would result in the interbasin groundwater flows listed under the column heading for the Minimum Thresholds listed in Table 6-5. Under this condition the annual loss of groundwater from the Seaside Subbasin to the Monterey Subbasin is projected to be 2,513 AFY. If the Measurable Objective is achieved the loss is projected to be 1,361 AFY.

The outflows from the Seaside Subbasin into the Marina-Ord portion of the Monterey Subbasin are of concern because they are so great that they may prevent the Seaside Subbasin from achieving sustainability unless large amounts of replenishment water are injected on an ongoing basis into the Seaside Subbasin. Such replenishment water would be needed in order to achieve protective groundwater elevations that will protect the Seaside Subbasin from seawater intrusion and thereby help make it sustainable.

The GSPs state that each of the boundary condition scenarios in Table 6-5 is predicated on the assumption that the 180/400- Foot Aquifer Subbasin will be managed to its SMCs over the 50-year projected model period, and that it has been assumed that the Seaside Subbasin will be managed such that groundwater levels remain stable at 2017 levels into the future.

Assuming that the 180/400- Foot Aquifer Subbasin will be managed to its SMCs is a significant assumption. That Subbasin will face very significant financial, permitting, and other challenges to achieve its groundwater level and seawater intrusion SMCs, and it may be unable to fully accomplish them.

We feel that the Monterey Subbasin GSP needs to address the concerns of the Seaside Subbasin regarding the loss of groundwater to the Monterey Subbasin, and its impact on the Seaside Subbasin's ability to become sustainable.

Table 6-5. Comparison of Projected Water Budget Results Under “No Project” Scenarios with Variable Boundary Conditions and 2030 Climate Condition, Marina-Ord Area WBZ

Net Annual Groundwater Flows (a) (AFY)	Historical Annual Inflows/Outflows (WY 2004-2018)	Projected Annual Inflows/Outflows (b) 2030 Climate Conditions		
		Minimum Threshold Boundary Conditions	Measurable Objective Boundary Conditions	Seawater Intrusion Protective Boundary Conditions
Recharge				
● Rainfall, leakage, irrigation	6,144	6,823	6,823	6,823
Well Pumping				
● Well Pumping	-4,346	-8,767	-8,767	-8,767
Net Inter-Basin Flow				
● Seaside Subbasin	1,310	2,513	1,361	-347
● 180/400-Foot Aquifer Subbasin	-8,633	-3,849	-1,927	1,171
● Ocean (Presumed Freshwater)	-524	-725	-752	-794
● Ocean (Presumed Seawater)	2,872	2,939	2,369	1,308
	-4,975	878	1,051	1,338
Net Intra-basin Flow				
● Corral de Tierra Area (Water Budget Zone)	1,544	923	1,026	985
Net Surface Water Exchange				
● Salinas River Exchange	0	0	0	0
NET ANNUAL CHANGE IN GROUNDWATER STORAGE	-1,632	-143	133	379

Notes:

- (a) The Marina-Ord Area Zone Budget includes inflows to and outflows from the portion of Corral de Tierra that is north of Reservation Rd.
- (b) Positive values indicate a net inflow and negative values indicate a net outflow.

SEASIDE GROUNDWATER BASIN WATERMASTER

ITEM X.B.i.
5/04/22

TO: Board of Directors

FROM: Laura Paxton, Administrative Officer

DATE: May 4, 2022

SUBJECT: Consider approving the addition of a Public Awareness Page to the Watermaster Website at a cost not to exceed \$3,000 and authorize a transfer from the Administrative Fund Reserve

RECOMMENDATIONS:

It is recommended that the board consider approving the addition of a Public Awareness Page to the Watermaster website at a cost not to exceed \$3,000 and authorize a transfer from the Administrative Fund Reserve

BACKGROUND:

The public needs to be aware of Watermaster management efforts and the challenge the leakage poses to gaining any increased groundwater elevations. The integrated basin sustainability concept is new however support of it appears to be the direction that the committee needs to take. The approach would be to give the public an understanding of the condition of the Seaside and area basins, highlighting immediate needs, significant effects, and project plans that would best benefit all basins directly and indirectly. As the Public Awareness Committee formulates a strategy, it found at its February 8th meeting that the addition of a Public Awareness Page to the Watermaster website would provide the Public with knowledge of the Seaside basin, it's conditions and threats, and how it is impacted by surrounding basins. A 3-D model would be a great tool to visualize the unseen conditions of the basin.

DISCUSSION

The Public Awareness Committee concurred at their February 8th meeting that the next Watermaster Board meeting agenda include direction to staff to add a public awareness page to the Watermaster Website. Creation of a 3-D model for the Public Awareness Page will be overseen by the AO. Montgomery & Associates was approached for the creation of a 3-D model but did not have the software to create the project, they did however offer to review the 3-D model for hydrogeologic accuracy.

FISCAL IMPACT:

Reduction in the 2022 Administrative Fund Reserve of up to \$3,000.

ATTACHMENTS:

See Feb. 8th PAC meeting minutes in the Informational Reports section of today's packet.

SEASIDE GROUNDWATER BASIN WATERMASTER

**ITEM X.B.ii.
5/04/22**

TO: Board of Directors

FROM: Laura Paxton, Administrative Officer

DATE: January 5, 2022

SUBJECT: Consider ratifying Request for Services (RFS) 2022-03 Professional Services Contract with Montgomery and Associates for Watermaster Public Awareness Committee presentation preparation

RECOMMENDATIONS:

It is recommended that the board ratify Montgomery & Associates RFS No. 2022-03 for \$5,000 issued by AO for Public Awareness Committee Scope of Work and authorize payment from the Administrative Fund Reserve

BACKGROUND:

At the February 8, 2022 Watermaster Public Awareness Committee meeting, based on numerous factors (see PAC meeting minutes included in this packet), the committee concurred to have Montgomery and Associates craft a 10-12-minute public awareness presentation and review the 3-D rendering of Seaside Groundwater Basin noted in the previous agenda item. AO Paxton provided a scope of work included in the attached RFS and Montgomery and Associates consented to perform the work for a cost of \$4,056. AO Paxton has the authority to contract for services under \$10,000 and so executed the RFS with Montgomery and Associates, allowing \$944 in contingency.

DISCUSSION

The contract is being presented to the Board for ratification at today's meeting to keep PAC momentum moving forward and to obtain the presentation from Montgomery and Associates by June 1, 2022 in time for the June 14, 2022 PAC meeting. The cost is proposed to be covered by funds from the 2022 Administrative Reserve of \$25,000.

FISCAL IMPACT:

Reduction in the 2022 Administrative Fund Reserve of up to \$5,000.

ATTACHMENTS:

Watermaster RFS 2022-03 with Montgomery and Associates

SEASIDE BASIN WATERMASTER
REQUEST FOR SERVICE

DATE: March 2, 2022

RFS NO. 2022-03

TO: Cameron Tana
Montgomery & Associates
PROFESSIONAL

FROM: Laura Paxton
Administrative Officer
WATERMASTER

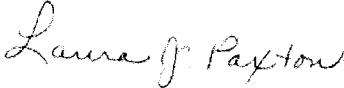
Services Needed and Purpose: Prepare a description of the Seaside Groundwater Basin and a description of the seawater intrusion threat as a framework for the Watermaster Public Awareness Committee to make 10 to 15-minute public presentations throughout the Monterey Peninsula and; review for accuracy of hydrogeologic components a Watermaster staff 3-D rendering of the Seaside Basin.

Completion Date: All work under this RFS will be completed no later than June 1, 2022.

Method of Compensation: Time and Expense Payment Method. Hourly rates are described in Attachment 1.

Total Price Authorized by this RFS: \$5,000.00 (Cost is authorized only when evidenced by signature below.)
(See Attachment 1 for derivation of Estimated Costs).

Total Price may not be exceeded without prior written authorization by WATERMASTER in accordance with Section V. COMPENSATION.

Requested by: 
Laura Paxton, Administrative Officer

Date: March 1, 2022

Agreed to by: 
PROFESSIONAL

Date: March 1, 2022

ATTACHMENT 1

SCOPE OF WORK

As described in further detail below, the scope consists of providing professional consulting services to WATERMASTER for

- 1) Preparation of a description of the Seaside Groundwater Basin and a description of the seawater intrusion threat as a framework for the Watermaster Public Awareness Committee to make 10 to 15-minute public presentations throughout the Monterey Peninsula and
- 2) Review for accuracy of hydrogeologic components of Watermaster’s 3-D representation of the Seaside Basin.

A written description is needed in layman’s terms of the characteristics of the Seaside Basin, the threat of seawater intrusion and the damage that may occur. With PROFESSIONAL’s involvement with the Groundwater Sustainability Plans (GSPs) for the Monterey Subbasin (MSB) and 180/400’ Aquifer Subbasin (180/400 ASB), the presentation framework is also to include MSB and 180/400’ ASB conditions that are exacerbating sustainability efforts in the Seaside Basin, and the groundwater level benefits to the Seaside Basin from the MSB and 180/400 ASB achieving sustainable management criteria per their GSPs.

The focus of the presentation is to raise public awareness of the existence of the Seaside Basin, its overdraft condition in relation to adjacent basins, and the threat of seawater intrusion that could render the Basin unusable for water supply and water supply storage. (Corral de Tierra threat to Laguna Seca Subarea would not be within the focus.)

PROFESSIONAL will provide to WATERMASTER a presentation framework in PowerPoint form for review. WATERMASTER will handle any revisions or updates to the presentation once the initial document is received from PROFESSIONAL.

Staff is preparing for posting to the Watermaster website a 3-D rendering of the Seaside Basin with hydrogeologic cross section. PROFESSIONAL is to provide low-level review of the 3-D rendering for general hydrogeologic accuracy.

ESTIMATED COST

Cost Estimate for Seaside Basin Public Awareness Committee (PAC) Support								
Task	Hourly Rates	Montgomery & Associates Labor			Labor Total		Other Direct Costs	TOTALS
		Scientist VI	Scientist V	Scientist II	Hours	(\$)		
		G. King	P. Benito	P. Wickham				
1.0	Prepare a PowerPoint presentation describing the hydrogeology of the Seaside Groundwater Basin and threat of seawater intrusion threat as a framework for the Watermaster Public Awareness Committee.	6	0	8	14	\$2,384	\$0	\$2,384
2.0	Review for accuracy of hydrogeologic components of Watermaster’s 3-D representation of the Seaside Basin	4	4	0	8	\$1,672	\$0	\$1,672
Total		10	4	8	22	\$4,056	\$0	\$4,056

Montgomery & Associates cost for this work, and for staff time to 3-D render the basin is proposed to be funded from the \$25,000 Administrative Reserve account.

D-R-A-F-T MINUTES
Seaside Groundwater Basin Watermaster
Public Awareness Committee Meeting
Via Zoom Teleconference
January 11, 2022

Attendees: BFC Members

City of Seaside – Mayor Ian Oglesby, Chair

City of Del Rey Oaks – Councilmember John Gaglioti

Monterey Peninsula Water Management District (MPWMD) - Director George Riley

Watermaster

Administrative Officer (AO) – Laura Paxton

Assistant to AO – Michael Paxton

Others

Jon Lear, MPWMD

Chair Oglesby called the meeting to order at 11:00 a.m.

1. Formation of the Watermaster Public Awareness Committee (PAC)

Committee members discussed the need for replenishment water to raise groundwater levels to protect the Seaside Basin from seawater intrusion. The degree of the Pure Water Monterey, Aquifer Storage and Recovery, and Pure Water Monterey Expansion water supply projects supplying replenishment water was considered to be net zero since the projects extract what is injected. Even if excess from the projects is left in the Basin, during drought conditions the reserves would be extracted. Replenishment water need was the focus of the discussion and the intent of the committee was not addressed at this initial meeting.

AO Paxton reviewed for the committee her submitted transmittal. Data on flows into and out of the Seaside and adjacent basins is coming to light as Groundwater Sustainability Plans (GSPs) are being developed for the subbasins of the Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA). Significant over drafting (i.e., more pumping than can be sustained) has been identified in the GSP for the 180/400' Aquifer Subbasin (180/400' ASB) and the Monterey Subbasin (MSB). Water flows out of the Seaside Basin filling the depleted MSB Marina/Ord area that borders the Seaside Basin to the north at approximately 1,000 acre-feet per year (coincidentally the amount estimated that is needed to gain protective groundwater levels). Water in turn flows out of the MSB into the critically over drafted 180/400' ASB. AO Paxton emphasized her view that supporting the SVBGSA in achieving 180/400' ASB sustainability would stem flows coming from the MSB and in turn the Seaside Basin, and would achieve significant and affordable in lieu replenishment for the Seaside Basin. The PAC could be the public educational arm for the Seaside Basin and for SVBGSA efforts.

There was committee interest in gaining more information on stemming basin outflow with respect to neighboring basins. Director Riley asked who would be the contact at SVBGSA for information. The committee was uncertain if the other basins actually ever would achieve GSP criteria. Mr. Lear stated there were criteria achievement milestones and annual reporting to DWR per SGMA law to ensure criteria were being met. The committee directed AO Paxton to develop a target list of contacts, and to illustrate intra-basin flow dynamic for the committee's next meeting including providing the flow map presented by Georgina King, Montgomery & Associates during the January 5th Seawater Intrusion Analysis Report presentation at the Watermaster board meeting.

The meeting was adjourned at 12:00 p.m.

D-R-A-F-T MINUTES
Seaside Groundwater Basin Watermaster
Public Awareness Committee Meeting
Via Zoom Teleconference
February 8, 2022

Attendees: PAC Members

City of Seaside – Mayor Ian Oglesby, Chair

Monterey Peninsula Water Management District (MPWMD) - Director George Riley

Absent: City of Del Rey Oaks – Councilmember John Gaglioti (Traveling outside the area)

Watermaster

Administrative Officer (AO) – Laura Paxton

Others

Jon Lear, MPWMD

Chris Cook, California American Water (CAW)

Tim O’Halloran, CAW

Maureen Hamilton, Monterey One Water

Yuri Anderson, Monterey County

-
1. Call to Order - Chair Oglesby called the meeting to order at 11:00 a.m.
 2. Roll Call (See above)
 3. General Public Comments - None
 4. **A. AB361 Findings for Allowance of Virtual Meetings**
It was moved by Director Riley and seconded by Mayor Oglesby to accept the findings, pursuant to AB 361, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Committee has reconsidered the circumstances of the state of emergency; and the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies. Mayor Oglesby – Aye; Director Riley – Aye. Motion carried.
B. Approval of Minutes
It was moved by Director Riley and seconded by Mayor Oglesby to approve the minutes of the Public Awareness Committee meeting held January 11, 2022. Mayor Oglesby – Aye; Director Riley – Aye. Motion carried.
 5. **A. & B. Impact to Seaside Groundwater Basin by Adjacent Basin Conditions and Sustainability Plans and PAC Focus** – AO Paxton reviewed for the committee her submitted transmittal. Director Riley inquired if there is a rate calculated for known seawater intrusion elsewhere to establish a timeframe for awareness efforts. Ms. Paxton noted that there is data on seawater intrusion rates and amounts into other basins however it is based on variable factors unique to the basins such as pumping rates, depths, and stratigraphy. Director Cook noted the significant amounts of Seaside Basin outflow currently into Corral de Tierra and projected into Monterey Subbasin could be framed into 1) immediate management need (Laguna Seca Subarea boundary outflows) and 2) future need (outflows to Monterey Subbasin along the Marina/Ord boundary) with consideration of potential effect (i.e., seawater intrusion threat into Coastal Subbasins versus protecting against pump lifts and no seawater intrusion threat in Laguna Seca Subarea).

Ms. Paxton noted that the Watermaster Technical Advisory Committee (TAC) is considering alternative scenarios for updating the 2013 model of Basin replenishment water needed; she encouraged this committee to recommend that an additional scenario be replenishment water needed as a result of Seaside Basin flows from/to other basins.

Mayor Oglesby summed up that regardless of conservation and other efforts to fill the Basin, the outflows make these efforts futile. The public needs to be aware of Watermaster management efforts and the challenge the leakage poses to gaining any increased groundwater elevations. The integrated basin sustainability concept is new however support of it appears to be the direction that the committee needs to take. The approach would be to give the public an understanding of the condition of the Seaside and area basins, highlighting immediate needs, significant effects, and project plans that would best benefit all basins directly and indirectly.

Director Riley felt the Watermaster itself needed to be more educated on the issue, and that adding a monitoring well data point should be considered. After the Watermaster is fully informed, area political leadership would need to be made aware – city councils, special districts, County and State entities – by presentations on basin condition and support of subbasin sustainability efforts. He expressed concern whether the Salinas Valley subbasins would meet sustainability criteria.

Director Cook noted that day to day he finds people are generally unaware of what and where the Seaside Groundwater Basin is and unaware of the threat to its viability as a water source; he suggested that be the assumed awareness level of the general public in preparing a presentation.

Mayor Oglesby called for information to bring to the full board for its approval of the Committee's public presentations. Ms. Paxton recommended Montgomery and Associates frame a committee presentation. Director Riley wanted included the responsibilities of Watermaster (primarily protecting against seawater intrusion), the leakage created by adjacent basins, and what can be done to address replenishment needs. The committee concurred to have Montgomery and Associates craft a 10-12-minute public awareness presentation. Ms. Paxton requested direction to establish a cross sectional 3-D graphic of the Seaside Basin to include to a lesser extent adjacent basins with groundwater elevations, seawater interplay, water supply projects, and more. The committee concurred that the next Watermaster Board meeting agenda include direction to staff to add a public awareness page to the Watermaster website.

6. Director Riley announced the League of Women Voters tomorrow has a Lunch and Learn Presentation on the Salinas Valley Groundwater issue with Donna Myers, Steve McIntyre, and Janet Brennen presenting.
7. Future agenda items – The draft presentation from Montgomery and Associates will be presented at the June 14, 2022 committee meeting.
8. The meeting was adjourned at 11:58 a.m.

SEASIDE GROUNDWATER BASIN WATERMASTER
Reported Quarterly and Annual Water Production From the Seaside Groundwater Basin
For All Producers Included in the Seaside Basin Adjudication -- Water Year 2022

(All Values in Acre-Feet [AF])

	Type	Oct	Nov	Dec	Oct-Dec	Jan	Feb	Mar	Jan-Mar	Apr	May	Jun	Apr-Jun	Jul	Aug	Sep	Jul-Sep	Reported Total	Yield Allocation	from WY 2021	for WY 2022	
<u>Coastal Subareas</u>																						
CAW - Coastal Subareas	SPA	373.37	267.89	196.91	838.17	336.11	456.67	483.60	1,276.38	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,114.55	1,466.02	165.15	1,631.18	
	Luzern	26.16	0.33	0.00	26.49	0.00	50.18	53.88	104.06	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	130.54				
	Ord Grove	109.59	48.86	38.68	197.13	72.51	95.23	106.91	274.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	471.77				
	Paralta	75.83	92.49	107.42	275.73	113.66	111.53	96.00	321.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	596.92				
	Playa	0.00	0.00	0.00	0.00	0.00	0.00	0.14	0.14	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.14				
	Plumas	18.98	0.00	0.00	18.98	0.00	14.47	29.35	43.82	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	62.80				
	Santa Margarita	142.81	126.22	50.81	319.84	149.94	185.27	197.33	532.53	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	852.37				
	ASR Recovery	0.00																				
City of Seaside (Municipal)	SPA	14.61	13.21	12.59	40.41	11.66	13.07	15.87	40.61	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	81.02	120.28	0.00	120.28	
Granite Rock Company	SPA	--	--	--	0.00	--	--	--	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11.35	236.07	247.42	
DBO Development No. 30	SPA	--	--	--	0.00	--	--	--	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20.59	424.88	445.47	
Calabrese (Cypress Pacific Inv.)	SPA	--	--	--	0.00	--	--	--	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.76	13.57	16.33	
City of Seaside (Golf Courses)	APA	27.41	7.17	5.14	39.72	5.45	30.92	43.83	80.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	119.91	540.00		540.00	
Sand City	APA	0.12	0.03	0.11	0.26	0.09	0.10	0.20	0.39	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.65	9.00		9.00	
SNG (Security National Guaranty)	APA	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	149.00		149.00	
Calabrese (Cypress Pacific Inv.)	APA	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	6.00		6.00	
Mission Memorial (Alderwoods)	APA	4.45	3.94	1.78	10.16	1.58	1.43	3.52	6.53	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	16.69	31.00		31.00	
Coastal Subareas Totals					928.72				1,404.11	0.00			0.00	0.00			0.00	2,332.83	2,356.00	839.68	3,195.67	
<u>Laguna Seca Subarea</u>																						
CAW - Laguna Seca Subarea	SPA	10.58	9.56	9.11	29.24	8.85	9.67	9.94	28.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	57.71	0.00		0.00	
	Ryan Ranch Unit	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
	Hidden Hills Unit	10.58	9.56	9.11	29.24	8.85	9.67	9.94	28.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	57.71				
	Bishop Unit 3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
	Bishop Unit 1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
The Club at Pasadera	APA	32.00	7.00	8.00	47.00	0.00	26.00	12.00	38.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	85.00	251.00		251.00	
Laguna Seca Golf Resort (Bishop)	APA	17.51	5.83	0.00	23.34				0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	23.34	320.00		320.00	
York School	APA	1.13	0.29	0.04	1.46	0.18	0.62		0.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2.26	32.00		32.00	
Laguna Seca County Park	APA	1.55	1.73	1.41	4.68	1.04	1.28	1.02	3.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.02	41.00		41.00	
Laguna Seca Subarea Totals					105.72				70.61	0.00			0.00	0.00			0.00	176.33	644.00	0.00	644.00	
Total Production by WM Producers					1,034.45				1,474.71	0.00			0.00	0.00			0.00	2,509.16	3,000.00	839.68	3,839.67	
																		Annual Production from APA Producers	255.88	1,379.00		
																		Annual Production from SPA Producers	2,253.27	2,460.67		

																			Previous Balance	Total	
CAW / MPWMD ASR (Carmel River Basin source water)																					
Injection	0.00	0.00	61.69	61.69					0.00										61.69		
(Recovery)	0.00	0.00	0.00	0.00					0.00										0.00		
Net ASR	0.00	0.00	61.69	61.69					0.00										61.69	801.55	863.24
Pure Water Monterey (PWM) Injection and Cal-Am Recovery																					
Injection Operating Reserve	0.00	0.00	0.00	0.00					0.00										0.00	1,200.48	1200.48
Injection Drought Reserve	0.00	0.00	0.00	0.00					0.00										0.00	0.0	0.00
Delivery to Basin	298.20	289.97	312.27	900.44	320.51				320.51										1220.95	0.0	1220.95
CAW	(343.61)	(233.66)	(162.10)	(739.37)	(301.21)				(301.21)										(1040.58)	0.0	(1040.58)

- Notes:**
- The Water Year (WY) begins October 1 and ends September 30 of the following calendar year. For example, WY 2022 begins on October 1, 2021, and ends on September 30, 2022.
 - "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).
 - Values shown in the table are based on reports to the Watermaster received by January 15, 2022.
 - All values are rounded to the nearest hundredth of an acre-foot. Where required, reported data were converted to acre-foot utilizing the relationships: 325,851 gallons = 43,560 cubic feet = 1 acre-foot.
 - "Base Operating Yield Allocation" values are based on Seaside Basin Adjudication decision. These values are consistent with the *Watermaster Producer Allocations Water Year 2022* (see Item VIII.B. in 1/5/2022 Board packet).
 - Any minor discrepancies in totals are attributable to rounding.
 - APA = Alternative Producer Allocation; SPA = Standard Producer Allocation; CAW = California American Water.
 - It should be noted that CAW/MPWMD ASR "Injection" and "Recovery" amounts are not expected to "balance" within each Water Year. This is due to the injection recovery "rules" that are part of SWRCB water rights permits and/or separate agreements with state and federal resources agencies that are associated with the water rights permits.

**Seaside Basin Watermaster
P.O. Box 51502
Pacific Grove, CA 93950
(831) 641-0113**

January 31, 2022

United States, Bureau of Reclamation
Attn: Ms. Amanda Erath, Program Analyst
Denver Federal Center
P.O. Box 25007
Denver, CO 80225-0007
aerath@usbr.gov

Subject: Support for the Pure Water Monterey Expansion Project

Dear Ms. Erath:

On behalf of the Seaside Basin Watermaster, we support Monterey One Water's new project, the Pure Water Monterey Expansion (PVMX) Project.

In short, the PVMX Project will increase the amount of purified recycled water that the existing PWM project provides from 3,500 AFY to 5,750 AFY for injection into the Seaside Groundwater Basin. The PVMX Project will provide a large percentage of the existing Monterey Peninsula's water supply and it will diversify the area's water supply portfolio and improve groundwater sustainability.

As the Court-appointed body responsible for carrying out the requirements of the Adjudication Decision governing the Seaside Groundwater Basin, the Seaside Basin Watermaster has been involved with the PWM Project for many years. It meets the rigorous water quality standards and regulations from both the Central Coast Regional Water Quality Control Board and the State of California's Division of Drinking Water. We expect the PVMX Project will also meet or exceed all human health and safety concerns as it pertains to water quality within the Basin.

We are pleased to support the PVMX Project which will benefit the Basin by providing an additional supplemental source of water to help mitigate over-drafting conditions.

Sincerely,



Paul Bruno
Chair, Seaside Basin Watermaster

TO: Board of Directors

FROM: Robert S. Jaques, Technical Program Manager

DATE: May 4, 2022

SUBJECT: Update on SNG litigation and status of well repair

RECOMMENDATIONS:

Continue to monitor progress on repairs to this well and provide periodic updates to the Board.

BACKGROUND:

The SNG well, which is owned by Ed Ghandour and is located in the dunes area in the northern portion of Sand City, was sampled for water quality for the first time in mid-2021. The very high chloride level (8,660 mg/L) in the sample indicated that this well is sea water intruded.

DISCUSSION:

At its May 5, 2021 the Board received a report on this in which Staff recommended that a letter be sent to the owner of the well requesting that this well either (1) be video inspected to determine whether or not it is leaking and allowing overlying seawater intruded water to go into the lower Paso Robles aquifer, in which case the well should be properly destroyed, or (2) simply be assumed to be leaking based on the high chloride level found from water quality sampling and due to corrosion based on its age, and it should be properly destroyed.

Mr. Ghandour appeared at the May 5 Board meeting and stated that he was already responding to detected high chloride levels in the well, and asked that this item be tabled. He said that the well was scheduled to be videoed and assessed by a pump company and a hydrologist, and repaired as needed, conceivably within the next 60 days. The board concurred to receive the item as informational and await Mr. Ghandour reporting the outcome.

At its September 1, 2021 meeting the Board was provided a status report on repairs to the well, based on a telephone conversation between Mr. Ghandour and Mr. Jaques in mid-July 2021. In that conversation Mr. Ghandour reported that in 2018 the well was video-inspected and it was found that many of the perforations in the 60-year-old steel casing were plugged with rust. He went on to say that some initial work to correct the problem was started by a contractor, but that this work came to a stop when the lender stopped financing the development. Since 2018 the well has not been pumped for water supply purposes.

In mid-2021 he said that some testing was performed on the well. The well drilling contractor felt that the leakage in the upper part of the steel casing could be repaired by sealing it, or thru the use of repair sleeves, and that the perforations would be unplugged by cleaning, thereby restoring the well to proper operation.

Mr. Ghandour explained that litigation on the site development clouded the title to the site, and led to the Court directing the parties to not perform any further work at the site, including doing any work on the well, until the litigation was settled and title cleared.

In a telephone update conversation between Mr. Jaques and Mr. Ghandour on April 18, 2022, Mr. Ghandour reported that a Court trial on this was held in October 2021, and that the Court issued a tentative decision in early 2022. The tentative decision did not rule in favor of Mr. Ghandour’s request that the contract between the lender and SNG be found to have been breached by the lender, thus terminating the partnership and restoring clear title to SNG. He said that the tentative decision prohibits any work from being done on the development site, including the well, pending another Court trial that is scheduled to be held on September 30, 2022 to conclude the litigation and reach a final decision.

ATTACHMENTS: None