

REGULAR MEETING
Seaside Groundwater Basin Watermaster
May 4, 2011
DRAFT MINUTE

I. CALL TO ORDER

Vice Chairman Pendergrass called the meeting to order at 2:03 p.m. in the Monterey Regional Water Pollution Control Agency Boardroom at 5 Harris Court, Building D, Monterey.

II. ROLL CALL

California American Water (“CAW”) – Director Craig Anthony
City of Seaside – Mayor Felix Bachofner
City of Del Rey Oaks – Mayor Jerry Edelen
Laguna Seca Subarea Landowner – Bob Costa
City of Monterey – Mayor Charles “Chuck” Della Sala
City of Sand City – Mayor David Pendergrass
Monterey Peninsula Water Management District (“MPWMD”) – Director Bob Brower
Monterey County/Monterey County Water Resources Agency (“MCWRA”) – Supervisor Dave Potter

Absent: Coastal Subarea Landowner – Director Paul Bruno, Chair

OTHERS PRESENT

Ray Corpuz, Chair, Watermaster Budget/Finance Committee
Don Freeman, City of Seaside
Joe Oliver, MPWMD
Rick Reidel, City of Seaside
Lori Gerard, Legal Counsel, CAW
Brenda Lewis, MPWMD

III. APPROVAL OF MINUTES

Moved by Supervisor Potter, seconded by Mayor Della Sala, and the motion was carried to approve the minutes of the Watermaster regular meeting held February 2, 2011. Mayor Bachofner recused himself since he had not attended the February meeting.

IV. REVIEW OF AGENDA

There were no requested changes to the agenda.

V. PUBLIC PARTICIPATION/ORAL COMMUNICATIONS

Vice Chair Pendergrass congratulated Ms. Brenda Lewis as a new MPWMD board member.

VI. CONSENT CALENDAR

- A. Consider Approval of Summary for Payments made during February, March and April 2011 totaling **\$20,845.00**
- B. Consider Fiscal Year Financial Reports through April 30, 2011

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

VII. ORAL PRESENTATION

Darby Fuerst, General Manager of the Monterey Peninsula Water Management District presented an update on Seaside Basin Aquifer Storage and Recovery (“ASR”) being undertaken by MPWMD and California American Water. The ASR project first began in 1996. Assessed parameters that CAW needed to undertake storage and injection into the Basin included: 1) availability of water; 2) production capacity; 3) treatment capacity; 4) transmission capacity; and 5) storage capacity. With the advent of the Basin Adjudication and approximately 50,000 acre-feet of unused storage capacity to be allotted to involved parties, the fifth parameter of storage capacity was obtained by CAW and the ASR project could commence. The feasibility of a phased approach was undertaken. Specialized dual-purpose wells for both injection and recovery at each well would be needed.

The intent of the project was to benefit the Carmel River and the Steelhead population. A side benefit of water storage in the Basin would be achieved however recharge was not part of the intent of the project.

The water resources system of the Monterey Peninsula included the regional watershed, the Seaside Basin aquifer, and the alluvial groundwater aquifer under the Carmel River. The State Water Resources Board asserted jurisdiction over the Carmel River aquifer. CAW derived 70% of its production from the Carmel River and 30% from the Seaside Groundwater Basin.

The recent focus of injections was into the Santa Margarita formation of the aquifer.

Joe Oliver of MPWMD gave an overview of the current ASR infrastructure. Under Phase I, two wells that operated as a couplet were in place at a Fort Ord site located between two “coalesced” aquifer pockets. Approval of full site development was achieved including the ability to treat water prior to injection. The facility building was under construction and would be the site for future ASR wells. Phase II of the project on backflow mode would send water to the Phase I site; ways to increase the capabilities of the site were being addressed. Upon completion of Phase III, 6 wells would be located at three sites. CAW would need to increase its number of wells to have enough production capacity to move to Phase III. MPWMD would be working with CAW to determine additional pipeline capacity needs.

Director Costa asked what the minimum flow requirement was for the Carmel River. Mr. Fuerst stated that in arranging the water rights for the second phase of the program, involved agencies were working to simplify the minimum flow. Currently, minimum flow at the downstream gauge at the Highway 1 Bridge from December 1 until the Lagoon opened was 40 cubic feet per second (“cfs”). From when the Lagoon opened to April 15th, the minimum flow was 120 cfs. From April 16th to May 30th was 80 cfs, and from May 31 to November 30 the river was closed off by the State under its determination that it was over allocated.

VIII. OLD BUSINESS

There was no old business.

IX. NEW BUSINESS

A. COMMITTEE REPORTS

1. RULES AND REGULATIONS COMMITTEE

Revision of Rules and Regulations document to include language that addressed the membership of the Technical Advisory Committee - Mr. Evans stated that the committee consisted of Mayor Pendergrass, Director Costa, past director Lehman who had not been replaced, and Mr. Heisinger who had developed the original Rules and Regulations document. The red-lined changes presented had been emailed in advance to all committee members. No responses were received with the exception of Mayor Pendergrass.

It was Director Anthony's understanding that the public member of the TAC was required to live inside the boundaries of the Basin and that the stipulation had not been included in the Rules and Regulation revisions presented. Mr. Evans stated that he would include the stipulation as a revision. Under section 6.4 on page 9, fourth sentence, he felt that the word "initial" should be removed from "...the initial one-time..."

Director Anthony pointed out that the agenda item wording was specific to addressing the membership of the TAC. The changes made outside of that scope had not been noted on the agenda and therefore should not be considered for action at the meeting. He took exception to the change made to section 11.0, second sentence - ... *and the corresponding beginning and ending water meter readings that were used to calculate these quantities...*, stating that the reporting requirement significantly affected parties, especially CAW with the bulk of the wells and paying 91% of the fees to Watermaster. Mr. Evans responded that meter readings being used for production reporting would standardize the procedures and ensure that Watermaster could accurately calculate reported production to in-turn report production and replenishment assessments to the parties and to the judge.

Mr. Freeman stated that the board could consider the uncontested changes to the Rules and Regulations today, then bring back the issue of meter readings at a subsequent meeting.

Moved by Director Brower, seconded by Director Costa, and carried, with Director Anthony voting no, to approve the revisions to the Watermaster Rules and Regulations with the noted non-substantive changes to be made, and with the exception of the requirement to provide meter readings when reporting production.

X. INFORMATIONAL REPORTS (No Action Required)

- A. Timeline Schedule of Milestone Dates (Critical date monitoring)
- B. Technical Advisory Committee (TAC) minutes from February 9 and March 9, 2011 meetings

XI. DIRECTORS' REPORTS

There were no directors' reports.

XII. EXECUTIVE OFFICER COMMENTS

The Technical Advisory Committee regular meeting would be held Wednesday, May 11, 2011 in the MPWMD conference room at 1:30 p.m.

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

XIV. There being no further business, Vice Chairman Pendergrass adjourned the meeting at 3:06 p.m.