

REGULAR MEETING
Seaside Groundwater Basin Watermaster
October 3, 2012

I. CALL TO ORDER

Chairman Bruno called the meeting to order at 2:03 p.m.

II. ROLL CALL

Coastal Subarea Landowner – Director Paul Bruno, Chair
California American Water (“CAW”) – Director Eric Sabolsice
City of Seaside – Mayor Felix Bachofner
City of Del Rey Oaks – Mayor Jerry Edelen
Laguna Seca Subarea Landowner – Director Bob Costa
City of Sand City – Mayor David Pendergrass
Monterey Peninsula Water Management District (“MPWMD”) – Director Judi Lehman, Alternate
Monterey County/Monterey County Water Resources Agency (“MCWRA”) – Supervisor Dave Potter

Absent: City of Monterey – Mayor Charles “Chuck” Della Sala

III. APPROVAL OF MINUTES

Moved by Mayor Pendergrass, seconded by Mayor Edelen, and carried, to approve the minutes of the August 1, 2012 Watermaster regular meeting. Mayor Bachofner and Director Sabolsice abstained having not attended the August meeting.

2:06 p.m. – Supervisor Potter arrived at the meeting.

IV. REVIEW OF AGENDA

There were no requested changes to the agenda.

V. PUBLIC PARTICIPATION/ORAL COMMUNICATIONS

There were no public communications.

VI. CONSENT CALENDAR

- A. Consider approval of Summary for Payments made during August and September 2012 totaling \$34,050.43.
- B. Consider approving fiscal year financial reports through September 30, 2012.

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

VII. ORAL PRESENTATION: None scheduled.

VIII. OLD BUSINESS

A. COMMITTEE REPORTS

1. TECHNICAL ADVISORY COMMITTEE (TAC)

- a). The board received and reviewed the staff memorandum prepared by Technical Program Manager, Robert Jaques regarding modeling results on the effects to the Basin of temporary suspension of triennial pumping reductions and whether to **1).** Apply the suspension only to CAW or to both CAW and the City of Seaside, and **2).** File the motion for the suspension at the same time as the 2012 Watermaster

Annual Report to Court, or as a separate motion. Mr. Derrick Williams, Hydrometrics Water Resources Inc., gave a presentation of the highlights of the Technical Memorandum describing the results of groundwater modeling performed to determine the effects on groundwater levels in the Seaside Basin if Standard Producers were allowed to continue at 2011 pumping rates from Water Year 2012 through Water Year 2017, rather than being reduced the 10% triennial increment in 2014, as required by the Adjudication Decision. No replenishment sources were considered in the model beyond the existing ASR replenishment currently taking place. Modeling indicated that suspending triennial reductions for Standard Producers will cause the greatest water level impact from WY 2013 through WY 2017 at no more than a 7-foot differential, and the average change in potential seawater intrusion rate over the 22-year simulation period is less than 0.001 feet per day. Chair Bruno summarized that suspending pumping reductions would not harm the Basin over the long-term as modeling showed that water levels would recover completely. Although no assumptions on Basin replenishment beyond the operational ASR project were included in the modeling scenario, pending Basin replenishment projects may be implemented during the modeling timeline, achieving water level recovery earlier than the year 2031 as shown in the modeling.

Moved by Mayor Pendergrass, seconded by Director Costa, and unanimously carried for Watermaster to file a motion with the Court to allow Standard Producers' pumping rates to continue at 2011 pumping rates from Water Year 2012 through Water Year 2017. Additionally, the filing shall include a letter that lists pending Peninsula projects aimed at replenishing the Basin, noting that simulations run are to some degree worst case because they don't account for replenishment projects coming on line.

Moved by Mayor Bachofner, seconded by Director Sabolsice, and unanimously carried for Watermaster to request the Court allow both CAW and the City of Seaside – the Standard Producers under the Decision – the temporary suspension in pumping reductions.

Moved by Mayor Edelen, seconded by Mayor Bachofner, and unanimously carried to approve that the motion be filed with the Court separate and apart from the 2012 Annual Report to Court.

IX. NEW BUSINESS

A. COMMITTEE REPORTS

1. TECHNICAL ADVISORY COMMITTEE (TAC)

- a).** The board received and reviewed the memorandum from Mr. Jaques regarding consideration of a request for Watermaster to issue a letter of no objection for a proposed new housing development (the Wang subdivision) along Highway 68. Included with the memorandum is correspondence dated May 16, 2012 from Attorney Scott A. Sommer, Pillsbury, Winthrop, Shaw Pittman, LLP representing Peter and Grace Wang. Mr. Sommer provided to board members suggested wording for a letter of no objection listed as four points.

Moved by Director Costa, seconded by Director Sabolsice, and unanimously carried for Watermaster to issue a letter to Pillsbury et al stating no objection to the proposed Vesting Tentative Map Wang Subdivision (Monterey County APN Nos. 416-141-003, 416-151-003, and 416-151-004); Hidden Hills Lots 11, 13, and 20, incorporating the following points: Wang Wells Nos. 02-071, 07-11024, and 03-01132 are outside the Seaside Basin boundary as shown in the Decision; based upon current information available, it does not appear that the Wang wells and the Seaside Groundwater Basin Laguna Seca subarea are hydraulically connected; and the Board does not assert jurisdiction over the wells or the proposed subdivision.

- b). The board received and reviewed the memorandum from Mr. Jaques regarding consolidation into the Watermaster database well records obtained during well investigations; and to consider ending further well cross-aquifer contamination work. The board concurred to have the well records consolidated into the Watermaster database and to end further work regarding certain old and abandoned wells under Task I.3.d.of Watermaster RFS No. 2011-01with MPWMD – Evaluate Coastal Wells for Cross-aquifer Contamination Potential.
- c). The board received and reviewed the memorandum from Mr. Evans regarding proposed changes to the Watermaster Rules and Regulations.

Moved by Supervisor Potter, seconded by Mayor Edelen, and unanimously carried, to approve a revision to the board-adopted Watermaster Rules and Regulations Section 3.3 third sentence wording from: “The Watermaster Board shall appoint the Chairperson of any such committee or subcommittee” to read “Committee or subcommittee members shall elect the Chairperson and any other officers of any such committee or subcommittee.”

- d). (The board considered this item after item e., and separately under New Business as it is not TAC related.) The board received and reviewed the memorandum from Mrs. Dadiw regarding clarification of the schedule of repayment by CAW of artificial or in-lieu replenishment water to the Basin per the terms and conditions of the Memorandum of Understanding (MOU) between Watermaster and CAW executed January 21 & 29, 2009. The board concurred to have the board chairman determine directors to meet ad hoc on the issue prior to the next Watermaster Board meeting on November 28, 2012.
- e). The board received and reviewed the memorandum from Mr. Evans regarding the proposed change in date of the next Watermaster Board meeting. The board concurred to change the date of the next meeting from November 7 to November 28, 2012, to allow time for review of the 2012 Watermaster Annual Report to Court by the TAC at its meeting on November 14, 2012 before coming to the board for approval.

3:33 p.m. – Director Lehman left the meeting.

2. BUDGET AND FINANCE COMMITTEE with input from TAC

- a). The board received and reviewed the memorandum from Mr. Evans regarding the Unit Cost for Water Year 2012/13 Over Production Replenishment Assessment Amount.

Moved by Director Sabolsice, seconded by Mayor Edelen, and unanimously carried, to approve \$2,780 as the Unit Cost for Water Year 2012/13 Over-Production Replenishment Assessment Amount.

- b). The board received and reviewed the memorandums regarding the Watermaster proposed budgets for 2013.

Moved by Mayor Edelen, seconded by Mayor Bachofner, and unanimously carried, to approve the Watermaster 2013 Administrative Fund Budget as presented.

Moved by Mayor Edelen, seconded by Director Sabolsice, and unanimously carried, to approve the Watermaster 2013 Monitoring and Management Fund – Operations and Capital Budgets as presented.

The Replenishment Fund Budget is provided as informational.

X.INFORMATIONAL REPORTS (No Action Required)

- A. Timeline Schedule of Milestone Dates (Critical date monitoring)
B. Technical Advisory Committee (TAC) minutes from August 8 and September 12, 2012 meetings
C. Report of First and Second Quarter Water Year 2012 Groundwater—Quality and Groundwater—Level Data Collected for Seaside Groundwater Basin.

XI. DIRECTORS' REPORTS

There were no reports from directors.

XII. EXECUTIVE OFFICER COMMENTS

The next scheduled TAC meetings: Wednesday, October 10, 2012, and Wednesday, November 14, 2012 at 1:30 p.m. in the MRWPCA conference room.
The 2012 Watermaster Annual Report to Court will be filed no later than December 14, 2012.

- XIII. NEXT MEETING DATE – It was agreed that the next meeting would be a Special Meeting held on Wednesday, November 28, 2012, 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, Chairman Bruno adjourned the meeting 3:37 p.m.