

REGULAR MEETING MINUTES
Seaside Groundwater Basin Watermaster (Watermaster)
December 7, 2016

I. CALL TO ORDER – Chair Rubio called the meeting to order at 2:00 p.m.

II. ROLL CALL

City of Seaside – Mayor Ralph Rubio- Chair
City of Sand City – Mayor David Pendergrass – Vice Chair
California American Water (CAW) – Director Eric Sabolsice
Coastal Subarea Landowner – Director Paul Bruno
Laguna Seca Subarea Landowner – Director Bob Costa
City of Del Rey Oaks – Mayor Jerry Edelen
Monterey Peninsula Water Management District (MPWMD) – Director Bob Brower
Monterey County/Monterey County Water Resources Agency – Supervisor Dave Potter

Absent: City of Monterey – Vice Mayor Libby Downey

III. PUBLIC COMMUNICATIONS: There were no public communications.

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

V. APPROVAL OF MINUTES

Moved by Mayor Pendergrass, seconded by Supervisor Potter, and unanimously carried, to approve the minutes of the Watermaster Regular Board meeting held October 5, 2016.

VI. CONSENT CALENDAR

- A. Consider approval of Summary of Payments made September-November 2016 totaling \$22,355.00.
- B. Consider approving Fiscal Year 2016 Financial Reports through November 30, 2016.
- C. Consider Approval of Minor Revisions to the 2017 Work Plan and Budget for the Management and Monitoring Program
- D. Consider approving the following Professional Service Contracts for Fiscal Year 2017:
 - 1. Two Contracts with MPWMD – one for \$53,454 and the second one for \$4,788, both pertaining to monitoring and other work on the Seaside Groundwater Basin Management and Monitoring Program (M&MP)
 - 2. Two Contracts with HydroMetrics Water Resources, Inc. – one for \$11,400 for providing ongoing and as-requested general hydrogeologic consulting services during the year and the second for \$20,890 to prepare the Seawater Intrusion Analysis Report (SIAR) for 2017
 - 3. Two Contracts with Martin Feeney – a Professional Services Agreement (no cost involved), and a RFS for \$25,685.56 for Sentinel Wells induction logging and water quality sampling
 - 4. One Contract with Todd Groundwater – to extend the completion time of a previously authorized contract (RFS 2015-01) that has a balance remaining of \$4,876.92
 - 5. One Contract with Brownstein Hyatt Farber Schreck, LLP (Russ McGlothlin, Esq.) – for \$14,000 to provide legal services to prepare and file a motion, and appear on March 17, 2017 at a status conference hearing with Judge Nichols of the Superior Court; assist with filing the Watermaster Annual Report to Court by December 15, 2017 as may be needed by Watermaster; and provide miscellaneous legal consultation as may be required

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

VII. ORAL PRESENTATION: None Scheduled

VIII. NEW BUSINESS

A. COMMITTEE REPORTS

1. TECHNICAL ADVISORY COMMITTEE (TAC)

a. Seawater Intrusion Analysis Report (SIAR) for 2016

Mr. Jaques gave highlights of the submitted Executive Summary. The complete SIAR was provided on the Watermaster web site at <http://www.seasidebasinwatermaster.org>. The TAC reviewed the SIAR and revisions are incorporated in the final draft. This year for the first time the potential onset of seawater intrusion was detected in two of the coastal Sentinel Wells. However data from other wells in the general vicinity of the Sentinel Wells does not indicate any seawater intrusion is occurring. Due to the conflicting data, no conclusions can be drawn at this time regarding initial onset of seawater intrusion. The Sentinel wells and Ord Terrace well will be re-sampled by mid-December. It is hoped that the results of the re-sampling will be available to the TAC at its January 11, 2017 meeting. A data logger will be installed in one of the monitoring wells to continuously record data. The costs of the re-sampling and data logger install are included in the scopes of work for Mr. Martin Feeney (Sentinel wells) and MPWMD (Ord Terrace and data logger) approved under the consent agenda earlier in this meeting.

Director Bruno emphasized that Basin data needs to be analyzed more timely so that any indication of a change in Basin health is detected immediately instead of being determined months later as in this case. Factors contributing to the delay were discussed and more efficient data monitoring procedures were suggested.

Moved by Director Bruno, seconded by Director Costa, and unanimously carried, to approve the 2016 Seawater Intrusion Analysis Report as presented.

B. Declaration of Unavailability of Artificial Replenishment Water for 2017

Mr. George Riley addressed the board, supporting Supervisor Potter's position that Aquifer Storage and Recovery should be considered Basin replenishment. Directors Sabolsice and Bruno noted that, although of environmental benefit to the Basin, ASR does not meet the Decision parameters of "new water" due to its short-term storage and unavailability for purchase

It was moved by Director Bruno, seconded by Mayor Edelen, and unanimously carried to adopt for Water Year 2017 a Declaration regarding the Unavailability of Artificial Replenishment Water and listed allocations.

C. Watermaster Annual Report to Court for Water Year 2016

Mr. Jaques gave highlights of the submitted body of the 2016 Annual Report. The complete report was provided on the Watermaster web site at <http://www.seasidebasinwatermaster.org>. The TAC reviewed the report and revisions are incorporated in the final draft. The deadline for submittal to the Court is December 15, 2016. Mr. Jaques noted that additional information on the status of the Basin and progress on water supply projects will be presented to the Court at a status conference hearing scheduled for March 2017. Director Sabolsice noted that production from the Basin during 2016 was below both the Operating Yield and the Natural Safe Yield for the first time since Watermaster inception, due in large part to significant water conservation efforts.

Moved by Mayor Edelen, seconded by Director Sabolsice and unanimously carried, to approve the Watermaster 2016 Annual Report to Court, with the addition of a sentence highlighting the fact that production from the Basin during 2016 was below both the Operating Yield and the Natural Safe Yield for the first time since Watermaster inception, and that this is de facto in lieu replenishment of the Basin.

IX. OLD BUSINESS:

- A. Marina Coast Water District (MCWD) Notification to the Department of Water Resources to Become a Groundwater Sustainability Agency (GSA) Under the Sustainable Groundwater Management Act (SGMA).

Supervisor Potter requested this agenda item for two reasons: 1) to find out why MCWD was requesting a GSA not consistent with its service area; and 2) why, after initially supporting a collaborative effort in working with Joint Powers Authority (JPA) agencies to establish a GSA for the noted areas of the Salinas Valley Basin, MCWD then dropped out of the collaborative effort to pursue its own GSA. Mr. Keith Van Der Maaten, MCWD General Manager stated that in an effort to uphold the SGMA intent of optimizing local management of service areas for sustainability, MCWD proactively requested to be the GSA for the MCWD service area and the Bureau of Land Management lands that are hydraulically connected to it; various MCWD plans (conservation, environmental, recycled water) will work with the SGMA plan to ensure sustainability of the water supply for MCWD ratepayers. He state that MCWD has not withdrawn and remains a participant in the collaborative effort that Supervisor Potter mentioned. However MCWD felt that establishing its own GSA for the areas would offer more direct interaction with rate payers at a more affordable cost than multi-agency involvement. Mr. Van Der Maaten stated that there are areas within the subbasin not covered by the requested GSA that would require County involvement with which MCWD would fully cooperate.

Supervisor Potter suggested MCWD consider a more collaborative effort with the JPA to manage the Salinas Valley Basin. Mayor Rubio raised concern that once the MCWD contract with the Fort Ord Reuse Authority to service areas beyond district boundaries expires, and once the MCWD GSA is established over lands not in its service area, consumers in those areas will be in effect “annexed” into the MCWD without benefit of processes such as Local Agency Formation Commission, Sphere of Influence, CEQA, and EIR. Since a district is not allowed to collect fees from consumers outside its boundaries, MCWD would not have a mechanism to collect fees to cover the cost of managing the areas. Mayor Edelen felt the litigious proclivity of MCWD against numerous agencies has created a general distrust of its motives. Supervisor Potter indicated that, believing MCWD’s notice to be defective, the County is considering filing a protective notice with the State Department of Water Resources so that the Salinas Valley Basin GSA has time to form and file notice as GSA for the Monterey sub-basin.

Moved by Supervisor Potter, seconded by Mayor Edelen and unanimously carried, that a letter of concern outlining the issues discussed regarding the MCWD notice of intent to form a GSA for the Monterey sub-basin be sent to the State Water Resources Control Board.

X. INFORMATIONAL REPORTS:

- A. Timeline Schedule of Milestone Dates (Critical date monitoring)
B. Technical Advisory Committee minutes from meetings of September 14 and November 16, 2016
C. Watermaster report of production from the Seaside Basin for Water Year 2016
D. Replenishment Fund Assessment calculations and Standard Producer Assessments for 2016

XI. DIRECTOR'S REPORTS

Director Sabolsice announced that board alternate Roger Hulbert was changing positions at CAW and would no longer be alternate to the Watermaster board. Nina Miller, now Operations Manager, will assume that appointment.

Supervisor Potter, who will be leaving the County Board of Supervisors at year-end, expressed his appreciation to the board for all its efforts. Mayor Rubio in turn expressed thanks to Supervisor Potter for the experience, wisdom, and guidance that he has brought to the board.

XII. ADMINISTRATIVE OFFICER COMMENTS:

Mrs. Dadiw commented that the January 4, 2017 regular board meeting may be canceled and a special meeting scheduled after the January 11, 2017 TAC meeting to allow time for the committee to review the results of the re-sampling of the wells scheduled to be performed on December 14, 2016.

XIII. NEXT MEETING DATE: The next meeting of the Watermaster board will be held January 4, 2017 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, Chair Rubio adjourned the meeting at 2:46 p.m.