MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5600
FAX (831) 644-9560 • http://www.mpwmd.dst.ca.us

SUPPLEMENT TO 2/24/05 MPWMD BOARD PACKET

Attached are copies of letters received between January 12, 2005 and February 10, 2005. These letters are also listed in the February 24, 2005 Board packet under item 19, Letters Received.

Author	Addressee	Date	Topic
G. W. Piercy, Jr.	David A. Berger	1/17/05	Damage to river bank adjacent to Hacienda Carmel *(3/11/05 Response from David A. Berger is also attached)*
Christine Gianascol Kemp	Larry Foy	1/19/05	Bardis Appeal: Single Well Distribution System, No. 20040426BAR
Fred Meurer	David A. Berger	1/19/05	Future Water Needs Estimate
Lew C. Bauman	Larry Foy	1/21/05	2004 Monterey County Civil Grand Jury Report
Walter N. Clark	Larry Foy	1/25/05	Request to Amend Permit No. 20676
Ron Langford	David A. Berger	1/27/05	Future Water Needs Estimate
Lloyd W. Lowrey, Jr.	David A. Berger	2/3/05	Water Issues
Stan Pletz	David Potter	2/6/05	Transfer Policy
Jeffrey S. Cairns	David A.Berger	2/7/05	Future Water Needs Estimate of Presidio of Monterey

HACIENDA CARMEL COMMUNITY ASSOCIATION

1000 Hacienda Carmel
Carmel, California • 93923-7949
Telephone (831) 624 - 8261 • Fax (831) 625 - 7805
www.haciendacarmel.us

RECEIVED

JAN 20 2005

MPWMD

January 17, 2005

Mr. David A. Berger
General Manager
Monterey Peninsula Water Management Dist.
P.O. Box 85
Monterey, CA 93942-0085

Dear Mr. Berger,

Thank you for your visit of Friday, January 14th, regarding the review of the damage to the river bank adjacent to Hacienda Carmel. We are indeed fortunate that you will be directing your staff to draw up the necessary plans, in order to alleviate this concern in the near term.

Hacienda Carmel is prepared to provide a reasonable amount of funding, and we will work in kind as available, to assist the District in its future construction efforts.

As outlined in my recent conversation with you, Hacienda Carmel's berm is the protective dike that provides our membership with necessary flood protection. It is of the utmost urgency that this dike continue to provide a safety measure to protect the lives of the nearly four hundred people that reside at Hacienda Carmel. Thank you for your understanding and concern.

Very truly yours,

G. W. Piercy, Jr.
General Manager

GWP:jpm

MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5600
FAX (831) 644-9560 • http://www.mpwmd.dst.ca.us

February 11, 2005

Mr. G. W. Piercy, Jr., General Manager
Hacienda Carmel Community Association
1000 Hacienda Carmel
Carmel, CA 93923

Dear Bill,

I am writing in response to your December 29, 2004 letter to our Board Chairman, Larry Foy regarding Carmel River conditions adjacent to Hacienda Carmel's north berm. We appreciate your favorable comments regarding the excellent service and support that District staff has provided to your Association over the years. As we discussed during our meeting at Hacienda Carmel on January 14 of this year, we also share your concern about bank stability conditions in this particular reach of the Carmel River.

As we discussed on the 14th, District staff have an on-going goal of developing a potential restoration project that would address both the river flow problem described in your letter and improve habitat for protected steelhead. As we also discussed, it's my understanding that the federal agency responsible for protecting steelhead in the river, now known as NOAA Fisheries, rejected the District's previous restoration project design for the portion of the Carmel River that runs past Hacienda Carmel. To avoid such an outcome on future restoration projects submitted for federal regulatory approval, the District subsequently applied for, and last year received a Regional General Permit from the U.S. Corps of Engineers that incorporates NOAA Fisheries' riverbank restoration guidelines. In the ensuing years, unfortunately, District funding for river restoration projects lapsed, and no capital funds currently are budgeted for any restoration project. This is due to the District's deteriorated financial condition resulting from a significant increase in the amount of District property taxes the State "hijacked" to help bail itself out of its most recent and continuing fiscal crisis. In recognition of its continuing importance, however, I have directed the District Engineer, Andy Bell to have his staff begin preliminary work on a new restoration project design, and we will address its funding potential as part of our fiscal 2005-06 budget planning.

We appreciate Hacienda Carmel's interest in providing financial and in-kind assistance on this restoration project, as expressed in your January 17, 2005 letter. I've asked Andy

or Larry Hampson to keep you informed and gain the Association's input as we move ahead on a new design effort.

I enjoyed meeting you, and hope to return in the future for a more complete overview of Hacienda Carmel as time permits. Feel free to contact me if I can be of further help.

Sincerely,

David A. Berger
General Manager

cc Chair/Board of Directors
A. Bell
L. Hampson

U:\Arlene\word\2005\Letters\February\Piercy0211.doc

NOLAND
HAMERLY
ETIENNE
HOSS

Attorneys at Law | A PROFESSIONAL CORPORATION

WWW.NHEH.COM
E-MAIL CKEMP@NHEH.COM
831-424-1414 EXT. 224
OUR FILE NO. 18363.000

January 19, 2005

Larry Foy
Chair, MPWMD
24603 Lower Trail
Carmel, CA 93923

Re: Bardis Appeal; Single Well Distribution System, No. 20040426BAR

Dear Mr. Foy:

The Bardis Appeal will be **before your Board on Thursday, January 27th.** The well, which is the subject of this appeal, is to serve a four-bedroom headmaster's home for All Saints Day School. Mr. Bardis intends to construct the home and donate it to the School.

District staff set an overall production limit of 14.91 acre feet/year (afy) for the well; allocating 0.44 afy for residential use, including landscape irrigation, and the remaining 14.47 afy for agricultural use.

Mr. Bardis does not contest the overall production limit of 14.91 afy.

Mr. Bardis' appeal relates solely to the amount of water allocated for residential use, including landscape irrigation.

Mr. Bardis seeks a residential allocation of .7 afy, rather than the .44 afy allocated by staff, with the remaining 14.21 afy allocated for agricultural use.

Basis for Granting the Appeal

Staff based its 0.44 residential allocation on water use figures (125 gallons/day/person "gpd") from the 1994 Grice Report[1] using a household population of 3.17 persons per household.

[1] The Grice Report is also obsolete.

The Grice Report indicates, however, that the 3.17 household population figure was based on an average household number, including persons residing in apartments and townhouses. The home Mr. Bardis is building for the School has four bedrooms, which would have a household population closer to 5 persons, rather than 3.17 persons.

Applying the Grice Report water use figures (125 gpd/person) to a realistic household population of 5, rather than 3.17, results in a water use figure of 0.7 afy[2] for residential use (including landscape irrigation). This is the amount Mr. Bardis requests.

Moreover, the District's own water fixture unit count for this home results in 0.7 afy being the amount of water that should be allocated to this project, and is the amount upon which permit fees are being paid.

Lastly, homes adjacent to this home have been previously allocated 1 afy of water for residential use, including landscape irrigation, consistent with the .7 afy Mr. Bardis seeks for this home.

Based on the above, the appropriate allocation for residential use for this well, including landscape irrigation, is 0.7 afy, not the 0.44 afy allocated by staff.

Options Presented by Staff

Late Thursday, January 13, 2005, staff presented Mr. Bardis with three options regarding his appeal. Mr. Bardis does not accept these options for the reasons set forth below.

Option 1: Was to deny the appeal, leaving Mr. Bardis with .44 afy of water for residential use, including landscape irrigation, for this house.

This option is unacceptable.

As stated above, an allocation of .44 afy for residential use (including landscape irrigation) is incorrect for this four-bedroom home which will have a realistic population of 5 persons. To deny this request, is to require that no more than 3.17 people reside in this house. That is an unreasonable application of the Grice Report, and results in a restraint on how many people can reside in this home.

---

[2] The Grice Report was based on an average household population of 3.17 persons (see page 5) including mobile homes, multiple unit residences, and labor camps (see page 7). The residence this well will serve is a four bedroom single family dwelling with an average household population of 5 persons. Based on the Grice Report each person is expected to use 125 gallons per day (page 5). Based on a household population of five (5) persons, daily domestic water use would be 625 gallons per day, which equals 228,125 gallons per year or .7 acre feet/year (228,125 gallons / 325,851 gallons/ac. ft) for potable residential use, including landscape irrigation.

Option 2A: Was to continue the matter until District staff conducts further environmental review.

This option is unwarranted.

The issue at hand is whether issuing a permit for .7 afy for residential use, including landscape irrigation, based on the water demand figures of the Grice Report (125 gpd/person) using a household population of 5, rather than 3.17, is consistent with the Court Order and Stipulation, **not** whether it violates CEQA.

Moreover, pursuant to the original Court Order and subsequent Stipulation, Mr. Bardis has 14.91 afy[3] of water available for use on this property without doing further environmental review. Additional CEQA review is required **only** if the owner wants to increase water use above 14.91 afy. Mr. Bardis is not doing that, as the overall allocation of water under this permit remains at 14.91 afy for this 10 acre site.

Option 2B: Was to continue the matter until the Applicant seeks a revised Court Order or conducts further environmental review through the County.

This option is also unwarranted for the reasons set forth in the Option 2A discussion above.

Indemnification

If the District is concerned, as described in the Staff Report, about the cost of potential litigation arising from the Board's actions to approve this appeal, Mr. Bardis hereby agrees to indemnify, defend and/or hold MPWMD, its officers, directors, employees, agents or subconsultants harmless from any claim, damage, liability, or cost (including reasonable attorneys' fees and costs of defense) which may arise with respect to MPWMD's granting the appeal herein establishing an overall production limit of 14.91 acre feet/year (afy) for this well with an allocation of .7 afy for residential use, including landscape irrigation, and the remaining 14.21 afy for agricultural use.

Findings for Approval

Mr. Bardis will submit Draft Findings for Approval for your consideration prior to your January 27th Board meeting, as suggested in the District's appeal material.

[3] The Stipulation acknowledges that the 1 afy of water (5 afy total) was allocated to five adjacent parcels reducing the water available for this site to 14.91 afy.

Conclusion

No further CEQA review is required for this project and approval is in compliance with the law, as set forth above.

Mr. Bardis respectfully requests that your Board grant his appeal and increase the residential water allocation to .7 afy, with the remaining 14.21 afy allocated to agricultural use.

Mr. Bardis is anxious to build and donate a headmaster's house for All Saints Day School. His ability to deliver a home to the School that will meet their needs, however, is dependent upon your Board's decision.

Sincerely,

NOLAND, HAMERLY, ETIENNE & HOSS
A Professional Corporation

Christine Gianascol Kemp

CGK:ng

Note: Same letter sent to each District Board Member

cc: Mr. David Berger, District General Manager
Mr. David Laredo, District Counsel
Mr. Christo Bardis
Mr. Roger Post, All Saints School

CITY OF MONTEREY

Colton Hall, California Constitution Hall 1849

RECEIVED
JAN 25 2005
MPWMD

January 19, 2005

David Berger, General Manager
MPWMD
P.O. Box 85
Monterey, CA 93942

Subject: Future Water Needs Estimate

Dear Mr. Berger:

Thank you for the correspondence dated October 5, 2004 requesting information on our build-out figures. Thank you also for providing us additional time to review our estimated build-out figures contained in a new General Plan with our City Council. The Council adopted the new General Plan on January 4, 2005. The General Plan provides the framework for future development through 2023. The environmental impact report for the General Plan contains the figures you have requested as well as a portion of the City's estimated future water requirements. I have enclosed a table that outlines these figures and calculations for your review. These numbers do not include growth at the Naval Postgraduate School or Defense Language Institute. I recommend you contact them directly to get their official water needs. The only figure not included on the table is our estimate of the water usage for 17 acres of new irrigated parkland. We would, however, like to be involved in developing the estimated water use for this parkland.

Please continue to work closely with Senior Planner and Technical Advisory Committee (TAC) member Chip Rerig as you prepare estimates for review by the Monterey Peninsula Water Management District Board. You may contact Mr. Rerig at 646-3437 with all inquiries regarding our figures. Lastly, we would appreciate the opportunity to review any draft estimates at a TAC meeting prior to review by the Board.

Thank you for your attention to this matter. Please feel free to contact me at 646-3760 if you have any questions or require additional information.

Sincerely,

Fred Meurer
City Manager

Enclosure

c: City Council
Community Development Director
Senior Planner Rerig
Deputy PW Director Uslar
Deputy PW Director Turnbeaugh
Deputy PW Director Stafford
COL Cairns, Garrison Commander, Defense Language Institute, Presidio of Monterey, CA 93944
COL (ret) Dausen, Campus Planning & Development Svcs., Naval Postgraduate School, 1 University Way, Building 220 Rm 159, Monterey, CA 93943

City of Monterey
Future Water Needs
January 19, 2005

COMMERCIAL	Total Acres	Sq. Ft. In Acre	Total Sq. Ft.	Lot Coverage Standard	Anticipated Development Sq. Ft.	10% New Sq. Ft.	Anticipated New Development Sq. Ft.	Split High/Low Water Use	Anticipated New Development Breakdown Sq. Ft.	Water Use Factor	Estimated Water Needed (acre-feet)	Total (acre-feet)
Downtown/ East Downtown	61	43,560	2,657,160	0.5	1,328,580	0.1	132,858	0.6	79,715	0.00007	6	
								0.4	53,143	0.0002	11	
												17
North Fremont	48	43,560	2,090,880	0.5	1,045,440	0.1	104,544	0.6	62,726	0.00007	4	
								0.4	41,818	0.0002	8	
												12
Lighthouse/Wave	38	43,560	1,655,280	0.5	827,640	0.1	82,764	0.6	49,658	0.00007	3	
								0.4	33,106	0.0002	7	
												10
Cannery Row	18	43,560	784,080	1	784,080	0.1	78,408	0.6	47,045	0.00007	3	
								0.4	31,363	0.0002	6	
												9
												48
20% Water Contingency for Other Areas Not Specified (acre-feet)												10
Commercial Totals			**7,187,400**		**3,985,740**		**398,574**					**58**

RESIDENTIAL	Units	Water Use Factor	Total (acre-feet)
Single-Family	163	0.25	40.8
Multi-Family	500	0.134	67.0
Mixed Use	1,302	0.134	174.5
DLI and NPS	170	0.047	8.0
Residential Totals	**2,135**		**290.2**

MONTEREY COUNTY

COUNTY ADMINISTRATIVE OFFICE

LEW C. BAUMAN
COUNTY ADMINISTRATIVE OFFICER

230 CHURCH ST., BLDG. 3
SALINAS, CA 93901
(831) 755-5115
FAX (831) 757-5792
www.co.monterey.ca.us

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JAN 25 2005
MPWMD

January 21, 2005

Mr. Larry Foy
Chair, Board of Directors
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, CA 93942-0085

Dear Mr. Foy,

Pursuant to the 2004 Monterey County Civil Grand Jury Report the Monterey County Board of Supervisors respectfully requests that you respond to the item listed below.

Section: Cities and Special Districts
Report Title: Rippling River Public Housing Facility

Page 175 of the Report states:

"Monterey County Board of Supervisors Direct the Monterey Peninsula Water Management District Board to Address the Following:

Findings: 2 and 3
Recommendations: 5 and 8
Due date: April 4, 2005."

The 2004 Civil Grand Jury Report, including instructions on how to respond, can be found at:

http://www.monterey.courts.ca.gov/grand%20jury%202004/GRAND%20JURY%20FINAL%20REPORT%202004%2012-04.pdf

Please provide a copy of your response to the Monterey County Administrative Office, c/o Annette D'Adamo, 240 Church St., Bldg 3, Salinas, CA 93901 for distribution to the Board of Supervisors. Should you have any questions you can reach Ms. D'Adamo at (831) 796-3045 or dadamoa@co.monterey.ca.us.

Sincerely,

Lew C. Bauman
County Administrative Officer

LCB/ad

RECEIVED
JAN 25 2005
MPWMD

Walter N. Clark
1254 Del Monte Boulevard
Pacific Grove, California 93950
(831) 646-1956

LARRY FOY
BOARD MEMBER
MONTEREY PENINSULA WATER MANAGEMENY DISTRICT

For you information, the following e-mail was sent to Gabby Ayala on January 20. It is in reply for her refusal to my son's, Donald Clark, request to amend Permit # 20676 to allow the installation of a shower in the bathroom addition to his sister's home at 8 Mescal Place in Seaside. Details of his request can be obtained from Ms. Ayala.

Mr. Clark is an Attorney and The Secretary of the United States Federal Trade Commission .

HOW COULD YOU REFUSE TO AMEND THE PERMIT FOR HIS SISTER AND MY DAUGHTER, DEBRA GRAMESPACHER, TO ALLOW THE INSTALLATION OF A SHOWER IN THE ADDITION TO HER HOME AT 8 MESCAL PLACE, SEASIDE. ONE OF THE DISTRICT'S MAIN FUNCTIONS IS THE CONSERVATION OF WATER. AS HIS REQUEST POINTS OUT, THE INSTALLATION OF A SHOWER IN THE ADDITION WITH ITS INSTANT HOT WATER SUPPLY WOULD SAVE UP TO 1,000 GALLONS OF WATER A YEAR OVER USING THE EXISTING APROVED SHOWER WHICH REQUIRES THE WASTE OF ABOUT 1 1/2 GALLONS OF WATER BEFORE HOT WATER ARRIVES.

YOU SAY THERE IS A SHORTAGE OF 1 1/2 FIXTURE UNITS. FORGET FIXTURE UNITS. ONE OF THE DISTRICT'S BASIC PURPOSES IS THE CONSERVATION OF WATER. THIS AMENDMENT WOULD ACHIEVE THAT PURPOSE. (AND WOULD SAVE MY 81 YEAR OLD BODY FROM HAVING TO TRAVEL ABOUT 100 FEET AND NEGOTIATE A 14 STEP STAIRCASE TO GET A SHOWER.)

Walter N Clark

17

Arlene Tavani

From: Normanpgss@cs.com

Sent: Thursday, January 20, 2005 10:29 PM

To: Arlene Tavani

Subject: TO GABBY AYALA-Re DONALD CLARK'S REQUEST FOR AMENDMENT TO PERMIT

HOW COULD YOU REFUSE TO AMEND THE PERMIT FOR HIS SISTER AND MY DAUGHTER, DEBRA GRAMESPACHER, TO ALLOW THE INSTALLATION OF A SHOWER IN THE ADDITION TO HER HOME AT 8 MESCAL PLACE, SEASIDE. ONE OF THE DISTRICT'S MAIN FUNCTIONS IS THE CONSERVATION OF WATER. AS HIS REQUEST POINTS OUT, THE INSTALLATION OF A SHOWER IN THE ADDITION WITH ITS INSTANT HOT WATER SUPPLY WOULD SAVE UP TO 1,000 GALLONS OF WATER A YEAR OVER USING THE EXISTING APROVED SHOWER WHICH REQUIRES THE WASTE OF ABOUT 1 1/2 GALLONS OF WATER BEFORE HOT WATER ARRIVES.

YOU SAY THERE IS A SHORTAGE OF 1 1/2 FIXTURE UNITS. FORGET FIXTURE UNITS. ONE OF THE DISTRICT'S BASIC PURPOSES IS THE CONSERVATION OF WATER. THIS AMENDMENT WOULD ACHIEVE THAT PURPOSE. (AND WOULD SAVE MY 81 YEAR OLD BODY FROM HAVING TO TRAVEL ABOUT 100 FEET AND NEGOTIATE A 14 STEP STAIRCASE TO GET A SHOWER.)

A COPY O THIS E-MAIL IS BEING SENT TO EACH BOARD MEMBER BY U.S. MAIL.

WALTER N. CLARK 1254 DEL MONTE BOULEVARD, PACIFIC GROVE, CALIFORNIA, 646-1956,
normanpgss@cs.com

CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940
PHONE (831) 394-8511 • FAX (831) 394-6421

OFFICE OF The Acting City Manager

RECEIVED
JAN 31 2005
MPWMD

January 27, 2005

Mr. David A. Berger
General Manager
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, CA 93942

RE: Future Water Needs Estimate

Dear Mr. Berger:

In keeping with your request, the following is submitted as an estimate of the long-term water needs for the City of Del Rey Oaks using the City's Master Plan and current projections. (Note: These estimates do not include the City's Plans for the former Fort Ord, outside the jurisdiction of the MPWMD.)

1. 300 room hotel and mixed use development on the City owned 17 acre parcel.
2. Revitalization of the City owned 10 acre Golf Driving range.
3. 17 lots of record for residential housing.
4. 100 residential remodels – bathroom units.
5. 10% contingency.

If you have any questions or need clarification, please contact me anytime.

Sincerely,

Ron Langford
Acting City Manager

Cc: Mayor & City Council

NOLAND
HAMERLY
ETIENNE
& HOSS

Attorneys at Law | A PROFESSIONAL CORPORATION

WWW.NHEH.COM
E-MAIL LLOWREY@NHEH.COM
(831) 424-1414

February 3, 2005

RECEIVED
FEB - 7 2005
MPWMD

Mr. Dave Berger, General Manager
Monterey Peninsula Water Management District
Post Office Box 85
Monterey, CA 93942

Re: Water Issues

Dear Mr. Berger:

This will confirm that my clients, the members of the Independent Reclaimed Water Users Group ("IRWUG"), do not object to the inclusion within the Recycled Water Sales Agreement for Stevenson School of Section 6.4 from the Stevenson School's 1992 Water Sales Agreement. I understand that provision reads as follows:

> "Special Circumstances of Buyer in Future Water Supply Emergencies. The parties acknowledge that Buyer operates the School as a private, non-profit secondary educational institution, and that the athletic fields to be irrigated with Reclaimed Water are an integral part of the School's campus which also includes facilities which require potable water for domestic purposes such as classroom and dining facilities for resident and day students and faculty, resident student dormitories and faculty housing. The parties further acknowledge that Buyer's ability to reduce potable water use for the domestic purposes described above is limited, on account of permanent conservation measures implemented by Buyer, and that Buyer, to fully meet the potable water reductions required by water rationing in past water supply emergencies, has relied on reducing potable water irrigation of the athletic fields. WMD recognizes and agrees that Buyer's ability to reduce its total Cal-Am water consumption during water supply emergencies and/or water rationing will be diminished as a result of Buyer's participation in the Reclamation Project.
>
> In the event that, after the Commercial Operation Date, WDM declares a water supply emergency and/or imposes water rationing on users of potable water within the Cal-Am service area, WDM

agrees that consideration shall be given to Buyer's participation in the Reclamation Project and the resulting effect on Buyer's ability to comply with the water rationing requirements effective at that time, so that Buyer does not suffer a detriment or disadvantage in Buyer's ability to meet the water rationing requirements then in effect on account of Buyer's participation in the Reclamation Project. This consideration shall not bind or limit the WMD Board's discretion."

Sincerely,

NOLAND, HAMERLY, ETIENNE & HOSS
A Professional Corporation

Lloyd W. Lowrey, Jr.

LWL:mc

cc: Independent Reclaimed Water Users Group

emergencies and/or water rationing will be diminished as a result of Buyer's participation in the Reclamation Project.

In the event that, after the Commercial Operation Date, WMD declares a water supply emergency and/or imposes water rationing on users of potable water within the Cal-Am service area, WMD agrees that consideration shall be given to Buyer's participation in the Reclamation Project and the resulting effect on Buyer's ability to comply with the water rationing requirements effective at that time, so that Buyer does not suffer a detriment or disadvantage in Buyer's ability to meet the water rationing requirements then in effect on account of Buyer's participation in the Reclamation Project. This consideration shall not bind or limit the WMD Board's discretion.

6.5 Upon request, Buyer shall be entitled to receive from WMD copies of any reports prepared by or on behalf of WMD relating to the use of Reclaimed Water and potable water by the Open Spaces for irrigation, including, without limitation, any reports relating to any Shortfall Periods.

7. Operation of the Reclamation Project.

7.1 Standards of Operation. Buyer shall ensure that the Irrigation System is operated, maintained and repaired in compliance with (a) applicable provisions of federal, state and local laws, regulations, permits and approvals, including, without limitation, the Permits, (b) insurance policies in place with respect to such Irrigation System, (c) good engineering practices, and (d) prudent business practices. WMD shall require that the Project be operated, maintained and repaired as provided in the Construction and Operation Agreement.

7.2 Insurance on Irrigation System.

(a) Commencing with the Commercial Operation Date, Buyer shall obtain and maintain in effect during the term of this Agreement insurance for the Irrigation System, with such coverages (including with respect to risks, amounts and deductibles), and with such insurance companies, as are approved by WMD and PBC, which approval shall not be unreasonably withheld or delayed. Each such insurance policy shall (1) name WMD and PBC as an additional insured thereunder, and (2) provide that it may not be terminated or amended or otherwise modified, in any material respect, without WMD and PBC being given at least thirty (30) days prior written notice of such termination, amendment or modification. Upon receipt of any such notice, WMD and PBC shall have the same approval rights with respect to any replacement policy or any material amendment or other modification as they had with respect to the original policy. Upon the initial placement 2and the renewal of each such insurance policy, Buyer shall provide

water available through the Distribution System shall be allocated among all of the Open Spaces in the manner agreed by all of the Owners. In the absence of such agreement, the aggregate amount of Reclaimed Water and potable water available during any given Shortfall Period shall be allocated among each of the Owners as follows:

(a) Each Golf Course Open Space shall receive an equal quantity of Reclaimed Water and potable water up to a maximum of fifty thousand (50,000) gallons per day and each Other Open Space shall receive an equal quantity of Reclaimed Water and potable water up to a maximum of five thousand (5,000) gallons per day (in either case, such quantity is referred to as the "Minimum Allotment").

(b) After each Open Space has received its full Minimum Allotment, any additional Reclaimed Water and potable water available during the Shortfall Period shall be allocated among each of the Owners for use in their sole discretion on their respective Open Spaces in accordance with their respective Percentage Shares set forth in attached Exhibit C.

(c) If Buyer's Property consists of more than one of the Open Spaces, then Buyer's Minimum Allotment and Percentage Share shall be the aggregate of the Minimum Allotments and Percentage Shares for all the Open Spaces owned by Buyer. In that case, Buyer may use its Minimum Allotment and its Percentage Share of any additional Reclaimed Water and potable water available during any Shortfall Period on all or any of the Open Spaces owned by Buyer in any manner Buyer determines in its sole discretion.

(d) At no time during any Shortfall Period or otherwise during the term shall any Open Space receive a quantity of Reclaimed Water and potable water in excess of its irrigation requirements.

6.4 Special Circumstances of Buyer in Future Water Supply Emergencies. The parties acknowledge that Buyer operates the School as a private, non-profit secondary educational institution, and that the athletic fields to be irrigated with Reclaimed Water are an integral part of the School's campus which also includes facilities which require potable water for domestic purposes such as classroom and dining facilities for resident and day students and faculty, resident student dormitories and faculty housing. The parties further acknowledge that Buyer's ability to reduce potable water use for the domestic purposes described above is limited, on account of permanent conservation measures implemented by Buyer, and that Buyer, to fully meet the potable water reductions required by water rationing in past water supply emergencies, has relied on reducing potable water irrigation of the athletic fields. WMD recognizes and agrees that Buyer's ability to reduce its total Cal-Am water consumption during water supply

RECEIVED

FEB -8 2005

MPWMD

02/06/2005

Stan Pletz
Pletz Investment Co.
1464 SOS Drive
Walnut Creek, Ca. 94597

925 932-5746
925 935- 2132 Fax

stan8262002@yahoo

Monterey Peninsula Water Management District
5 Harris Ct. Blg. G
Monterey, Ca. 93940

Subject Transfer Policy

Recently I attended an Ad Hoc Committee on the water issue with the City of Pacific Grove and I have attached a copy of the agenda. Also I have attached a copy of a letter that I had sent to Mr. Dave Potter that provides background of our frustration with the water issue.

At the Ad Hoc meeting they mentioned that there are new guidelines for water transfer in the county and it would be best for me to contact the water n\management board for the current policy. Also one of the members mentioned a possibility of drilling a well in PG cemetery. What would be the position of the board for us to consider drilling a well on property for the home?

Bottom line is we are looking for any hope and willing to pursue any course that makes sense for water to construct a home. There has be a better answer than to "just say no" to every request for water.

Best Regards

Stan Pletz

Stan Pletz

CITY OF PACIFIC GROVE

300 FOREST AVENUE
PACIFIC GROVE, CALIFORNIA 93950
TELEPHONE (831) 648-3100

NOTICE OF SPECIAL MEETING

AD HOC COMMITTEE
ON WATER ISSUES

DATE: **Wednesday, January 26, 2005**

TIME: **3:00 p.m.**

PLACE: Council Chambers, City Hall
300 Forest Avenue
Pacific Grove, California

Committee Members: Bob Davis, Craig Riddell, John Stidham, Susan Goldbeck
Staff: Jon Biggs, Community Development Director

AGENDA

1. **CALL TO ORDER / ROLL CALL.**

2. **PUBLIC COMMENT.** Comments will be limited to three minutes per speaker and must pertain only to items appearing on this agenda.

3. **REVIEW PURPOSE OF COMMITTEE.**

4. **REVIEW AND DISCUSS BACKGROUND INFORMATION.**

5. **ESTABLISH SCHEDULE AND WORK PROGRAM FOR FUTURE MEETINGS.**

6. **ADJOURNMENT.**

Note: This meeting was called at the direction of the City Council

The City of Pacific Grove does not discriminate against individuals with disabilities and meetings are held in accessible facilities.

Dated: January 18, 2005

MONTEREY COUNTY PROPERTY TAX BILL AND INFORMATION STATEMENT 1999-2000

LOUIS G. SOLTON TREASURER - TAX COLLECTOR

SECURED TAX ROLL FOR FISCAL YEAR BEGINNING JULY 1, 1999 AND ENDING JUNE 30, 2000 SRLNO: 29827

P. O. BOX 891, SALINAS, CA 93902-0891 (831) 755-5057 SALINAS (831) 647-7857 MONTEREY (831) 385-8357 KING CITY

Internet Home Page: www.co.monterey.ca.us/taxcollector/ E-Mail: taxcollector@co.monterey.ca.us

ASSESSMENT INFORMATION

PARCEL NUMBER : 007-061-040-000
FEE NUMBER : 007-061-040-000
TAX RATE AREA : 004-006

Plet

CURRENT OWNER

REINSTEDT RANDALL A TR &
PLETZ INVESTMENT COMPANY
PO BOX 5998
CARMEL CA 93921-5998

ASSESSED OWNER AT 12:01 A.M JANUARY 1,1999
REINSTEDT RANDALL A TR &

SITUS (LOCATION) :
SUNSET DR PACIFIC GROVE

DESCRIPTION :

MESSAGE :

TAX COMPUTATION

MULTIPLY VALUE TIMES RATE FOR THE AMOUNT

NET TAXABLE VALUE 40,603 INCLUDES EXEMPTIO

TAXING AGENCY	RATE	AMOUN
MONTEREY COUNTY-WIDE	1.000000	406.
CITY OF PAC GRV DEBT	.007000	2.
TAX / RATE SUBTOTAL	1.007000	408.

SPECIAL DISTRICT DEBT

BASED ON VALUE OF LAND / IMPROVEMENT ONLY

ASSESSMENTS,FEES,TAXES PHONE

911	CSA74 AMB SVC COUNTY	831-755-5013	5.

PROPERTY TYPE	FULL CASH VALUE
LAND	40,603
GROSS TAXABLE VALUE	40,603
EXEMPTIONS	
NET TAXABLE VALUE	40,603

12/9/99 paid $207.40 (103.70 Pletz & 103.70 ins) 207.40

Plet

TOTAL 414.8

DETACH AND RETURN WITH PAYMENT

MONTEREY COUNTY PROPERTY TAX PAYMENT COUPON 99-00

LOUIS G. SOLTON, TAX COLLECTOR P.O. BOX 891, SALINAS, CA 93902-0891

- THE SECOND INSTALLMENT IS DUE FEBRUARY 01, 2000 AND WILL BECOME DELINQUENT AFTER 5:00 P.M. ON APRIL 10, 2000 AT WHICH TIME A 10% PENALTY AND $10.00 COST CHARGE ARE APPLIED. LATE PAYMENT AMOUNT DUE IS 238.14
- MAKE CHECKS PAYABLE TO : MONTEREY COUNTY TAX COLLECTOR

2ND

PARCEL NUMBER : 007-061-040-000 FEE NUMBER : 007-061-040-000
CURRENT OWNER : REINSTEDT RANDALL A TR &

PAY THIS AMOUNT 207.40 ON OR BEFORE APRIL 10, 2000

100706104100004 000000207407 2 000000238147 19992

28

4/21/2004
Stan Pletz
Pletz Investment Co.
1464 SOS Drive
Walnut Creek, Ca. 94597
(925) 932 5746 sosdrive1464@aol.com

Mr. Dave Potter
Monterey County Supervisor
Monterey Peninsula Water Management District Board
1200 Aquajito Road
Monterey, Ca. 93940

Subject: Water allocations (1721 Sunset Drive, Pacific Grove #007-061-040-000)

Dear Mr. Potter:

The purpose of this letter is see if you can provide us with any current information regarding water allocations for **our** property at 1721 Sunset Drive, Pacific Grove, which has been in my family for approximately 47 years. Seven years ago we began the process of design and construction of a single family home on this property. We contacted Dennis McElroy, General Contractor, who helped us design the home that would blend in with the environment and the neighborhood. We were very pleased with the modest 2500 square foot home Dennis designed for us.

We have completed the legal and administrative processes with the Pacific Grove Architectural Review Board and the California Costal Commission and have been approved by both jurisdictions. Currently we are 21st on the Pacific Grove water-waiting list and we have been informed that issuance of a water permit to allow construction of this residence is unlikely until the regional water shortage issue is resolved.

We have attempted or have considered doing the following but have always failed. Someone has always said no it will not work but we have been provided no alternatives.

1. We inquired about a water transfer with a business that had water credits.
2. We inquired about drilling a well on the property.
3. We looked into a water storage system with submerged tank to provide water for the home.
4. We are willing to purchase water from Pebble Beach if and when it was available
5. We considered purchasing a home in Monterey County and transferring the water credits.

We keep posted with the local paper and the internet and see little movement in trying to solve this water issue. We are open to any suggestions, ideas or information you may have.

Thank you for your consideration and for any assistance you can provide to us.

Sincerely yours,

Stan Pletz

ROUTING AND TRANSMITTAL SLIP

Date: 8 Feb 05

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. Mr. David Berger		
2.		
3.		
4.		
5.		

	Action		File		Note and Return
	Approval		For Clearance		Per Conversation
	As Requested		For Correction		Prepare Reply
	Circulate		For Your Information		See Me
	Comment		Investigate		Signature
	Coordination		Justify		

REMARKS

We have sent the same information to Mr. Maurer.

RECEIVED

FEB - 8 2005

MPWMD

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Stanley Baird

Room No.—Bldg.

Phone No. 242-6315

5041-103

*U.S. Government Printing Office: 1996 — 404-762/40005

OPTIONAL FORM 41 (Rev. 1-94)
Prescribed by GSA

DEPARTMENT OF THE ARMY
US ARMY GARRISON, PRESIDIO OF MONTEREY
1759 LEWIS ROAD, SUITE 210
MONTEREY, CA 93944-5006

HAND DELIVERED

REPLY TO ATTENTION OF

FEB 07 2005

RECEIVED
FEB - 8 2005
MPWMD

Office of the Garrison Commander

Mr. David Berger
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, California 93942

Dear Mr. Berger:

I understand that you and Mr. Fred Meurer have requested an estimate of the future water requirements of the Presidio of Monterey. We are pleased to provide both of you with that information.

Our best estimate, based on known future mission requirements, is 60.87 acre-feet through 2011. A priority list and calculation of requirements is enclosed with this letter. I would like to bring to your attention our efforts to fine tune our future planning.

We have engaged the US Army Corps of Engineers, Sacramento District, to complete a Master Plan for the Presidio of Monterey and Ord Military Community by September 2005. The associated Environmental Impact Statement will be started this summer and should be completed in twelve to eighteen months. Both of these processes will validate the installation's future water requirements. We will provide your staffs with draft copies of the deliverables and encourage your participation to improve our efforts.

I appreciate your continued interest and support of the Presidio of Monterey's ability to support our national defense mission and look forward to working with both of you in the future on this matter.

Please contact Dewey Baird, my point of contact, at 242-6315 for any clarification and additional information.

Enclosure

JEFFREY S. CAIRNS
Colonel, US Army
Commanding

Presidio of Monterey Future Water Needs through FY 11
January 27, 2005

No.	FY	Description	MPWMD Category I=low II=high III=misc use	Sq. Ft.	MPWMD Water Use Factor Per square foot, no. of seats or rooms	Est. Water Reqm't (acre feet)	Est Water Reqm't (acre feet) TOTAL
1*	05	Dental Clinic	Grp III	11,001	0.0002 af/sf/yr	2.20 af	
2*	05	Gen Inst Bldg Mid East	Grp I	75,000	0.00007 af/sf/yr	5.25 af	
3*	05	Gen Inst Bldg Asian	Grp I	75,000	0.00007 af/sf/yr	5.25 af	
							*12.7 af
4	08	Gen Inst Bldg VI	Grp I	75,000	0.00007 af/sf/yr	5.25 af	**5.25 af**
5	08	Barracks Complex PH I Company Ops Dining Temp Ofc trailers	Grp III Grp III Grp III Grp III	124,160 0 14,278	160 rm x 0.04 af/rm 0.00007 af/sf/yr 450 seats x 0.02/seat allowance @.00007	6.4 af 1.0 af 9.0 af 5.0 af	
							21.4 af
6	09	Barracks Complex PH II Company Ops Bn HQ	Grp III Grp III Grp III	139,680 0 14,278 12,013	180 rm x 0.04 af/rm 0.00007 af/sf/yr 0.00007 af/sf/yr	7.2 af 1.0 af 0.84 af	
							9.04 af
7	09	Joint Serv Trn Cntr	Grp III	29,000	0.00007 af/sf/yr	2.03af	**2.03 af**
8	10	Barracks Complex PH III Company Ops	Grp III Grp III	124,160 0 14,278	180 rm x 0.04 af/rm 0.00007 af/sf/yr	6.4 af 1.0 af	
							7.4 af
9	10	Gen Inst Bldg VII	Grp III	75,000	0.00007 af/sf/yr	5.25 af	**5.25 af**
10	10?	Gen Inst Bldg VIII	Grp III	75,000	0.00007 af/sf/yr	5.25 af	**5.25 af**
11	10?	Gen Inst Bldg IX	Grp III	75,000	0.00007 af/sf/yr	5.25 af	**5.25 af**
12	11	Barracks Complex PH IV	Grp III	155,200	200 rm x 0.04 af/rm	8.0 af	
		Estimated Sub Total					**60.87af**
		Est. Potential Demolition Brks Complex Ph II Brks Complex Ph III Brks Complex Ph IV		-82,593 -75,891 -82,593	0.04 af/rm/yr 0.04 af/rm/yr 0.04 af/rm/yr	-4.25 af -3.9 af -4.5 af	
							<12.65af>
		NET EST. WATER REQM'T. FY05-11					**48.22af**

***Applications have been submitted for projects No. 1, 2 and 3 using existing banked water credits. Credits are essentially exhausted.**