



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 939420085 • (831) 658-5600
FAX (831) 644-9560 • <http://www.mpwmd.dst.ca.us>

SUPPLEMENT TO 3/20/06 MPWMD BOARD PACKET

Attached are copies of letters received between February 9 and March 8, 2006. These letters are also listed in the March 20, 2006 Board packet under item 14, Letters Received.

Author	Addressee	Date	Topic
Diana Ingersoll	David Berger	2/10/06	Seaside City Council Study Session – Water Issues
Diana Ingersoll	David Berger	2/24/06	Seaside City Council Study Session – Water Issues <i>March 1, 2006 Response from David Berger attached</i>
Janice M. O'Brien	MPWMD Board	2/20/06	Items on February 23, 2006 MPWMD Board Meeting Agenda
Marilyn Maxner	Michelle Knight	2/24/06	Aquifer Storage and Recovery Management and Operations Agreement between MPWMD and Cal Am
Victoria A. Whitney	David A. Berger	3/6/06	Condition 8 of Permits 7130B and 20808 (Applications 11674B and 27614), Carmel River in Monterey County <i>March 10, 2006 Response from David Berger attached</i>



PUBLIC WORKS DEPARTMENT

610 Olympia Avenue
Seaside, CA 93955

Telephone (831) 899-6825
FAX (831) 899-6311
TDD (831) 899-6207

February 10, 2006

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

RECEIVED

FEB 14 2006

Re: Seaside City Council Study Session – Water Issues

MPWMD

Dear Mr. Berger:

A study session has been scheduled for the Seaside City Council to review and discuss water issues such as the various proposed water augmentation projects and the city's water allocations. It is our understanding that your agency/company is planning on a water project within the City of Seaside.

Your agency/company is cordially invited to make a 10-15 minute presentation on your proposed project to the City Council at this study session. We are requesting that your presentation include a brief description of the project with specifics on the proposed project location within the city limits, potential construction impacts, any land area and/or right of way requirements for your project, and the proposed project schedule. Other regional agencies that have projects planned in Seaside have also been invited. We are encouraging everyone to use Microsoft PowerPoint for their presentations. It is important for the City Council to understand the various projects planned within the City limits and their relationships to one another in order to effectively make decisions relating to their entitlements. No decisions will be made at this meeting. This study session is to be informational only.

The Water Study Session will be held on **Thursday, March 9, 2006 at 6:00 p.m.** in the Seaside City Hall Council Chambers located at 440 Harcourt Avenue. Please contact our office at (831) 899-6825 to let us know that you will be participating. Please provide the name of the person who will be making the presentation and a phone number that we can use.

If you have any questions regarding this upcoming meeting, please feel free to contact me. We look forward to learning more about your agency's/company's water projects.

Sincerely,

Diana Ingersoll, P.E.
Director of Public Works/City Engineer

c: Ray Corpuz, City Manager



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610 Olympia Avenue
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February 24, 2006

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

RECEIVED
FEB 27 2006

Re: Seaside City Council Study Session – Water Issues

Dear Mr. Berger:

Thank you for confirming that your agency/company will be providing a 10-15 minute presentation on your proposed water project(s) to the City Council at their study session scheduled for Thursday, March 9, 2006 at 6:00 p.m. in the Seaside City Hall Council Chambers located at 440 Harcourt Avenue.

We look forward to hearing a brief description of the project with specifics on the proposed project location within the city limits, potential construction impacts, any land area and/or right of way requirements for your project, and the proposed project schedule. We are encouraging everyone to use Microsoft PowerPoint for his or her presentations. Please provide the final version of your presentation electronically to dingersoll@ci.seaside.ca.us no later than **Monday, March 6, 2006**.

If you have any further questions please contact our office at (831) 899-6825. Thank you for agreeing to participate.

Sincerely,

Diana Ingersoll, P.E.
Director of Public Works/City Engineer

c: Ray Corpuz, City Manager



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March 1, 2006

Diana Ingersoll, Public Works Director/City Engineer
City of Seaside
610 Olympia Avenue
Seaside, CA 93955

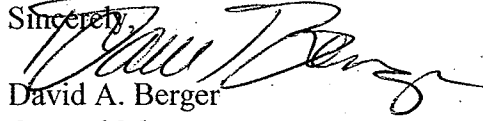
Dear Ms. Ingersoll:

This will serve to acknowledge receipt of your letters dated February 10 and 24, 2006, inviting the District to make a presentation to the Seaside City Council at its March 9, 2006 (6:00 p.m.) study session on water issues. We're pleased that you have offered the District an opportunity to brief the Seaside City Council on the District's water supply project that will benefit your City.

Based on the phone call I made to you recently, it's my understanding that you are asking the District to make a presentation on its proposed Aquifer Storage and Recovery (ASR) Phase 1 project, the injection/recovery wells for which are proposed to be located in the vicinity of Gen. Jim Moore Boulevard. I will make some introductory remarks, followed by a Powerpoint presentation on the ASR Phase 1 project by our District Project Manager, Henrietta Stern. The Powerpoint presentation will be an updated version of the one District staff made in the District's Town Hall meeting at Embassy Suites last August, including the specific information you requested in your letters. The District is undertaking this ASR Phase 1 project in partnership with California American Water. Because I understand you've sent him a similar project presentation request, I'm copying this letter to Cal Am's Coastal Division Manager, Steve Leonard with the suggestion that his engineer working with us on the ASR project and Henrietta coordinate on details of the respective presentations. I've asked Henrietta to send you our final Powerpoint presentation by March 6.

Please let me or Henrietta Stern (658-5621) know if you have any questions.

Sincerely,


David A. Berger
General Manager

pc: MPWMD Board of Directors
Henrietta Stern
Steve Leonard

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FEB 23 2006

MPWMD

February 20, 2006

Monterey Peninsula Water Management District
5 Harris Court, Bldg. G
Monterey, Ca. 93942

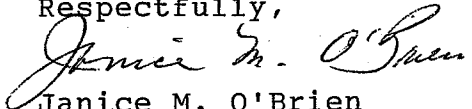
To the Members of the Board :

I wish to make the following comments on Action Items 15 & 17 :

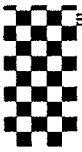
Item 15 : Any agreement with Cal-Am to facilitate present and future aquifer storage and recovery projects must recognize the District's primary authority under its legislative mandate to protect the resource. This cannot be subject to negotiation. Cal-Am's current citation for overdraft is only the latest in a long history of violations. The current uncertain status of future ownership only increases the importance of District control.

Item 17 : The logical representative to the Watermaster Board is Fran Farina. She not only has the requisite legal and technical background but as importantly , a complete knowledge of the history and operational requirements of the District. We need the strongest available presence on this board and it is Fran.

Respectfully,



Janice M. O'Brien
Box 1037
Pebble Beach, Ca. 93953
625-1386



LEAGUE OF WOMEN VOTERS®
OF THE MONTEREY PENINSULA

RECEIVED

FEB 24 2006

MPWMD

February 24, 2006

VIA FAX: 644-9560

Michelle Knight, Chair
Board of Directors
Monterey Peninsula Water Management District

Dear Chair Knight and Members of the Board of Directors:

The League of Women Voters of the Monterey Peninsula supports the District's authority to make findings regarding the availability, quantity, and quality of water for future development within its area or "sphere of influence." Any agreement with CalAm to facilitate present and future Seaside aquifer storage and recovery project operations must insure the District's primary authority, under its legislative mandate, to protect the resource.

We believe the District's legislative mandate supercedes the questions of individual water rights, and we urge the Board to take the necessary action to protect the mandate given to it by the State of California.

Our Board at its meeting on February 22nd authorized my sending this letter. However, I forgot that it was to reach you in time for your Board meeting yesterday. I am sending it to you anyway so that we are on record with you as to our position.

Sincerely,

Marilyn Maxner, President
649-0385
montrfm@aol.com

PO BOX 1995
Monterey CA 93942

648-VOTE (648-8683)
LWVMPca@yahoo.com
www.lwvmp.org



State Water Resources Control Board



11

Alan C. Lloyd, Ph.D.
Agency Secretary

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
FAX: 916.341.5400 ♦ www.waterrights.ca.gov

Arnold Schwarzenegger
Governor

FEB 27 2006

In Reply Refer
to:334:KDM:11674B,27614

MAR - 5 2006

David A. Berger
Monterey Peninsula Water
Management District
P.O. Box 85
Monterey, CA 93942-0085

Dear Mr. Berger:

CONDITION 8 OF PERMITS 7130B AND 20808 (APPLICATIONS 11674B AND 27614),
CARMEL RIVER IN MONTEREY COUNTY

In your December 8, 2005 letter, you seek information regarding the status of Condition 8 of Permits 7130B and 20808. Condition 8 requires the following: "Construction work shall be prosecuted with reasonable diligence and shall be completed by December 31, 2005."

The Monterey Peninsula Water Management District (District) has filed Change Petitions for the two permits for purposes of (a) implementing direct diversion of 7,909 acre-feet per annum from the Carmel River, and (b) implementing the Seaside Groundwater Basin Aquifer Storage and Recovery Project. The petitions requested that 33 of the 53 permit conditions be deleted, including Condition 8. In the listing of permit terms that the District asks to have deleted, the District noted that Condition 8 was not applicable for the petitions. The Division of Water Rights (Division) noticed the change petitions for the two projects. The project descriptions do not include any discussion of District requests for time extension, because the Division has not received time extension petitions from the District.

If the District requires time extensions for the permits, it must file petitions for extension of time. In order to grant time extension, the Division must find that the requirements of title 23, California Code of Regulations section 844 have been met.

Section 844:

An extension of time within which to complete an application, to commence or complete construction work or apply water to full beneficial use will be granted only upon such conditions as the board determines to be in the public interest and upon a showing to the board's satisfaction that due diligence has been exercised, that failure to comply with previous time requirements has been occasioned by obstacles which could not reasonably be avoided, and that satisfactory progress will be made if an extension of time is granted. Lack of finances, occupation with other work, physical disability, and other conditions incident to the person and not to the enterprise will not generally be accepted as good cause for delay. The board may, in its discretion, require a hearing upon notice to the permittee and such other parties as the board may prescribe.

California Environmental Protection Agency

Recycled Paper

FEB 27 2006

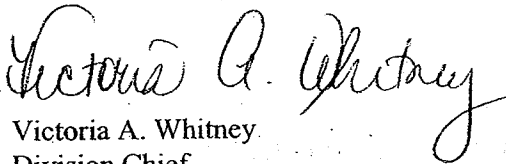
David A. Berger

- 2 -

The District's December 8 letter indicates that deletion of the permit condition would be consistent with the State Water Resources Control Board's current practice to no longer include construction deadlines as conditions in its water right permits. Although new permits do not have a permit condition regarding completion of construction, the District's permits contain the condition. The Division's only administrative procedure for modifying existing permit terms is the petition process.

If you require further assistance, please contact senior staff person Katherine Mrowka at (916) 341-5363.

Sincerely,

A handwritten signature in cursive script that reads "Victoria A. Whitney".

Victoria A. Whitney
Division Chief



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March 10, 2006

Ms. Victoria A. Whitney
Chief, Water Rights Division
State Water Resources Control Board
1001 I Street, 14th Floor
Sacramento, CA 95812

Dear Ms. Whitney:

This will serve to acknowledge receipt of your letter of February 27, 2006 regarding Condition 8 of Permits 7130B and 20808 (Applications 11674B and 27614), Carmel River in Monterey County. District staff appreciates receiving this response to my December 8, 2005 letter, as it clarifies SWRCB procedural requirements for obtaining an extension to the Condition 8 time limit contained in the above-noted permits. As this is one of the topics on the District's suggested agenda for our March 15 meeting in your office, we'll look forward to discussing it with you and your staff at that time.

Again, thank you for writing to me on this subject.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Berger".

David A. Berger
General Manager

pc: MPWMD Board of Directors
Andrew Bell, District Engineer