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 6/16/08 MPWMD BOARD PACKET

Attached are copies of letters received between May 13, 2008 and June 9, 2008. These letters are also listed in the June 16, 2008 Board packet under item 21, Letters Received.

Author	Addressee	Date	Topic
Catherina A. Raynor, CMC	David Berger	06/04/08	Approving Resolution for Water Precommitment to 459 Alvarado Street for Affordable Housing from the City's Affordable Housing Allocation
Diana Ingersoll	Stephanie Pintar	05/30/08	Request for Estimate of Potential Water Use Credit Transfer within the City of Seaside
Glen Stransky	MPWMD Board	05/19/08	Ordinance No. 134
Kai Woehler	MPWMD Board	05/19/08	MPWMD Cal-Am Request Hearing
R. Stephen Bloch	MPWMD Board	05/19/08	Please Postpone the Final Reading of Ordinance 134
Kathleen Mrowka	Darby Fuerst	05/08/08	MPWMD District Permits 7130B and 20808 (Applications 11674B and 27614), Carmel River and Carmel River Subterranean Stream in Monterey County

CITY OF MONTEREY

Colton Hall, California Constitution Hall 1849

June 4, 2008

Julie Work Beck
Saucito Land Company
P.O. Box 87
Monterey, CA 93942

Subject: Approving Resolution for Water Precommitment to 459 Alvarado Street for Affordable Housing from the City's Affordable Housing Allocation

Dear Ms. Beck:

At its June 3, 2008 meeting, the City Council of Monterey adopted Resolution No. 08-088 C.S.

Further communication will be forthcoming but in the meantime, should you have any questions regarding this matter, please call Bill Reichmuth, Deputy City Manager Plans and Public Works, at (831) 646-3921.

Sincerely,

Catherine A. Raynor, CMC
Senior Assistant City Clerk

CAR/sb

c: Deputy City Manager Plans and Public Works
City Clerk's file
David Berger and Stephanie Pintar, Monterey Peninsula Water Management District, P.O. Box 85, Monterey, CA 93942

RESOLUTION NO. 08-088 C.S.

A RESOLUTION OF THE COUNCIL OF THE CITY OF MONTEREY FOR A WATER PRECOMMITMENT TO 459 ALVARADO STREET FOR AFFORDABLE HOUSING FROM THE CITY'S AFFFORDABLE HOUSING ALLOCATION

WHEREAS, the City of Monterey received the last water allocation from the Monterey Peninsula Water Management District in 1993; and,

WHEREAS, the City of Monterey had exhausted its allocation by providing water for projects or precommitting water for potential projects; and,

WHEREAS, the City Council reestablished the Affordable Housing Allocation on November 6, 2008 through adoption of Resolution 07-207 in the amount of two (2) acre-feet of water; and,

WHEREAS, the City Council has the authority to allocate or precommit water to meet current needs, provide long-term planning for the City's future, and fulfill its value drivers and strategic initiatives; and,

WHEREAS, a precommitment of water does not in any way constitute approval of the project or project design.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF MONTEREY:

1. Precommits 1.60 acre-feet of water for the affordable housing component of a project located at 459 Alvarado Street for a period of 18 months beginning on the date of City Council approval of this Resolution provided the applicant completes the following targets:

a. The applicant shall file a complete application within 12 months of City Council approval including, but not limited to, requests for variances and/or a Specific Plan.

b. The applicant shall resolve all affordable housing issues with the City's Housing and Property Manager within 12 months and complete all required discretionary review within 12 months of City Council approval.

c. The applicant shall obtain a building permit within 18 months of City Council approval.

Approval of this water precommitment will not preclude the applicant from returning to the City Council for a water precommitment extension if required. Criteria for granting an extension to the water precommitment may include: an applicants' demonstrated pursuit of obtaining discretionary approvals and/or prompt responses to requests for additional information.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 3rd day of June, 2008, by the following votes:

AYES:	5	COUNCILMEMBERS:	Della Sala, Downey, Haferman, Selfridge Sollecito
NOES:	0	COUNCILMEMBERS:	NONE
ABSENT:	0	COUNCILMEMBERS:	NONE

APPROVED:

Chris Della Sala

Mayor of Said City

ATTEST:

Bonnie G. Sharp

City Clerk thereof

RESOURCE MANAGEMENT SERVICES
440 Harcourt Avenue
Seaside, CA 93955

Telephone (831) 899-6825
FAX (831) 899-6211

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JUN - 3 2008
MPWMD

May 30, 2008

Stephanie Pintar, Water Demand Manager
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey CA, 93940

Subject: **Request for Estimate of Potential Water Use Credit Transfer within the City of Seaside**

Dear Ms. Pintar:

This letter is in response to your correspondence dated May 5, 2008 regarding the potential for a water use credit transfer within the City of Seaside.

Staff has estimated the potential potable water credit transfer within the MPWMD jurisdiction to be approximately 70 AFY. This figure represents potential for redevelopment of properties within the City's West Broadway and Fremont commercial zones.

The question regarding the City's ability to contribute toward the cost of additional environmental studies will need to be deferred until an actual proposal has been developed since this would be a policy decision that would be considered by the City Council.

Additionally, an estimate has been performed related to the potential sub-potable water transfer related to the conversion of landscape areas to sub-potable use. The estimated sub-potable water credit has been determined to be 270 AFY.

Please feel free to contact me at 899-6825 with any questions or concerns.

Sincerely,

Diana Ingersoll
Deputy City Manager – Resource Management Services

CC: Tim O'Halloran, City Engineer / Public Works Services Manager
File

Arlene Tavani

From: 100-District 5 (831) 647-7755 [district5@co.monterey.ca.us]
Sent: Monday, May 19, 2008 5:10 PM
To: Arlene Tavani; Darby Fuerst
Subject: FW: Ordinance 134

Please distribute to the Board members, thank you!
Kathleen
-----Original Message-----
From: Glen Stransky [mailto:glen.stransky@llhaol.com]
Sent: Friday, May 16, 2008 12:11 PM
To: Glen Stransky
Subject: Ordinance 134

I am appalled that the District is even considering punishing the innocent by putting this ordinance in effect against the residences of Hidden Hills. This ordinance is contradictory to all agreements and promises that Cal-Am and the District have made to the people in this area over the years. I know for a fact that the folks here take water use very seriously and in fact are not the "over drafters" of the aquifer. Cal-Am has been illegally moving water from our aquifer to other areas; something that no other water system is allowed to do. But instead of finding ways to get Cal-Am in line or fulfilling the District's charter to find additional water sources the District proposes this ordinance.

The 92 lot owners of the Los Laureles Homeowners Association is asking the Board to postpone any decision on this ordinance and give the people in this area an opportunity to come up with solutions other than rewarding Cal-Am with delivering less and charging more.

Sincerely,
Glen Stransky, President
Los Laureles Homeowners Assoc.
92 Saddle Road, Carmel Valley CA 93924
direct: 831.659.2119, fax: 866.642.3195
e-Mail: glen.stransky@llhaol.com

Arlene Tavani

From: 100-District 5 (831) 647-7755 [district5@co.monterey.ca.us]
Sent: Monday, May 19, 2008 5:11 PM
To: Arlene Tavani; Darby Fuerst
Subject: FW: MPWMD Cal-Am request Hearing
Importance: High

Please distribute to the Board members.
Thanks,
Kathleen
-----Original Message-----
From: Kai Woehler [mailto:kwoehler@earthlink.net]
Sent: Saturday, May 17, 2008 10:03 AM
To: rbrower@chateaujulien.com; kmarkey65@comcast.net; SandcityMyr@aol.com; 100-District 5 (831) 647-7755
Subject: MPWMD Cal-Am request Hearing

With respect to the Cal-Am request before the MPWMD to be heard on Monday 19th May 2008
I wish to have the following remarks recorded.

"At the time when the Hidden-Hills water company was sold to Cal-Am the then board ofdirectors of the Hidden-Hills water company took great pains to negotiate the conditions of sale with Cal-Am, that are in effect now and were accepted by Cal-Am.
It is a breach of contract of Cal-Am to now try to impose changes of these conditions.
No other outside agency can have the right to sanction and enforce such breach of a legal contract agreement unilaterally.

If it can be shown that the cost of production of water, which is taken from those wells sold to Cal-Am , has increased significantly , then the hoders of that contract of sale should accept an appropriate increase in their water cost.
In no way should the seller be held responsible for Cal-Am's gross mismanagement of the Peninsula water resources in the last 30 years.

Respectfully

Karlheinz Woehler
Hidden Hills

Kai Woehler
kwoehler@earthlink.net
Why Wait? Move to EarthLink.

Stephanie Pintar

From: rsteveb@gmail.com on behalf of Stephen Bloch [Steve@StephenBloch.Com]
Sent: Friday, May 16, 2008 9:00 AM
To: Stephanie Pintar
Subject: PLEASE postpone the final reading on Ord. 134

I'm writing as President of Hidden Hills Homeowners Association. We feel we've been "blind-sided" regarding many of the water-rationing issues--as just one example, we had no knowledge of, nor input to Judge Randall's 2003 Adjudication.

Along with other affected homeowners associations, we are rushing to get up to speed on the issues. We truly want our voices to be heard on such important issues.

Ordinance 134 is too important to proceed without our input. In fairness, we would very much appreciate a postponement in the final reading. I know several of us plan to be at Monday's meeting and we'll make our case then.

Thank you,

R. Stephen Bloch
Lt.Commander, USN (Ret.)
11575 McCarthy Road
Carmel Valley, CA 93924
831-659-7101

State Water Resources Control Board

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

Linda S. Adams
Secretary for Environmental Protection

Arnold Schwarzenegger
Governor

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MPWMD

In Reply Refer to:KDM:27614

MAY 08 2008

Darby Fuerst
Monterey Peninsula Water
Management District
P.O. Box 85
Monterey, CA 93942-0085

Dear Mr. Fuerst:

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT PERMITS 7130B AND 20808 (APPLICATIONS 11674B AND 27614), CARMEL RIVER AND CARMEL RIVER SUBTERRANEAN STREAM IN MONTEREY COUNTY

On September 5, 2007, the Monterey Peninsula Water Management District (District) responded to the Division of Water Rights' August 6, 2007 letter regarding the following water right matters.

Petition for Change – 7,909 acre-feet per annum (afa)

On April19, 2002, the District petitioned to change Permits 7130B and 20808 to allow up to 7,909 afa to be diverted from the Carmel River. The 2002 petition proposes that when specified instream flows established by the National Marine Fisheries Service are exceeded during the period November 1 to June 30, direct diversions from the Carmel River would be allowed.

Petition for Change – Phase 1 Aquifer Storage and Recovery Project (ASR)

There is no need to address this issue, because the State Water Resources Control Board has approved the ASR project pursuant to Permit 20808.

Petitions for Extension of Time

The District provided its showing of cause for the time extension as follows:

1. The Phase 1 ASR project relies upon and is proceeded upon use of Permits 7130B and 20808.

2. The District and CAW have negotiated an agreement that contemplates additional phases of ASR. Each additional ASR phase can be expected to rely upon Permits 7130B and 20808.

3. CAW is proposing the Coastal Water Project as a means to reduce Carmel River diversions as directed by Order 95-10. An expanded ASR project is included as a major feature of the Coastal Water Project. Rights for the ASR portion of the Coastal Water Project that exceed the Phase 1 ASR Project may well rely on Permits 7130B and 20808.

4. The District's pending 2002 petition relies upon the permits to enable the community to use a less costly water supply and improve system reliability in the event of interruption of the supplemental supply.

5. Unless and until all Carmel River diversions are legalized in accord with Order 95-10, the permits may be needed as a basis for other water supply projects.

The District did not provide any information on when it will have completed the California Environmental Quality Act (CEQA) document for the change and time extension petitions. A workplan for completion of the CEQA document and resolution of the protests is requested. The workplan should include the dates for circulation of the draft CEQA document, the expected date of circulation of the final CEQA document, and the date when certification of the CEQA document is expected to occur. The workplan should document the status of each protest and identify when the District has met with or corresponded with the protestants. If the District does not demonstrate that it is diligently pursuing the petitions, Division staff may recommend cancellation of the petitions for failure to comply with CEQA.

If you have any questions on this matter, I can be contacted at (916) 341-5363.

Sincerely,

Katherine Mrowka

Katherine Mrowka, Chief
Watershed Unit 3