

**Suggested New Condition of Approval for
Monterey Bay Shores Ecoresort**

August 16, 2010

This condition relates to staff, consultant or legal time associated with reviewing weekly data reports from California American Water, pursuant to Special Conditions #29 and #30, Attachments #3 and #4, respectively.

Special Condition #33

The Permittee shall annually pay to MPWMD, by December 31 of each year, the prevailing rate for 26 hours of cumulative MPWMD staff time associated with MPWMD's review of the weekly data reports and other documentation described in Special Conditions #29 and #30, and with enforcement of the Permit conditions. The 26-hour amount is based on one-half hour per week. The current (August 2010) fee is \$2,470 per year, based on a rate of \$95 per hour. In any given year, if the cumulative MPWMD staff time required for review of documentation provided by the Permittee and enforcement of the Permit conditions exceeds 26 hours, the Permittee shall be charged the prevailing rate for each additional hour of MPWMD staff time required. The Permittee shall also be charged for any reasonable consultant or legal fees associated with such review, as needed, as well as reimbursement for direct costs. The first payment shall become due on December 31 of the year in which the master meter is set pursuant to **Attachment #3**.