



Supplement to 8/15/11 MPWMD Board Packet

Attached are copies of letters received between July 9 and August 7, 2011. These letters are also listed in the August 15, 2011 Board packet under item 17, Letters Received.

Author	Addressee	Date	Topic
Margaret Thum	Darby Fuerst	7/12/11	Request to Prepare Record Related to Sharlene and Richard Thum's Appeal of District's Decision of Non-Compliance with Permit 30234
Jim Heitzman	Brenda Lewis	7/14/11	Participation in July 12, 2011 MCWD Board Meeting
Robert MacLean	Bob Brower	7/18/11	Draft Petition for Writ of Mandate and Complaint for Declaratory Relief Regarding MPWMD Resolution 2011-09
Nancy Isakson	Board of Directors Monterey County Water Resources Agency	7/22/11	Finance Committee Meeting
Jan Swiegert	Craig Anthony	8/2/11	Santa Margarita Aquifer Storage and Recovery (ASR) Well 01 California American Water – Monterey System Permit No. 79-007, Amendment No. 17
Helen Rucker	MPWMD Board	8/4/11	Voter Division 1 constituents deprived of equal representation on MPWMD Board
Robert Gormley	MPWMD Board	8/4/11	Restructure the Regional Water Project
Patricia Van Kirk	Darby Fuerst	8/7/11	MPWMD Permit Application/Confidential
Robert Korstanje	Darby Fuerst	7/29/11	MPWMD Permit #505-05 Issued on October 5, 2005

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RECEIVED¹

JUL 13 2011

MPWMD

Ms. Margaret L. Thum, Esq.
PO Box 991
Pebble Beach, CA 93953

July 12, 2011

Mr. Darby W. Fuerst
General Manager
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940

Re: **Request to Prepare Record Related to Sharlene and Richard Thum's Appeal of District's Decision of Non-Compliance with Permit 30234**
Property Address: 951 Coral Dr., Pebble Beach, CA 93953
APN: 007-254-005-000

Dear Mr. Fuerst:

We received your letter dated June 7, 2011, indicating the Monterey Peninsula Water Management District (the "District") Board of Directors (the "Board") has denied Sharlene and Richard Thum's (the "Thums") request to reconsider the Board's decision denying their appeal pertaining to Permit 30234. At this point, we see no other option than to pursue our rights in the Superior Court of the State of California. In this connection, we request that you prepare the record in this matter, as set forth below.

As a reminder, the date of the hearing was April 18, 2011, the Board adopted its findings of denial on May 16, 2011, we were informed of these adopted findings via a letter dated May 20, 2011 from Ms. Stephanie Pintar, we requested reconsideration of this decision on May 16, 2011, and we received the denial of reconsideration on June 7, 2011.

The following should be included in the record:

1. **District's report.** The District's report, including all pages for all Exhibits, for the hearing on April 18, 2011. The Exhibits included in the District's report are:

Exhibit Number	Description
17-A	District's inspection report for Permit 30234, dated July 6, 2010
17-B	Thums' Application for Appeal dated July 28, 2010
17-C	Permit 30234, issued on January 26, 2010. This includes the Notice and Deed Restriction Regarding Limitation on Use of Water on a Property, recorded January 21, 2010
17-D	District's inspection report for Permit 24754, dated August 15, 2007
17-E	District letter from Ms. Kister dated July 9, 2010
17-F	Thums' letter dated March 25, 2011, including all pages to all Exhibits to that letter, namely Exhibits 1-11
17-G	District Rule 20
17-H	Chronology of 951 Coral
17-I	Selected images of 2000 plans for 951 Coral
17-J	Notice and Deed Restriction Regarding Limitation on Use of Water on a Property, recorded August 1, 2000

2. **Permit 30234 Application.** Residential Water Release Form and Permit Application completed by Anatoly Ostretsov of IDG on September 30, 2009.
3. **Inspection Report & Final Permit 24754.** Inspection report for Permit 24754 dated January 7, 2008, and the Final Permit document issued on same date.
4. **Correspondence.** The following correspondence between the parties (other correspondence is included in other items requested in this letter):¹

Date	Type	Description
07/09/10	Letter	Letter, with attachment, from Ms. Kister to the Thum's regarding notice of the District's determination of non-compliance.
09/13/10	Letter	Letter from Ms. Thum providing pictures and architectural plans requested by the District, including the bathroom pictures.
09/23/10	Letter	Letter from Ms. Stevie Kister notifying appeal application is complete.
Unknown	Notice	Notice of Hearing scheduled on October 18, 2010.
10/08/10	Letter	Letter from Ms. Thum setting forth California Public Records Act ("CPRA") request.
10/18/10	Letter	Letter from Ms. Pintar objecting to CPRA request.
11/15/10	Letter	Letter from Ms. Thum responding to District's objection and providing clarification to the CPRA request.
11/24/10	Letter	Letter from Ms. Arlene Tavani re: CPRA. None of the pages of weblinks or underlying documents need be included, except to the extent otherwise included in the request for item 6 request below.
12/06/10	Letter	Letter from Ms. Arlene Tavani, including the two pages listing appeals and variances from 1993-2010. It is not necessary to copy all of the District's Rules, Regulations and Ordinances, except as requested otherwise in this letter, including (without limitation) item 6 below.
01/14/11	Email	Email from Ms. Thum to Ms. Pintar requesting confirmation when District rules counting residential water fixture were first enacted.
01/19/11	Email	Email from Ms. Pintar responding to question of when District first enacted rules counting residential water fixtures.
01/21/11	Letter	Letter, and copies of Residential Appeals and Variances, from Ms. Pintar to Ms. Thum.
02/09/11	Letter	Letter from Ms. Pintar to the Thum's regarding hearing date.
02/16/11	Fax	Fax (2 pages) from Ms. Thum to Ms. Pintar requesting response from two emails.
03/01/11	Email	Email from Ms. Thum to Ms. Pintar re: purpose of District's rule counting residential water fixtures.
04/07/11	Letter	Letter from Ms. Pintar to the Thum's notifying of hearing date.
04/18/11	Letter	Letter, with attachments, from Ms. Thum and submitted for inclusion in the record at the Board's hearing the same date.
05/16/11	Letter	Letter, with attachments from Ms. Thum to the District's Board requesting reconsideration.
05/20/11	Letter	Letter, with attached findings, from Ms. Pintar related to Board's decision to deny the Thum's appeal.
06/07/11	Letter	Letter from Mr. Darby Fuerst to Ms. Thum denying request for reconsideration

¹ Reference to "the Thum's" is to Sharlene and Richard Thum. Reference to Ms. Thum is to Ms. Margaret Thum, formerly Ms. Margaret Thum Miles.

5. **Hearing.** The following from the hearing on April 18, 2011:
- Letter submitted by Mr. Tony Sollecito as part of the public comment and read at the hearing.
 - District's PowerPoint presentation
 - Full written transcript of the hearing

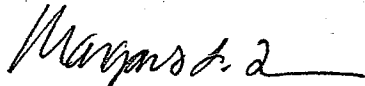
6. **District Documents Related to Enactment and Implementation of Measuring and/or Limiting Residential Water and Water Fixtures.** All documents which refer to or relate to the enactment of the District's ordinances, rules, and regulations, and the implementation of such ordinances, rules, and regulations, pertaining to measuring and limiting residential water and residential water fixtures, including but not limited to the entire printed record and computer files, all internal agency communications, including but not limited to staff notes and memoranda, and further including but not limited to any and all documents (whether draft or final), staff reports, studies, photographs, memoranda and internal memoranda, agenda items, agenda statements, correspondence, emails, notes, diagrams, schematics, and audio and/or video recordings.

We will pay the costs associated with preparing the record, which we anticipate not to exceed \$500. If the costs will exceed this amount, please let me know before proceeding.

Lastly, please note my new contact information:

Margaret Thum, Esq.
P.O. Box 991
Pebble Beach, CA 93953
Margaret.Thum@Gmail.Com

Sincerely,



Margaret L. Thum, Esq.

cc: Mr. Robert Bower
Ms. Stephanie Pintar



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD • MARINA, CA 93933-2099

Home Page: www.mcwd.org

TEL: (831) 384-6131 • FAX (831) 883-5995

DIRECTORS
WILLIAM Y. LEE
President

DAN BURNS
Vice President

HOWARD GUSTAFSON
KENNETH K. NISHI
JAN SHRINER

July 14, 2011

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JUL 18 2011

MPWMD

Brenda Lewis
Board Member
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940

Dear Director Lewis,

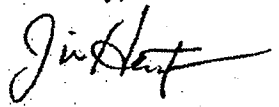
The Marina Coast Water District appreciates your attendance and participation at our July 12, 2011 Board meeting. The District understands the concerns you raised regarding our ratepayers and how they can contact us. Our goal is to be completely accessible to every one of our ratepayers twenty-four hours a day, seven days a week.

Not only has the District extended its office hours to be available to the public from 8:00 am to 5:30 pm Monday through Friday, the answering service is available after hours and weekends for emergency calls and messages.

Customers can access the District's website www.mcwd.org to find information, pay bills, or email the District with questions or concerns.

Office information is as follows:
Marina Coast Water District
11 Reservation Road, Marina
8:00 am – 5:30 pm (Monday-Friday)
831-384-6131 (24 hours)
www.mcwd.org

If we can be of further assistance, please contact me at 831-883-5938.

Sincerely,

Jim Heitzman

cc Arlene Tavani



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JUL 18 2011

MPWMD

Robert G. MacLean
President
California American Water
1033 B Avenue, Suite 200
Coronado, CA 92118
www.amwater.com

P 619-435-7401
F 619-435-7434

July 18, 2011

Bob Brower, Chair
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93942

Re: Draft Petition for Writ of Mandate and Complaint for Declaratory Relief Regarding
MPWMD Resolution 2011-09

Dear Mr. Brower:

On May 26, 2011, the Monterey Peninsula Water Management District ("District") Board adopted Resolution 2011-09. California American Water submitted comments regarding that resolution and urged the Board to defer action on the resolution. We stated to the Board at that meeting that California American Water's preference would be for that comment letter to be the only action we would take in regard to Resolution 2011-09.

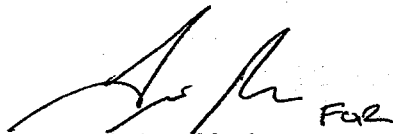
After that meeting, we were advised by outside counsel that Resolution 2011-09 may be subject to the validation laws, California Code of Civil Procedure sections 860, et seq. We were also advised that the nature of the validation laws may prevent California American Water and the District from agreeing to toll the statute of limitations applicable to validation proceedings while we work to resolve the issues relating to funding for the Mitigation Program and ASR Program through the Public Utilities Commission ("Commission"). As such, California American Water has prepared a Petition for Writ of Mandate and a Complaint for Declaratory Relief challenging Resolution 2011-09. We shared a draft of that document with District Counsel on July 14, 2011, and we expect to file that petition with Monterey County Superior Court no later than July 21, 2011.

We wish to emphasize that California American Water is not changing its position as expressed to the Board on May 26th; we prefer to continue to work cooperatively with the District to resolve the current funding issues through the existing Commission process. To that end, California American Water intends to request the Monterey County Superior Court to stay this litigation pending the outcome of the Commission's proceedings and we request the District's Board to authorize District Counsel to cooperate with California American Water in that regard.

Bob Brower, Chair
Monterey Peninsula Water Management District
July 18, 2011
Page 2 of 2

We are making progress on an amended application to the Commission to establish a permanent funding mechanism for the Mitigation and ASR Programs, and expect to timely file that application no later than August 22, 2011. District staff and counsel have been helpful in that regard. We look forward to continuing the cooperative spirit of our efforts to protect the Mitigation and ASR Programs. Please direct any questions regarding this letter to Tim Miller, Corporate Counsel, at 619-435-7411 or e-mail at tim.miller@amwater.com.

Best Regards,



Robert MacLean
President

cc: Darby Fuerst
Edward Simon
Craig Anthony
Tim Miller

Salinas Valley Water Coalition

P.O. Drawer 2670 • Greenfield, CA 93927
(831) 674-3783 • FAX (831) 674-3835



Board of Directors
Monterey County Water Resources Agency
Mr. David Hart, Chair
PO Box 930
Salinas, Ca 93901

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JUL -3 2011

22 July, 2011

MAVMD

Re: Finance Committee Meeting

Dear Chair Hart and Board Members;

This letter is written as a follow-up to comments I made at your July 15, 2011 Finance Committee meeting on behalf of the Salinas Valley Water Coalition. First, let me say that we appreciate the good job done by your financial team and their openness to suggestions, along with their responsiveness to questions from the public. The information provided at the July 15th Finance Committee meeting raised further questions and/or issues, and the SVWC submits the following comments for your consideration and response:

1. Summary of Costs to date for Regional Water Supply Project:

I personally would like to thank your staff for preparing this report as previously requested. It is very informative and lets the public know exactly how much has been expended, along with which funds the monies were derived from and will need to be repaid. The summary included in your July 25th Board packet, page 203, shows that \$1.2+ million of MCWRA funds have not yet been reimbursed. What it does not show, and we told at the July 15th Finance Committee meeting, is that there are an additional \$468,000.00 in outstanding invoices for RMC for the month of May; this amount does not include invoices for charges due RMC for the months of June and/or July 2011, but does bring the total of unreimbursed funds to date to \$1.73 + million and rising.

What are the amounts due RMC for the months of June and July? If the actual amount is not available, then what is the estimated amount?

What are the specific tasks the monies are owed to RMC for? It had been our understanding that the Board of Supervisors had directed no further expenditure of monies until, at the very least, the finance plan had been approved. If this is not correct, what are the total funds allocated by the Board of Supervisors for the Regional Water Supply Project since February 2011, and for what specific tasks?

When it is anticipated that these funds will be reimbursed? It is important for your 'rate payers' to understand how their money is being utilized, and, unfortunately, at the expense of foregoing other expenditures.

Salinas Valley Water Coalition



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It is also important to for all of us to understand, this money is not even scheduled for reimbursement until 'bonds are issued'; which is, at this point in time, some date in the distant unknown future. In reality, I think we all know, there is the potential that the bonds may never be issued. If this is the case, how will the Agency funds be repaid?

2. Agland Trust litigation:

It was stated at the Finance Committee meeting, that the MCWRA cannot bill Cal-American Water Company for the litigation costs, and therefore, will not reimbursed for these costs. If this is not correct, please let us know. To our knowledge, there are no monies within your current fiscal year budget for this matter, and we are concerned.

What are the costs to date that have been incurred by MCWRA for this litigation? What are the anticipated future costs of proceeding with the litigation? We understand that the anticipated costs will be dependent on the direction the litigation takes, but it seems reasonable that you and the public should be provided with some kind of cost estimate since you/we will be the ones paying for this.

The 'taxpayers' of MCWRA have already expended \$2 million toward the Regional Water Supply Project that may not be reimbursed. This Agency should not be willing to spend any additional dollars, including litigation costs; unless and until they can be reassured they will be reimbursed for these costs. We don't believe the 'taxpayers' of MCWRA are willing to front and absorb these costs, particularly when they are receiving no benefit from such an expenditure.

3. Costs of Investigation:

The Finance Committee was presented with an invoice of \$175,000.00 for the costs of the 'preliminary' investigation of former Director Steve Collins conducted at the request of the Board of Supervisors.

Where are these 'unbudgeted' funds going to come from? At what cost to other Agency programs? What are the anticipated costs for the entire investigation, and where will monies be derived to pay for these costs? Is it expected that if there is any litigation from this matter, the MCWRA will pay for those costs as well?

The Salinas Valley Water Coalition is very concerned about the manner in which it appears the limited funds of the MCWRA are expected to be used – and to whose benefit? It doesn't appear to be to the benefit of the majority of those who fund the Agency and its activities, and in fact could be to their detriment, because there appears to be no monies

Salinas Valley Water Coalition



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available for completion of things that do benefit those who fund the Agency, such as the EIR for the fish screens of the SVWP and/or for the Salinas River channel clearing project.

These are difficult economic times for all, including your Agency, and because of this, you must be more prudent in the manner your available funds are expended. The 'taxpayers' of the Agency have already expended almost \$2 million on the Regional Water Supply Project that may not be reimbursed. While the Salinas Valley Water Coalition has supported the Regional Water Supply Project, they cannot support the continuation of funding the up-front costs, and/or litigation costs, for the project when there will be no reimbursement and no benefit – and to the potential detriment of other approved projects. We ask your Board to support this position and to ask the Board of Supervisors to assist you in resolving this.

We think the message is simple and clear: Don't spend money that you do not have. Don't spend money for someone else's account when reimbursement is a risk. Don't spend assessed funds for the benefit of people or projects unrelated to the assessment!

We thank you for your consideration of our concerns and would appreciate a response to our questions within the next 10 days.

Sincerely,

Nancy Isakson, President
Salinas Valley Water Coalition

Cc: MCWRA Board of Supervisors

HAND 5
DELIVERED

Salinas Valley Water Coalition

P.O. Drawer 2670 • Greenfield, CA 93927
(831) 674-3783 • FAX (831) 674-3835



Board of Directors
Monterey County Water Resources Agency
Mr. David Hart, Chair
PO Box 930
Salinas, Ca 93901

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JUL -3 2011

22 July, 2011

MPWMD

Re: Finance Committee Meeting

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When is it anticipated that these funds will be reimbursed? It is important for your 'rate payers' to understand how their money is being utilized, and, unfortunately, at the expense of foregoing other expenditures.



Ron Chapman, MD, MPH
Director

State of California—Health and Human Services Agency
California Department of Public Health

Northern California Drinking Water Field Operations Branch
Monterey District



EDMUND G. BROWN JR.
Governor

17

August 2, 2011

System No. 2710004

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AUG - 5 2011

MPWMD

Mr. Craig Anthony, General Manager
California American Water Company
P.O. Box 951
Monterey, CA 93942

Dear Mr. Anthony:

**RE: SANTA MARGARITA AQUIFER STORAGE AND RECOVERY (ASR) WELL 01
CALIFORNIA AMERICAN WATER – MONTEREY WATER SYSTEM
PERMIT NO. 79-007, AMENDMENT NO. 17**

The California American Water Company (Cal Am) has applied for a water system permit amendment to add a new drinking water supply source, designated as the Santa Margarita ASR Well 01, to the Monterey water system and to change the status of the following sources from active to standby: Darwin Well, Military Well, Scarlett Well 08, Russell Well 02 (GWUDI), Russell Well 04 (GWUDI), and the San Clemente Reservoir (surface water intake).

It is the Finding of the California Department of Public Health (Department) that Cal Am can meet Sections 116270 through 116751 of the California Health and Safety Code. This finding is based upon the Engineering Report, dated July 29, 2011, prepared by the Department's Monterey District office of the Drinking Water Field Operations Branch.

Therefore, the Department has issued an amendment to the domestic water supply permit for the Cal Am Monterey water system approving the addition of the Santa Margarita ASR Well 01 as a drinking water source and the change of status for the Darwin Well, Military Well, Scarlett Well 08, Russell Well 02 (GWUDI), Russell Well 04 (GWUDI), and the San Clemente Reservoir (surface water intake) from active to standby. The permit amendment and engineering report are enclosed.

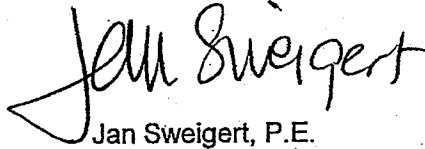
Please be advised that failure to comply with the any of the permit amendment provisions could result in the Department taking enforcement action against Cal Am of revoking the approval to operate the well.

1 Lower Ragsdale, Building 1, Suite 120, Monterey, CA 93940-5741
(831) 655-6939; Fax (831) 655-69344
Internet Address: www.cdph.ca.gov

Mr. Anthony/ Cal Am Monterey System
August 2, 2011
Page 2

If you have any questions regarding this permit amendment, please contact Querube Moltrup of my staff at (831) 655-6936 or me at (831) 655-6934.

Sincerely,



Jan Sweigert, P.E.
District Engineer, Monterey District
DRINKING WATER FIELD OPERATIONS BRANCH

JRS/qm

Certified Mail No. 7008 1830 0004 5435 4576

Enclosures: - Permit Amendment No. 17, Cal Am Monterey Water System
- Engineering Report, July 29, 2011

cc (w/enclosures): Monterey County Environmental Health Department
California Public Utilities Commission

cc (w/permit only): Mr. Roger Briggs
California Regional Water Quality Control Board
Central Coast Region
895 Acrovista Place, Suite 101
San Luis Obispo, CA 93401-7906

Mr. Joe Oliver, Water Resources Manager
Monterey Peninsula Water Management District
Post Office Box 85
Monterey, California 93942-0085

U.S. EPA Region 9
Drinking Water Office
75 Hawthorne Street
San Francisco, CA 94105



Ron Chapman, MD, MPH
Director

State of California—Health and Human Services Agency
California Department of Public Health
Northern California Drinking Water Field Operations Branch
Monterey District



EDMUND G. BROWN JR.
Governor

STATE OF CALIFORNIA

AMENDMENT TO THE
DOMESTIC WATER SUPPLY PERMIT ISSUED TO

California American Company – Monterey District
Public Water System No. 2710004

ORIGINAL PERMIT NO. 79-007
PERMIT AMENDMENT NO. 17

DATE OF ISSUE: February 9, 1979
EFFECTIVE DATE: August 2, 2011

WHEREAS:

1. The *California American Water Company* submitted applications to the California Department of Public Health on May 9, 2002 and July 27, 2011 for amendments to its Domestic Water Supply Permit issued on February 9, 1979.
2. The purpose of the amendments, as stated in the applications, is to allow the *California American Water Company* to make the following modifications to the *Monterey District* public water system:
 - a) Add one (1) new aquifer storage and recovery (ASR) well designated as the Santa Margarita ASR Well 01, and
 - b) Change the status of the Darwin Well, Military Well, Scarlett Well 08, Russell Well 02 (GWUDI), Russell Well 04 (GWUDI), and the San Clemente Reservoir (surface water intake) from active to standby.
3. The *California American Water Company* has submitted all of the supporting information required to evaluate the amendment application.

THEREFORE:

It is the finding of the California Department of Public Health, Drinking Water Field Operations Branch, that Sections 116270 through 116750, inclusive of the California Health and Safety

Code can be met by the **California American Water Company**. It is therefore recommended that the existing domestic water supply permit, issued to the **California American Water Company's Monterey District water system** on February 9, 1979, be amended to add the **Santa Margarita ASR Well 01 as a new drinking water source; and to change the status of the Darwin Well, Military Well, Scarlett Well 08, Russell Well 02 (GWUDI), Russell Well 04 (GWUDI), and the San Clemente Reservoir (surface water intake) to standby sources**, subject to the following provisions:

General Provisions

1. Cal Am must comply with all requirements set forth in the California Safe Drinking Water Act, California Health and Safety Code, and any regulations, standards or orders adopted there under.
2. The only active sources approved for potable water supply to the Cal-Am Monterey WS are as follows:

Source	PS Code	Water Type
Begonia Well 02	2710004-002	Groundwater
Berwick Well 08	2710004-006	Groundwater
Los Laureles Well 06	2710004-016	Groundwater
Los Laureles Well 05	2710004-017	Groundwater
Manor Well 02	2710004-020	Groundwater
Ord Grove Well 02	2710004-024	Groundwater
Pearce Well	2710004-026	Groundwater
Playa Well 03	2710004-029	Groundwater
Robles Well 03	2710004-033	Groundwater
Panetta Well 01	2710004-044	Groundwater
Panetta Well 02	2710004-045	Groundwater
Garzas Well 03	2710004-046	Groundwater
Garzas Well 04	2710004-047	Groundwater
Paralta Well	2710004-048	Groundwater
Luzern Well 02	2710004-050	Groundwater
Plumas Well No.4	2710004-051	Groundwater
Schulte Well 02	2710004-052	Groundwater
Santa Margarita ASR Well 01	2710004-070	ASR Well/Groundwater
Rancho Canada Well 02	2710004-072	Groundwater
Cypress Well 02	2710004-073	Groundwater
Berwick Well 09	2710004-074	Groundwater
Bay Street Well 01	2710004-075	GWUDI
Bay Street Well 02	2710004-076	GWUDI
Tioga Street Well 04	2710004-077	GWUDI
Tioga Street Well 05	2710004-083	GWUDI

3. The only treatment facilities/processes approved for use at the Cal Am-Monterey WS are as follows:

Treatment Facilities	PS Code	Type of Treatment	Minimum Certification of Chief Operator	Minimum Certification of Shift Operator
Carmel Valley Filter Plant	2710004-049	Surface Water/GWUDI, Corrosion Control	T5	T3
Begonia Iron Removal Plant	2710004-053	Iron and Manganese Removal, Disinfection, Corrosion Control	T3	T2
Plumas Well 04 – CL2 Treated	2710004-055	Disinfection	T1	T1
Luzern GAC Treatment Plant	2710004-056	Taste/Odor	See Luzern Post Blend	See Luzern Post Blend
Los Laureles Well 06 CL2	2710004-058	Disinfection	T1	T1
Los Laureles Well 05 CL2	2710004-059	Disinfection	T1	T1
Seaside Ozone Treatment Plant	2710004-061	Taste and Odor (H ₂ S), Disinfection, Corrosion Control	T2	T1
Robles Well 03 CL2	2710004-062	Disinfection	T1	T1
Panetta Well 02 CL2	2710004-064	Disinfection	T1	T1
Garzas Well 03 CL2	2710004-065	Disinfection	T1	T1
Garzas Well 04 CL2	2710004-066	Disinfection	T1	T1
Playa Well 03 CL2	2710004-067	Disinfection	T1	T1
Luzern Post Blend Treated	2710004-079	Arsenic Removal – Blending w/ Distribution System	T2	T1
Sand City RO Plant Effluent – After Blend	2710004-081	Surface Water/Desalination, pH Adjustment, Corrosion Control, Blending with Distribution System	T3	T2
Santa Margarita ASR Well 01 - CL2 Treated	2710004-084	Disinfection	T1	T1

4. No changes, additions, or modifications will be made to the sources or treatment specified in Provisions 2 and 3 above unless an amended water supply permit has first been obtained from the Department.
5. All water supplied by the Cal Am Monterey water system for domestic purposes must meet all primary and secondary maximum contaminant levels (MCLs) established by the Department. In the event that the water quality from an approved "active" source does not comply with the California Drinking Water Standards, the water system must provide treatment under permit approval to meet standards or discontinue the use of the source.

6. The total trihalomethanes (TTHM) concentration in the water pumped from the Santa Margarita ASR Well 01 and used to supply the distribution system for domestic purposes shall not exceed the TTHM maximum contaminant level (MCL) of 80 ug/L.
7. Cal Am shall monitor the Santa Margarita ASR Well 01 during the aquifer storage period in accordance with Provision No. 33 of this permit amendment. In addition, before using the Santa Margarita ASR Well 01 to supply drinking water to the distribution system, Cal Am must confirm that at least two (2) consecutive TTHM samples collected from the well during the storage period had a TTHM concentration of less than or equal to 80 ug/L.
8. The Santa Margarita ASR Well 01 shall not be used to supply drinking water to the distribution system if the TTHM concentration in any sample collected from the well exceeds the MCL of 80 ug/L. In the event that a single sample collected from the Santa Margarita ASR Well 01 during extraction operations exceeds the MCL for TTHM, Cal Am shall immediately shut down the well and notify the Department. Notification to the Department shall be completed within 24 hours of the water system becoming aware of the TTHM MCL exceedance and shall include the sample date and time, and a copy of the TTHM laboratory analysis result.
9. Cal Am shall comply with Title 17, CCR, to prevent the water system and treatment facilities from being contaminated from possible cross-connections. Cal Am shall maintain a program for the protection of the domestic water system against backflow from premises having dual or unsafe water systems in accordance with Title 17. All backflow prevention devices shall be tested annually.
10. Cal Am shall ensure that the Monitoring Well 1 (MW-1), and the Santa Margarita ASR Well 02 (ASR-2) have watertight surface seals and that all openings into the top of each well, designed to provide access to the well for measuring and monitoring, shall be protected against entrance of surface waters or foreign matter by installing watertight caps or plugs. Openings design to permit entrance or egress of air (e.g., casing vents) shall terminate above the ground and above known flood levels and shall be protected against the entrance of foreign material by installation of downturned and screened "U" bends. All other openings on the well head (holes, crevices, cracks, etc.) shall be sealed.

Operations

11. The distribution system for the Cal Am Monterey water system shall be operated by chief and shift distribution operators certified pursuant to Section 63770, Title 22, of the CCR.
12. All personnel who operate the treatment facilities listed in Provision No. 3 of this permit amendment shall be certified in accordance with Title 22, Section 63765 of the California Code of Regulations (CCR). All operators with responsibilities related to operation, monitoring, or reporting of the treatment facilities shall be appropriately certified in accordance with the minimum operator certification requirements for chief and shift operators listed in Provision No. 3 of this permit amendment.
13. The Cal Am Monterey water system is permitted to use hypochlorination facilities for disinfection of the water produced by the Santa Margarita ASR Well 01 provided that

the treatment operations are under the responsibility of a certified water treatment operator having a valid T1 or higher water treatment plant operator certification.

14. Cal Am shall maintain backflow prevention devices installed at all hose bibs located on the Santa Margarita ASR Well 01 wellhead and piping.
15. A Cal Am certified water distribution operator having a valid D1 or higher water distribution operator certification shall be present at the Santa Margarita ASR Well 01 site anytime that sampling, maintenance, or repairs are conducted by Monterey Peninsula Management District (MPWMD) staff or persons contracted by the MPWMD to work at the site. In addition, all routine operations, sampling, maintenance, and repair activities, as well as decisions regarding the injection and extraction operations at the Santa Margarita ASR Well 01 shall be coordinated with Cal Am and performed under the supervision of a Cal Am certified distribution system operator.
16. Within 60 days of receipt of this permit, Cal AM shall submit to the Department an updated operations plan (i.e., Operations and Maintenance Manual) for the operation of the disinfection treatment and ASR injection/extraction operations at the Santa Margarita ASR Well 01. The operations plan shall include, but not be limited to, operating procedures, preventive maintenance, recordkeeping, inspection schedule, monitoring, and reporting. The operations plan must include an updated monitoring plan that complies with Title 22 monitoring requirements and monitoring requirements prescribed in the permit amendment.

The operations plan shall specify the required certified operators for the operation of the treatment plant, and for the injection/extraction operations at the Santa Margarita ASR Well 01.
17. The operations plan for the Santa Margarita ASR Well 01 may be modified by the water system at any time to accommodate changing conditions; however, the modified plan must be submitted to the Department prior to any changes for review and approval. At any time, the Department can require the plan to be modified due to changing conditions, changes in laws or regulations, or concerns of the public.
18. Cal Am shall operate the Santa Margarita ASR Well 01, the corresponding ASR piping and valves, distribution system valves and pump stations, and other ancillary structures and equipment related to the ASR operations, in accordance with the approved operations plan (i.e., Operations and Maintenance Manual) for the Santa Margarita ASR Well 01 and any subsequent, Department-approved, changes to the plan.
19. All Cal Am operators and supervisory personnel involved in the operation or oversight of the operations at the Santa Margarita ASR Well 01 facilities shall have a copy of, and shall be familiar with, the conditions of this permit amendment, and the approved operations plan (i.e., Operations and Maintenance Manual for the Santa Margarita ASR Well 01). A copy of the permit conditions and the operations plan shall be maintained at Cal Am's main office and, where appropriate, at Cal Am's field facilities for reference.

20. Cal Am shall conduct an assessment to determine whether the chemicals used to operate the Baski, Inc. downhole flow control valve (FCV) could be hazardous to the public in the event that the valve's components fail and allow the full amount of either nitrogen gas or propylene glycol to enter the water supply during extraction mode. The assessment shall be submitted to the Department for review by **October 10, 2011**. In addition Cal Am shall prepare a monitoring plan to monitor the water from the well for these chemicals during backflush procedures and when the well is operated in extraction mode. The monitoring plan shall be included in the operations plan required in Provision No. 16 of this permit amendment. The operations plan shall also include a copy of the MSDS for each of these chemicals.
21. Cal Am shall prepare a contingency plan to respond effectively in the event that the Baski, Inc. FCV fails and the chemicals (i.e., nitrogen and propylene glycol) contaminate the drinking water during extraction operations. The contingency plan shall be included in the operations plan for the Santa Margarita ASR Well 01.
22. Cal Am shall maintain accurate and complete operations records for the Santa Margarita ASR Well 01 and the disinfection facilities. The following activities shall be performed and recorded daily:
 - Date and time of inspection, and name of operator.
 - Inspection of disinfection treatment facilities.
 - Inspection of wellhead and corresponding ASR piping and appurtenances, including backflow prevention devices on all hose bibs.
 - For both injection and extraction, record startup date, last date of injection or extraction, and amount of water injected or extracted.
 - Well flow rate readings during injection and extraction.
 - Chlorine solution tank level and gallons of chlorine solution used.
 - Chemical feed rate.
 - Chlorine dose.
 - A description of maintenance performed (both preventive and unscheduled maintenance).
 - Dates and description of major equipment failures and corrective actions taken.

Records And Reporting

23. Cal Am shall submit to the Department a monthly well production report for the Santa Margarita ASR Well 01 by the 10th day of the following month. The monthly well production report shall include daily measurements for gallons of water injected or produced, flow rate, and pumping duration (during extraction mode).

24. Cal Am shall notify the Department, by letter, within 30 days of the start of injection operations at the Santa Margarita ASR Well 01.
25. Cal Am shall notify the Department, by letter, within 10 days of the start of extraction operations at the Santa Margarita ASR Well 01. This notice shall include a summary of all TTHM and HAA5 analysis results for samples collected during the aquifer storage period to determine the concentrations of disinfection byproducts in the well before placing the well in service in extraction mode. In addition, the notice shall include the date injection operations stopped at the well.
26. Cal Am shall maintain copies of reports, inspections, and all records of ASR operation at the Santa Margarita Well 01 for at least five (5) years, and water quality records for at least ten (10) years. The records shall be made available to the Department upon request.
27. Within 60 days of the issuance of this permit amendment, Cal Am shall submit to the Department the revised sections of the water system's Emergency/Disaster Response Plan that incorporates the Santa Margarita ASR Well 01 and ASR related facilities.
28. Within 60 days of the issuance of this permit amendment, Cal Am shall update the Distribution System Operations and Maintenance Manual (DSOMM) for the Cal Am Monterey water system to include procedures to protect the Santa Margarita ASR Well 01 during injection operations. The updated DSOMM shall be made available to the Department upon request.
29. Cal Am shall be responsible for and require the timely notification and submittals from the laboratory by Electronic Data Transfer (EDT), mail, telephone, or fax of water quality analysis results, as applicable, particularly those, which trigger additional sampling within time limits. All water quality monitoring laboratory results shall be submitted to the Department using EDT by the tenth day of the month following the month in which analysis were completed. Water Quality analysis results shall be submitted via EDT utilizing the PS Codes listed below:

PS Code	Facility ID	Facility Name	Sample Description	Source Class
2710004-070	070	SANTA MARGARITA ASR WELL 01 RAW	Sample of raw water from the well before disinfection	CLGD
2710004-085	085	SANTA MARGARITA ASR INJECTION SS (DS)	Sample of injection water from Cal Am distribution system	OTHR

Water Quality

30. Any water quality sample used for compliance with drinking water regulations or the conditions of this permit amendment shall be analyzed by methods approved for drinking water analysis, and any laboratory performing these analyses shall be

appropriately certified by the Department's Environmental Laboratory Accreditation Program (ELAP).

31. The water used for injection (i.e., recharge water) into the Santa Margarita ASR Well 01 shall be treated drinking water from the Cal Am Monterey distribution system. The injection water shall meet all primary and secondary drinking water standards specified in Title 22 of the California Code of Regulations (CCR) at the point of injection.
32. Cal Am shall monitor the injection water annually at the beginning of the injection period for the following drinking water parameters and contaminants:
- Total coliform and *E. coli* bacteria
 - Regulated inorganic chemicals (IOCs) listed in Table 64431-A, Title 22, CCR; except for asbestos, cyanide and perchlorate, which are waived.
 - Gross Alpha particle activity.
 - Regulated volatile organic chemicals (VOCs) listed in Table 64444-A, Title 22, CCR.
 - General mineral and general physical constituents and contaminants with secondary MCLs listed in Tables 64449-A and 64449-B, of Title 22, CCR.
 - Bicarbonate, carbonate and hydroxide alkalinity, calcium, magnesium, sodium, pH, and total hardness.
 - Bromate
33. At the Santa Margarita ASR site, during injection/aquifer storage/extraction, Cal Am shall monitor for total trihalomethanes (TTHM) and Haloacetic acids (five) (HAA5), according to the following schedule:

Santa Margarita ASR Well 01 Operation	Sample Location	Sample Description	Monitoring Frequency
Injection	Santa Margarita ASR Injection Point	Injection water	Monthly
Storage	Santa Margarita ASR Well 01 – raw water sampling tap	Well water (groundwater) pumped-to-waste into backflush pit	Biweekly sampling starting 30 days after injection stops (samples may be collected more frequently, but must be at least 7 days apart)
Extraction	Santa Margarita ASR Well 01 – raw water sampling tap	Well water (groundwater) pumped into distribution system	Monthly

34. Routine water quality samples collected from the Santa Margarita ASR Well 01 (i.e., groundwater samples) for compliance with primary MCLs for IOCs, Radionuclides, VOCs, SOCs, secondary MCLs and general mineral/physical parameters specified in Title 22, CCR shall be collected when the well is operated in extraction mode and supplying water to the distribution system.
35. Cal Am is required to monitor the Santa Margarita ASR Well 01 for all Title 22 regulated general minerals/general physical standards and contaminants with secondary MCLs once every three years.
36. Cal Am shall collect a sample for iron and manganese from the Santa Margarita ASR Well 01 during the third or fourth quarter of 2011. The sample shall be collected when the well is operated in extraction mode.
37. Cal Am is required to monitor the Santa Margarita ASR Well 01 for all Title 22 regulated inorganic chemicals (IOCs) once every three years except for cyanide, arsenic, nitrate, and asbestos. Cyanide monitoring at the source is waived. Arsenic, nitrate, and asbestos have different monitoring requirements. IOCs monitoring shall be conducted when the well is operated in extraction mode.
38. Cal Am shall monitor the Santa Margarita ASR Well 01 for arsenic annually during the third or fourth quarter of the year starting in 2011 when the well is operated in extraction mode.
39. Cal Am shall monitor the raw water from the Santa Margarita ASR Well 01 for asbestos once every nine years. Asbestos monitoring at the well shall be conducted during the warmest summer months when the well is operated in extraction mode.
40. Cal Am shall monitor the Santa Margarita ASR Well 01 for nitrate (as NO₃) annually.
41. Cal Am shall monitor the Santa Margarita ASR Well 01 for all regulated VOCs during 2012 to complete initial monitoring requirements. This annual sample for VOCs shall be collected during the third quarter of 2012. Cal Am shall conduct routine monitoring for VOCs at the Santa Margarita ASR Well 01 in accordance to Section 64445.1, Title 22, CCR.
42. Cal Am shall monitor the Santa Margarita ASR Well 01 annually for the detected organic chemical Dichloromethane. Sampling for Dichloromethane shall be conducted during the third quarter of every year starting in 2012.
43. Cal Am shall conduct monitoring for alachlor, bentazon and lindane at the Santa Margarita ASR Well 01 during the 4th quarter of 2011 to complete initial monitoring requirements for SOCs. SOCs samples must be collected during extraction operations.
44. Cal Am shall conduct routine monitoring at the Santa Margarita ASR Well 01 for the SOCs atrazine, 2,4-dichloroxyacetic acid (2,4-D), diquat, and simazine at a frequency of two (2) consecutive calendar quarters every three (3) years. All other regulated SOCs are waived. The waiver period is three (3) years. The next routine monitoring for SOCs is due in 2014.

45. Cal Am shall collect a single sample for gross alpha, uranium, and radium 226 from the Santa Margarita ASR Well 01 when the well is operated in extraction mode during the 3rd or 4th quarter of **2011**. Thereafter, Cal Am shall monitor the well annually for gross alpha during the third or fourth quarter of each year. Routine monitoring for uranium and radium will be determined based on the results of the **2011** samples and in accordance with Section 64442 (d) of Title 22, CCR.
46. Cal Am shall monitor the raw water from the Santa Margarita Well 01 for total coliform and *E. coli* bacteria each year before using the well to supply drinking water to the distribution system. Raw water bacteriological monitoring shall be performed as part of the startup procedures for extraction operations.
47. Cal Am shall monitor the raw water from the Santa Margarita Well 01 for total coliform and *E. coli* bacteria once every three months while the well is operating in extraction mode.
48. If any single raw water sample from the Santa Margarita ASR Well 01 has a result of total coliform present, Cal Am must collect a confirmation sample for total coliform and *E. coli* analyses within 24 hours of being notified of the total coliform present result. The total coliform and *E. coli* analyses of the raw water must be performed using an enumeration method with results reported in units of MPN/100 mL. If the confirmation sample is positive for total coliform, the water system must contact the Department within 24 hours of notification from the laboratory for further guidance and required corrective actions. If any single raw water sample from this well has an *E. coli* positive result, Cal Am shall immediately shut down the well and contact the Department with 24 hours of being notified of the *E. coli* present result.
49. Cal Am shall require the laboratory to submit all bacteriological analysis results from the Santa Margarita ASR Well 01 source monitoring on hardcopy-laboratory report format to the Department by the 10th day of the month following sample collection.
50. Cal Am shall conduct a source water assessment (SWA) of the Santa Margarita ASR Well 01. The SWA shall be prepared following the Department's Source Water Assessment and Protection (DWSAP) Program guidance document. If the nearby active wells, Ord Grove Well 02 and Paralta Well, are operated simultaneously with the Santa Margarita ASR Well 01, Cal Am must use a special SWA procedure for delineating protection zones for wells that are close together. Guidance on SWA is included in the Appendix of the permit amendment engineering report. The SWA shall be submitted to the Department by **November 10, 2011**.
51. Cal Am shall prepare a revised Disinfection Byproducts Rule (DBPR) Monitoring Plan for the Cal Am Monterey water system. The revised DBPR Monitoring Plan shall include sampling sites representing the new disinfection treatment plants at the Santa Margarita ASR Well 01 and at the Sand City Brackish Water RO Plant. In addition, the revised DBPR Monitoring Plan shall include sampling sites that change seasonally to reflect seasonal variations in sources and treatment facilities. The revised DBPR plan shall be prepared in accordance with the requirements of Sections 64534.2 through 64534.8 of Title 22, CCR, and shall include all the items listed in the *Disinfectants/Disinfection Byproducts Monitoring Plan Guidance* document included in the Appendix of the permit amendment engineering report.

The revised DBPR Monitoring Plan for the Cal Am Monterey system shall be submitted to the Department for review and approval by **October 10, 2011**.

52. Cal Am shall monitor the raw water from the Ord Grove Well 02 and the Paralta Well for TTHM monthly when the sources are in service. Monthly sampling for TTHM at these sources shall begin in **September of 2011**. Analysis results shall be submitted to the Department via EDT by the 10th day of the month following sample collection.
53. Cal Am shall monitor the raw water from the Ord Grove Well 02 and the Paralta Well for arsenic and gross alpha annually during the third or fourth quarter of the year.
54. Water from the Russell Well 02 (GWUDI-standby), Russell Well 04 (GWUDI-standby), and the San Clemente Reservoir (Surface Water-standby) must be treated with full surface water treatment in compliance with Sections 64652, 64654, and 64657 of Title 22, CCR any time that these standby sources are used to supply drinking water to the distribution system during an emergency.

This amendment shall be appended to and shall be considered to be an integral part of the Domestic Water Supply Permit issued to the *California American Water Company's Monterey District water system* on *February 9, 1979*.

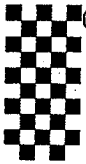
FOR THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

Date

8/2/11

Jan R. Sweigert, P.E.

District Engineer, Monterey District
Drinking Water Field Operations Branch



RECEIVED

AUG -4 2011

MPWMD

Citizens for Transparency in Government
1676-A Fremont Boulevard
P.O. Box 1548
Seaside, California 93955

Chairman of the Board of Directors
Monterey Peninsula Water Management District
5-G Harris Court
P.O. Box 85
Monterey, California 93942

August 4, 2011

Dear Director Brower;

It has come to my attention that, since the resignation of former water board director Alvin Edwards, constituents of his division (Division 1) are being deprived of equal representation on your board. Our current elected representative, Brenda Lewis, has been denied access to the seats formerly held by Director Edwards, on committees where critical decisions are made. You have, thus, eliminated our division from being equally represented on the board.

It is also noted that you have reassigned most of the committee seats, once held by the division 1 director, to Directors Potter and Pendergrass, who are appointed - not elected - members of the board. Director Lewis is also being denied access to education and training that are essential to the optimum representation of our division. This is unacceptable; the Seaside community will not quietly endure these indignities.

We, the citizens of the Seaside community, have worked diligently towards equal political representation on this Monterey Peninsula. We will not concede our hard-fought political gains to the other divisions of the Monterey Peninsula Water Management District, nor will we be relegated to a back seat on the water board.

This letter serves as our official notice to you that your recent actions against our community will *not* be tolerated. We are organizing, strategizing, and consulting with legal counsel to address these blatant transgressions against our community. We look forward to a swift and equitable resolution to these issues, and will bring our concerns directly to you at the next board meeting.

Sincerely,

Helen Rucker

From: Robert Gormley [mailto:gormley.oceanus@earthlink.net]

Sent: Thursday, August 04, 2011 1:37 PM

To: cob@co.monterey.ca.us

Cc: Dave Potter; district1@co.monterey.ca.us; district2@co.monterey.ca.us; district3@co.monterey.ca.us; district4@co.monterey.ca.us; Darby Fuerst

Subject: Restructure the Regional Water Project

To: Board of Supervisors, Monterey County

4 August 2011

Restructure the Regional Water Project

As a long time property owner and resident of the Monterey Peninsula, I have followed with great interest the fruitless quest for additional water resources since the days of the late 1970s drought. While recognizing the proximate need for additional water sources to preclude a cutback order by the State Water Resources Control Board (SWRCB), and also to support limited development, I am nevertheless opposed to the proposed Regional Water Project in its current form, i.e., its sole dependence on a Marina-sited desalinization facility.

My reasons for opposing the project are as follows:

- The project is far too expensive, with rate payers facing dramatic increases in water charges. Here, it is important to remember that, since costs for large public infrastructure projects are often underestimated by a significant amount, we could easily expect to see even higher water usage rates -- perhaps twice the eye-popping figure now being publicly cited.
- Under the project, Marina rate payers are to be charged far less than rate payers elsewhere. This seems manifestly unfair.
- The project governance structure is overly complex and unbalanced, and makes little management sense. Marina Coast is accorded far too much power and key community interests are not represented by a proper supervisory governing board. Importantly also, the Monterey Peninsula Water Management District (MPWMD) is not included in project governance. One wonders how this can be since the MPWMD's mission is to "manage, **augment** and protect" existing water resources.
- The project's credibility suffers from allegations, and indeed some evidence, of self-dealing and conflicts of interest. An example here is the move to award a contract to a private firm to manage the contribution to the Regional Water Project by the Monterey County Water Resources Agency. This brings up questions such as: "What's to manage here" and "Why can't the Agency self-manage its portion of the project"? Allegations of possible wrongdoing such as these need to be thoroughly investigated in order to restore public confidence. Investigations should therefore be conducted by objective outsiders and not by attorneys hired on behalf of individuals or by government entities now under a cloud of suspicion.
- The current project plan was developed by a small group of officials over a fairly short period, with the result that the public was not accorded sufficient time to become familiar with the proposed project and register informed opinions pro and con. It almost seems as if the project's sponsors have

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been using the pressure of the potential SWRCB cutback to gain approval of the project with minimal time for review.

I strongly urge that the Regional Water Project be put on hold for now and restructured to provide water at less expense to rate payers. Here, rather than depending solely on the output of a single large desalinization facility in Marina, a variety of potential water sources should be considered, with a view to developing a combination approach drawing from the various schemes proposed over the years -- storing ground water, small desal plants, aquifer storage, a pipeline from out of area, and perhaps looking again at a Carmel River dam. In sum, the goal would be to develop a new water plan, one that costs less, is overseen by a governing group representing all communities, and is equitable to all rate payers

The restructured project should be managed by a true joint powers agency or state-designated special district, one that clearly fixes responsibility and provides for accountability. In examining how best to manage the project, why not consider bringing Marina into the Monterey Peninsula Water Management District and make the MPWMD responsible for the Regional Water Project? If this is not feasible and another management approach is selected, then it may make sense to disestablish the MPWMD, which has been of limited effectiveness to date, thereby eliminating an expense to Peninsula residents and businesses.

Finally, we should not be spooked by the imminent threat of the State-mandated cutback on pumping from the Carmel River and rush into a financially unsound scheme. It would be far better to suffer the effects of a water cutback for a year or two than to press ahead with the current plan, and then later find ourselves stuck with a hyper-expensive system, one that may or may not produce to the degree now touted, and that is managed under a flawed and unfair governance scheme.

We Peninsula residents are looking to the Board of Supervisors to decisively lead the way in solving our critical water supply problem. I trust that we shall not be disappointed.

Sincerely,

Robert H. Gormley

P.O. Box 1313
Pebble Beach, CA 93953
Tel: 831-649-4330

--- On Sun, 8/7/11, Patricia Van Kirk <pvk359@yahoo.com> wrote:

RECEIVED

From: Patricia Van Kirk <pvk359@yahoo.com>
Subject: MPWMD permit application/confidential
To: darby@wpwmd.dst.ca.us
Date: Sunday, August 7, 2011, 9:38 PM

AUG - 7 2011

MPWMD

Mr. Darby Fuerst:

I will greatly appreciate your help to address my concerns and disappointment regarding a water permit application under consideration with MPWMD. Water Management approval is being sought in conjunction with renewal of a residential construction permit in Carmel by the Sea.

Please see the two-page attachment enclosed

Thank you.

Patricia Van Kirk

PAGE ONE OF TWO

RE: MPWMD PERMIT 31258

I will greatly appreciate your help to address my concerns and disappointment regarding a water permit application under consideration with MPWMD. Water Management approval is being sought in conjunction with renewal of a residential construction permit in Carmel by the Sea. The residential construction permit pertains to the renovation of a master bathroom only. No additional square footage or additional water use is requested.

A preliminary MPWMD home inspection on August 3, 2011, initiated through the Harris Court Office, has raised questions for me that have not been answered to my satisfaction.

I was present at the above inspection to answer questions about my residence and felt satisfied that your inspector had been thorough. On the following day, however, I received a phone call from the Harris Court office and learned that they would not be able to approve my water permit as requested, based on the information available. The conversation led me to believe that there was misinformation that could be resolved by photographs of both existing bathrooms. I immediately returned to the Harris Court office with digital photos that seemed to rectify some of the misinformation resulting from the 8/3 home visit. Unfortunately, the staff person who conducted the home visit was reported to be out of the office for at least a week and unable to answer pertinent questions.

Presently, I am waiting for preliminary approval of my MPWMD application with restrictions that I did not anticipate and cannot understand.

An onsite visit to my home by the Carmel building inspector left me with the expectation that my extra effort and expense to reduce water usage at our home would positively impact the MPWMD permit application. With respect to our water permit application and proposed master bath renovation, the Carmel inspector noted that, replacement of the master bath tub with a smaller one and a new toilet to replace the original fixture (described as a one-gallon-per-flush model) would make a difference. Additionally, the master bath renovation will include new low-flow faucets and valves for the washbasin, tub and shower. *(The pre-existing tub, toilet and lavatory sink were removed from the master bath prior to the MPWMD home visit on 8/3, but were readily available on the outside deck for inspection by your staff person. The replacement tub for the master bath was seated in place.)*

The MPWMD permit I have requested requires the following at final inspection:

1. Replacement of the toilet in *primary bathroom*.
2. Replacement of the laundry sink with "wash basin size" sink.
3. Replacement of shower heads and faucets in both bathrooms with low-flow fixtures

NOTE: Shower heads and lavatory faucets in both bathrooms, tub faucets in master bath, along with the kitchen sink faucet, will all comply with low flow requirements at final inspection.

PAGE TWO OF TWO

Why am I being required to replace a late model toilet (manufactured 1989) in the *primary bathroom*, when that bathroom is not included in my Carmel by the Sea construction permit? This toilet was installed prior to my ownership in 2003.

Why did the 8/3 WPWMD inspection register a shower over tub in the *primary bathroom* when no tub exists? My photographs were able to show that only a corner shower exists in the primary bath and there is no bath tub

Why am I being required to replace a standard laundry sink with a useless lavatory sink? (The faucets do not require replacement.) Your Harris Court staff person informed me that it was because "I might do something else with it." Something else? I use that sink for hand laundry every week. Why would you want me to put a shirt, a few rags or baby clothes through an entire wash cycle of my Maytag, when I can save time and a lot of water by hand washing in my laundry sink? The laundry sink is placed directly behind the washing machine for lack of adjacent space and was installed prior to my ownership.

Why am I being required to retrofit an automated irrigation system that I do not have? I informed your inspector on 8/3 that I have already removed the pre-existing automated irrigation system as a water-saving measure.

Why is there no overall consideration of the fact that our Cal Am water bill for this home averages only about \$25.00 per month, year after year? This reflects very conservative water use.

Thank you for your time and consideration. I am also available at 831 624-4188

Sincerely,

Patricia Van Kirk
(Homeowner)

RECEIVED

JUL 01 2011

MPWMD

Mr. Darby Fuerst
General Manager
Monterey Peninsula Water Management District
5 Harris Court, Building G
P.O. Box 85
Monterey, Calif. 93942-0085
July 29, 2011

Dear Mr. Fuerst,


My name is Robert Korstanje and I am contacting you in regard to MPWMD Permit #S05-05 that was issued on Oct. 5, 2005 to a Mr. Cardinali on APN 187-601-003(341 El Caminito, Carmel Valley, Calif. 93924).

I have made an offer on this vacant property that is being sold via foreclosure by a local Real Estate firm. The title on that property has been in question for the last six years until now. That offer has been accepted and I will be obtaining clear title when escrow closes when the only contingency on that sale is removed which is the ability to renew the MPWMD Permit #S05-05.

I would like to approach MPWMD about granting the number of six month extensions necessary to re-activate this permit as well as one additional six month extension to bring it current due to the property's mortgage default and foreclosure status over the last six years. I may be asking for additional extensions through 2012 as we will need time to design the home, secure the necessary building permits and build the house. If this is possible could you please note this in writing and send it to my address below. My wife and I have lived on the Monterey Peninsula previously and look forward to returning and building a home in the Carmel Valley.

Thank you very much for your time and attention in this matter.

Sincerely,



Robert Korstanje
PO Box 25
Richland, MI. 49083

CC: Eric Sand
David Sweigert