



July 20, 2011

Jose Flores  
#5 Zaragoza View  
Monterey, CA 93940

**SUBJECT: DETERMINE APPLICATION FOR "FLORES" (Well #1) WATER DISTRIBUTION SYSTEM IS COMPLETE; MPWMD APPLICATION #20110401FLO; APN 103-071-002; 564 Monhollan Road, Monterey**

Dear Mr. Flores:

The Monterey Peninsula Water Management District (MPWMD or District) requires that a written permit be obtained from the District to create or amend a Water Distribution System (WDS). The "Flores" WDS (Well #1) contemplates domestic and irrigation water service to the parcel referenced above. The neighboring Pisenti parcel (APN 103-071-019) had included two wells (Well #1 and Well #2). However, a lot line adjustment approved by Monterey County on June 30, 2011 results in Well #1 providing service to the Flores parcel and Well #2 providing service to the Pisenti parcel. A separate WDS application has been submitted for Well #2/Pisenti. It is noted that the Assessor's Parcel Numbers will change for both parcels, pending designation of new numbers by the County Assessor's office.

For reference, in May 2011 the District concurred with the conclusions of the March 23, 2011 hydrogeologic assessment for Well #1 as part of its hydrogeologic review of WDS applications. We then learned of concerns expressed by a neighbor (Mr. Beech) about possible impacts to his well and lack of notification regarding the option for his well to be monitored during the required 72-hour test. In the District's June 16, 2011 letter, the Flores/Well #1 application was deemed to be incomplete with regard to assessing the impact to neighboring wells. The District's letter of June 24, 2011 further clarified the actions to be taken by the parties, and a July 5, 2011 deadline was set for three neighbors to determine whether or not they wished their wells to be monitored. The letter stated that if no neighbor indicated the need for monitoring, then a new pumping test is not required. Due to the July 4 Holiday, the deadline was extended one week to July 12, 2011.

**Determination of Complete Application**

Based on the enclosed summary of events (**Enclosure 1**), prepared on July 15, 2011 by the applicant's hydrogeologist, Aaron Bierman, the District is satisfied that a timely, good faith effort to notify and communicate with each neighbor was made, and that no neighbor agreed by the July 12, 2011 deadline to have their well monitored for a pumping test planned in July 2011. Thus, the Flores/Well #1 WDS application is now deemed to be complete.

Mr. Flores  
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**Next Steps**

The application will be processed as a Level 2 administrative review (staff determination). Written evidence in the permit materials as well as District files will support the required Findings, minimum standards for granting a permit, and mandatory Conditions of Approval identified in MPWMD Rules 22-B, C and D. The District plans to file a California Environmental Quality Act (CEQA) Exemption pursuant to CEQA Guidelines Section 15303, "New Construction or Conversion of Small Structures," as the water system relates to residential and landscape irrigation consistent with Monterey County zoning.

Please note that there is currently a backlog of WDS applications, as shown in the enclosed list (**Enclosure 2**). We are working as quickly as possible to address the applications, but it may be several months before final permit materials are completed for your application. For reference, the State Permit Streamlining Act guideline is no longer than six months from the date the application is deemed to be complete.

**Appeal of Staff Decision**

This determination of a complete application is considered to be a determination of the MPWMD General Manager associated with MPWMD Rule 22-A-5, and as such, may be appealed to the District Board in writing within twenty-one (21) days of the date of this letter pursuant to MPWMD Rule 70. An appeal may be filed by the affected property owner or by any other person. If an appeal is initiated, the proper form must be completed, submitted and received by the MPWMD on or before 4:30 PM on the 21<sup>st</sup> day after the date of this letter.

The staff contact for this application is Henrietta Stern, Project Manager. Please contact her at 831/658-5621 or [henri@mpwmd.net](mailto:henri@mpwmd.net) if you have any questions.

Sincerely,

  
Darby Fuerst  
General Manager

**Enclosures:**

- 1- Bierman letter dated July 15, 2011
- 2- List of pending applications

**Cc:** Henrietta Stern, Project Manager

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Prepared by H. Stern, 7/19/11



July 20, 2011

Pisenti Family Trust  
c/o Ed Kramer  
317 Montclair Road  
Los Gatos, CA 95032

**SUBJECT: DETERMINE APPLICATION FOR "PISENTI" (Well #2) WATER DISTRIBUTION SYSTEM IS COMPLETE; MPWMD APPLICATION #20110401PIS; APN 103-071-019; 577 Monhollan Road, Monterey**

Dear Mr. Kramer:

The Monterey Peninsula Water Management District (MPWMD or District) requires that a written permit be obtained from the District to create or amend a Water Distribution System (WDS). The "Pisenti" WDS (Well #2) contemplates domestic and irrigation water service to the parcel referenced above. The Pisenti parcel (APN 103-071-019) had included two wells (Well #1 and Well #2). However, a lot line adjustment approved by Monterey County on June 30, 2011 results in Well #1 providing service to the Flores parcel (APN 103-071-002) and Well #2 providing service to the Pisenti parcel. A separate WDS application has been submitted for Well #1/Flores. It is noted that the Assessor's Parcel Numbers will change for both parcels, pending designation of new numbers by the County Assessor's office.

For reference, in April 2011 the District concurred with the conclusions of the March 22, 2011 hydrogeologic assessment for Well #2 as part of its hydrogeologic review of WDS applications. We then learned of concerns expressed by a neighbor (Mr. Beech) about possible impacts to his well and lack of notification regarding the option for his well to be monitored during the required 72-hour test. In the District's June 16, 2011 letter, the Pisenti/Well #2 application was deemed to be incomplete with regard to assessing the impact to neighboring wells. The District's letter of June 24, 2011 further clarified the actions to be taken by the parties, and a July 5, 2011 deadline was set for three neighbors to determine whether or not they wished their wells to be monitored. The letter stated that if no neighbor indicated the need for monitoring, then a new pumping test is not required. Due to the July 4 Holiday, the deadline was extended one week to July 12, 2011.

**Determination of Complete Application**

Based on the enclosed summary of events (**Enclosure 1**), prepared on July 15, 2011 by the applicant's hydrogeologist, Aaron Bierman, the District is satisfied that a timely, good faith effort to notify and communicate with each neighbor was made, and that no neighbor agreed by the July 12, 2011 deadline to have their well monitored for a pumping test planned in July 2011. Thus, the Pisenti/Well #2 WDS application is now deemed to be complete.

Mr. Kramer  
July 20, 2011  
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### **Next Steps**

The application will be processed as a Level 2 administrative review (staff determination). Written evidence in the permit materials as well as District files will support the required Findings, minimum standards for granting a permit, and mandatory Conditions of Approval identified in MPWMD Rules 22-B, C and D. The District plans to file a California Environmental Quality Act (CEQA) Exemption pursuant to CEQA Guidelines Section 15303, "New Construction or Conversion of Small Structures," as the water system relates to residential and landscape irrigation consistent with Monterey County zoning.

Please note that there is currently a backlog of WDS applications, as shown in the enclosed list (**Enclosure 2**). We are working as quickly as possible to address the applications, but it may be several months before final permit materials are completed for your application. For reference, the State Permit Streamlining Act guideline is no longer than six months from the date the application is deemed to be complete.

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The staff contact for this application is Henrietta Stern, Project Manager. Please contact her at 831/658-5621 or [henri@mpwmd.net](mailto:henri@mpwmd.net) if you have any questions.

Sincerely,



Darby Fuerst  
General Manager

### **Enclosures:**

- 1- Bierman letter dated July 15, 2011
- 2- List of pending applications

Cc: Henrietta Stern, Project Manager

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Prepared by H. Stern, 7/19/11



Hydrogeologic Consulting & Water Resource Management  
Office: (931-858 8888) Cell: (931-334 2237) E-Mail: [abierman@comcast.net](mailto:abierman@comcast.net)  
3153 Redwood Drive, Aptos, CA, 95008

July 15, 2011

Monterey Peninsula Water Management District  
Attn: Henrietta Stern

Monterey County Environmental Health Department  
Attn: Roger Van Horn

**RE: Flores/Pisenti Wells #1, 2 @ 564 and 577 Monhollan Road, Monterey, Ca, APN: 103-071-019 & -002**

*Bierman Hydrogeologic (BHgl)* has been prepared this letter as per request of Monterey Peninsula Water Management District (MPWMD) to provide a summary of events in regards to a neighboring well owner (Beech) request of denial of WDS permits for Flores/Pisenti Wells #1, 2.

**SUMMARY OF EVENTS:**

- October 15 thru 21/2010: Simultaneous Aquifer Pumping & Recovery Tests on Flores/Pisenti Wells #1, 2<sup>1</sup>. In summary, each well sustained greater than 3 gpm for 72hrs with minimal drawdown. MCEHB Post Recovery Pumping Rates were 7.58 gpm / 3.30 gpm respectively. MPWMD Post-Recovery Calculated Yields were 32.89 gpm/24.52 gpm respectively.
- February 15, 2011: Beech submits "Objection to Application (PLN100560) for Lot Line Adjustment" to MC Planning Department. In this letter, Mr. Beech suggests that his well went dry as a result of the October 2010 pumping tests completed on Flores/Pisenti Wells, and therefore; 1) request denial of the proposed lot line adjustment pending at MC Planning Department, and 2) accounts for using his well to irrigate 3-parcels without a valid WDS permit.
- March, 2011: Submittal of MPWMD Application for Water Distribution System (WDS) permit and BHgl report for Flores/Pisenti Well #2, dated March 22, 2011.
- March, 2011: Submittal of MPWMD Application for Water Distribution System (WDS) permit and BHgl report for Flores/Pisenti Well #1, dated March 23, 2011.
- April 29, 2011: MPWMD concurs with Pueblo Water Resources review of BHgl Report on Flores/Pisenti Well #2, indicating the well is adequate for intended use with no significant offsite impact to neighboring wells or sensitive environmental receptors.
- May 23, 2011: MPWMD concurs with Pueblo Water Resources review of BHgl Report on Flores/Pisenti Well #1, indicating the well is adequate for intended use with no significant offsite impact to neighboring wells or sensitive environmental receptors.
- June 8, 2011: MPWMD (via e-mail) circulates Letter submitted by Mr Beech dated June 7, 2011 along with attachment of HydroMetrics Water Resources Inc., Letter dated, June 3, 2011 which question 1) Flores/Pisenti Well Yields and Offsite Technical Calculations as presented in BHgl Report of Flores/Pisenti Well #2, and 2) MPWMD potential authorization of WDS Permits, and therefore requests MPWMD and MCEHB to deny reports and to authorize another pumping test be conducted while the Beech Well is monitored.

<sup>1</sup> See respective Bierman Hydrogeologic Reports, dated March 22, and 23, 2011 for details.

- June 9, 2011: BHgl (via e-mail) concurs with Beech requests and suggest scheduling pump test for the week of June 20<sup>th</sup>. As part of scheduling, BHgl requests preliminary well information from Beech including; whether or not the well has a sounding tube, what the wells static groundwater level and pumping water levels are, pump type, typical flow rate, and installation depth, and irrigation schedule.
- June 10<sup>th</sup> -20<sup>th</sup>, 2011: (via e-mail) Beech, Flores/Pisenti, MPWMD, MCEHB and BHgl have an understanding that pumping test should be able to be completed at any time between June 1 and October 31<sup>st</sup> of any given year, and that pumping testing in October to mimic previous years data is not necessary to determine constructive interference patterns.
- June 14<sup>th</sup>: BHgl installs pressure transducers (Xd's) in both Flores/Pisenti Well #1, #2 and starts background base-line groundwater level monitoring in these wells to determine whether constructive interference patterns are observed during the daily cyclic irrigation pumping of the Beech Well. Sprinkler irrigation was observed at the Beech Property on several different occasions, and as per the landscape staff, irrigation water is from the well.
- June 21<sup>st</sup>, 2011: Mr. Beech (via e-mail) requests: 1) MPWMD and MCEHB re-evaluate the BHgl Reports and pumping test and whether or not they were completed in accordance with respective agency standards, 2) MPWMD and MCEHB to require new tests on both wells, and, 3) "if such new test are planned, owners of nearby wells be notified of their option to request concurrent monitoring"
- June 24, 2011: MPWMD (via e-mail) responds to Mr. Beech June 21<sup>st</sup> e-mail. In summary, MPWMD issues directive time-line for BHgl/Beech, at a minimum; 1)reschedule pumping tests with 14-day advanced notification to all neighbor's with wells within 1,000 ft of Flores/Pisenti Wells, and 2) Provide 7-day timeline for response for requesting concurrent monitoring.
- June 27<sup>th</sup>, 2011: BHgl (via e-mail) provides MCEHB, MPWMD, Beech, et.al. 14-day advance notification that a pump test is scheduled for Well #2 on July 12, 2011, and that a response for monitoring is due by July 5, 2011. In this e-mail chain, BHgl again request whether or not the Beech Well has a sounding tube, as well as the wells static groundwater level and pumping water levels, pump type, typical flow rate, installation depth, and irrigation schedule.

In addition to the e-mail correspondence on this day, BHgl completed a site visit to all neighboring well owners within 1,000ft radius of Flores/Pisenti Well #2, which included Beech, Maney, Shake. Beech (personal communication) refused access to property and well monitoring and requested e-mail communications only. Maney (personal communication) approved access although was not critical of potential constructive interference between the wells and thus declined concurrent monitoring. Shake was not home, and therefore was notified in writing of the upcoming pumping test, and the time-line to respond.

- June 27<sup>th</sup>-30<sup>th</sup>, 2011: (via e-mail) Beech, Flores/Pisenti, MPWMD, MCEHB and BHgl discuss whether the technical calculations that BHgl used for Flores/Pisenti Wells #1, 2 followed respective agency guidelines. In summary, the discussion was that BHgl followed appropriate guidelines.
- June 30<sup>th</sup>, 2011: MCBOS approves, with recommendation from MCEHB and MC Planning, Lot line Adjustment for the Flores/Pisenti Parcels, APN: 103-071-019 & 002.
- July 5<sup>th</sup>, 2011: As per the request of Beech's Attorney, MPWMD (via e-mail) grants extension to July 5, 2011 deadline for opting to request concurrent monitoring and provides an additional 7-day time-frame to respond.

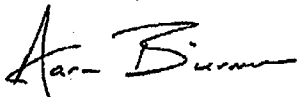
- July 6<sup>th</sup>, 2011, BHgl (via e-mail) reschedules test for July 19<sup>th</sup>, 2011, and request response by July 12, 2011 (7-days).
- July 7<sup>th</sup>, 2011, BHgl contacts Mr. Shake in person, provides contact information and notifies Shake of upcoming pumping test and his options to request concurrent monitoring. Mr Shake informed BHgl that he would contact his pump-contractor (Maggiara Brothers) and call back if interested. To this date no contact from Shake has occurred. Mr. Maney was not contacted the second time as he already declined concurrent monitoring.

On this same day, BHgl provided graphs to both MPMWD, and MCEHB regarding the past 21 days of baseline groundwater level monitoring in the Flores/Pisenti Wells #1, 2 with the conclusion, based on data, that there is no significant groundwater level impacts for cyclic pumping for offsite irrigation wells.

- July 13<sup>th</sup>, 2011: BHgl (via e-mail) notifies MPWMD, MCEHB that no response for request of concurrent monitoring has been requested by Beech or Shake. Based on the above information, including the time-line directive issued by MPWMD on June 24<sup>th</sup>, 2011 and extension granted on July 5, 2011, BHgl request MPWMD complete WDS permits for both Flores/Pisenti Wells #1, 2. In response, MPWMD requested that BHgl provide a summary letter with a time-line of events relating to Beech and Flores/Pisenti Parcels/Well interaction.
- July 15<sup>th</sup>, 2011: BHgl prepares and submits this summary of events letter.

This concludes the summary of events between Beech and Flores/Pisenti Wells.

Respectfully submitted,



Aaron Bierman  
Certified Hydrogeologist #819

**LIST of ACTIVE WDS PERMITS by APPLICATION DATE  
as of July 18, 2011 at 4 PM**

**Note: PSA deadlines and other issues can affect actual task priority**

**APPLICATIONS TO EVALUATE OR FINALIZE –in order of receipt (24 active + ASR)**

	APPLICANT	PRE-APP RECEIVED	FORMAL APPLICATION RECEIVED
1	Villas at Laguna Seca	N/A	2004 (I)
2	Zoe/Galakatos	2/2/2006	8/01/2006
3	King/Greenwall LLC	5/23/2007	8/8/2007 (S)
4	Matheson 103-031-001	1/16/2007	9/10/08
5	Hartnett 241-221-011	3/19/2007	1/02/2009 (CZ)
6	Carmel Rio Subdivision	12/20/06	2/4/2009 APN 015-021-015, 020, 021 (I)
7	Village Park/Delfino	Jan 2007	2/24/2009 APN 187-521-015 + 5 more (I)
8	Rancho del Robledo	5/6/2009	7/9/2009 APN 197-151-016 et al
9	Powell	2/11/2009	1/27/2010 APN 009-081-027 (CZ)
10	Belzberg WDS	None	4/29/2010 APN 197-082-001 CVU
11	Roberts-McCauley	3/16/2010	12/3/2010 APN 187-591-043
12	Saddle Mountain	7/23/08	12/10/2010 APN 416-022-011 thru -013 and -017 thru -022, and 415-021-005
13	Dyer	9/10/2010	12/22/2010; APN 187-411-011
14	Newsome (was Coyote/Linder)	1/28/2010	1/12/2011; APN 416-082-024
15	Garren (Highlands)	4/9/2010 -- revised Oct 2010	1/20/2011; APN 241-241-009
16	Kaminski	8/12/2010	1/26/2011; APN 103-151-013
17	Oseguera (Vista Linda)	1/28/2010	2/24/2011; APN 187-021-037 Revised 4/5/2011
18	Adrian (was 5 Overlook)	1/29/10; revised 10/14/10	3/8/2011' APN 014-131-013
19	September Ranch Subdivision	6/7/2007	3/16/2011; 015-171-010+-012; 015-361-013+014
20	Carroll Mobile WDS	12/17/2010	3/22/2011; APN 103-061-017
21	Pisenti Family Trust	11/8/2010	4/1/2011; APN 103-071-019
22	Flores	11/8/2010	4/1/2011; APN 103-071-002
23	Tydings	10/22/2010	4/5/2011; APN 241-182-003, 004, 005, 006
24	Garcia	11/2/2009	5/6/2011; APN 103-141-014
25			
	MPWMD ASR	N/A	

**Important Note:** WDS Applicants are generally processed on a first-come-first basis, taking into consideration original Pre-Application date, date of submittal of formal Application, date Application is deemed to be "complete"; requirements of the California Permit Streamlining Act, and hardship or unique situations as approved by the General Manager. The list above is in order of date of receipt of the formal Application. Actual staff assessment could vary from the above order as directed by the General Manager.

\*\*\*\* Pre-Applications on following page \*\*\*\*



**PRE-APPLICATIONS TO REVIEW/FINALIZE – in order of receipt (42 total)**

	<b>PRE-APPLICANT</b>	<b>PRE-APP RECEIVED + NOTES</b>
1	Hastings	6/5/06
2	Quail Lodge	8/11/2006
3	Forest	12/20/2006
4	Addison	2/12/2007
5	Menke	6/18/2007 REVISED SUBMITTAL 7/14/2011
6	Wynn Woodward	10/17/2007
7	Canada Woods/West Well	11/28/2007
8	Kovich	12/11/07
9	Unitarian Church	1/11/2008
10	CWWC (Tehama/Monterra)	3/20/2008
11	CWWC Annex/Krasznekewicz	5/2/2008 APN 169-031-019
12	Quail Lodge	6/19/08 APN 157-171-057 and -063
13	Hamilton	9/10/08 APN 157-171-026
14	Gold	12/23/08 APN 187-611-006
15	Wood	2/6/2009 APN 103-111-003, -020 and -021
16	Rupli	2/12/2009 APN 015-522-032
17	Hardcastle	3/25/2009 APN 185-051-023 and -024
18	Bowlus Vineyards	5/11/2009 APN 185-052-017
19	Pelio	**pending** 5/11/09 Pre-App returned; needs MoCo permit
20	Bjorn Nilson	6/8/2009 APN 103-061-010
21	California American Water	6/12/2009 Merge Ryan Ranch and Bishop Units
22	Fenton Well WDS	9/3/2009 APN 013-222-006 and -008 (well site)
23	Forest Hill Manor	10/20/2009 APN 006-546-001
24	Hawk Ridge Ranch	11/30/2009 APN 189-411-003
25	Washburn	2/8/2010 APN 103-131-003
26	Garren-Carmel Valley	4/9/2010 APN 157-171-001
27	Encina Drive/Barker	5/17/2010 APN 187-041-051
28	West	6/8/2010 APN 103-161-006
29	Holman Ranch	6/22/2010 APN 189-541-003 (main well); 187-481-001 (windmill well); also 187-011-003 and -004
30	Saxton	7/19/2010 APN 189-491-005
31	Steuck	7/19/2010 APN 103-061-015
32	Harris	7/23/2010 APN 169-201-017
33	Ina	8/9/2010 APN 169-321-003
34	McChesney	8/10/2010 APN 197-191-023
35	Pebkar (Bashkar)	11/16/2010 APN 416-082-014
36	Wilbur	11/23/2010 APN 103-015-018 and -019
37	Frank Hennessy	12/9/2010 APN 241-051-024
38	Allen	12/15/2010 APN 185-021-018
39	Rancho El Potrero/ <i>Heritage</i>	12/15/2010 APN 157-181-006, -007, -008
40	Mad Dog Ranch (Martin)	4/25/2011 APN 189-011-048
41	Hatfield/Stone	5/31/2011 APN 197-021-005
42	Porten	6/23/2011 APN 015-451-045
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