



## **ITEM 8. CONSIDER APPROVAL OF APPLICATION TO CREATE SEPTEMBER RANCH WATER DISTRIBUTION SYSTEM**

Meeting Date: November 19, 2012

Contacts: Henrietta Stern, Joe Oliver

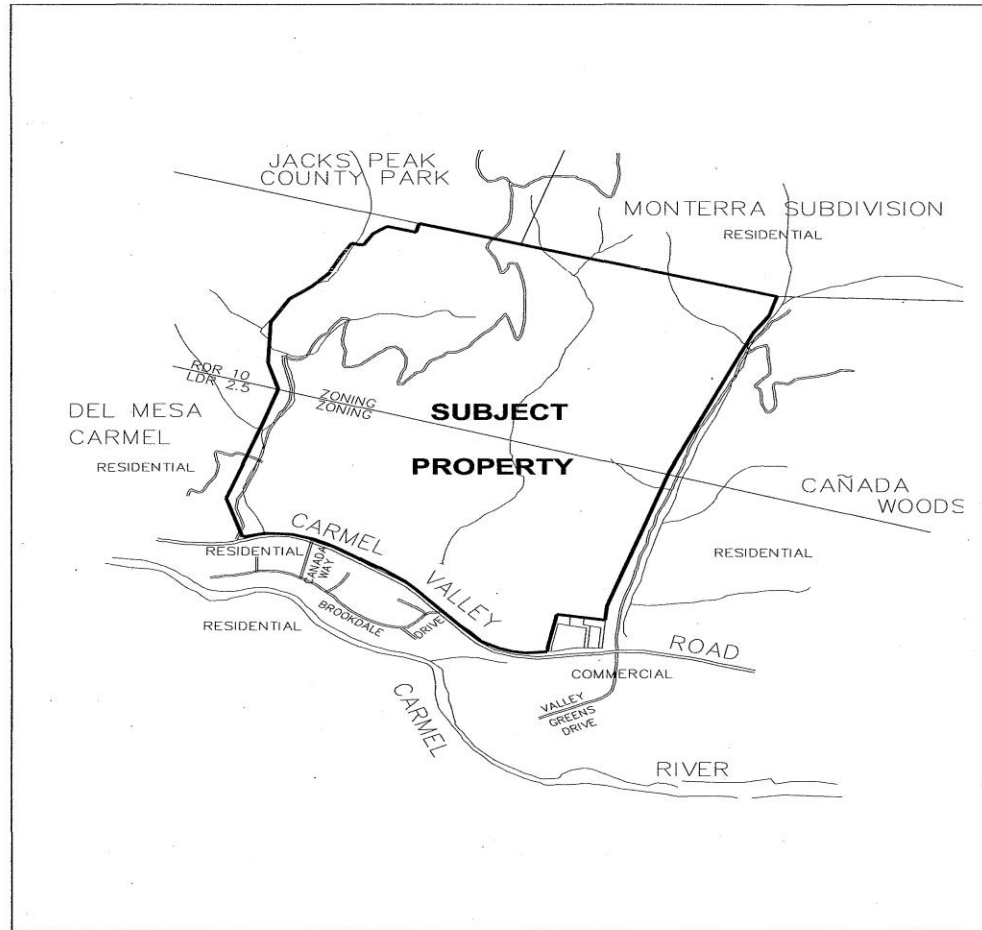


# September Ranch WDS

- Application submitted March 2011
- 891-acre subdivision approved by Monterey County in November 2010. Includes 95 new homes, existing equestrian facility, caretaker unit, and 3 open space areas.
- Water production limited to 57.21 AFY from one existing well, plus backup well(s). Two existing Cal-Am connections will be disconnected.
- Source is September Ranch Aquifer, characterized as “semi-isolated” from Carmel Valley Alluvial Aquifer (CVAA). No pumping from CVAA will be allowed.

# Project Area

EXHIBIT 8-C



Source: Whitson Engineers, December 2002.



3000 1500 0 3000  
 SCALE IN FEET

Michael Brandman Associates

21370002 • 12/2004 | 3-2\_local vicinity map.cdr

Exhibit 3-2  
 Local Vicinity Map

SEPTEMBER RANCH SUBDIVISION PROJECT • REIR



# EIR History--Monterey County

- Multiple EIR documents, litigation and revisions in 1995-2010; MPWMD staff commented in 1998, 2004, 2006, 2009 and 2010.
- Dec 2008: Court determined that 2006 FREIR is adequate except for water demand estimates.
- 2009-2010: revised demand estimates reviewed and determined to be adequate.
- Nov 2010: County certified FREIR and approved project (Res. 10-312); no litigation.

# Previous Action by Monterey County (Nov. 2010)

- MPWMD relies on County action as CEQA Lead Agency.
- Smaller project: 73 market rate homes and 22 other types.
- Adequate water rights and water supply (57.21 AFY)
- Water source is September Ranch Aquifer, “semi-isolated” from CVAA; less than significant effect on CVAA.
- Special conditions related to water use, conservation, phasing, reporting, and disconnect two Cal-Am meters.
- EIR describes water use enforcement by County and via MPWMD WDS Permit process.



# Additional Information (2011+)

- Application materials included Supplemental Questionnaire with EIR/County history and more well data.
- July 2011 report on September Ranch Aquifer (SRA) “Depositional Environment” -- how SRA could have formed and become semi-isolated (geologic processes). Deemed to be plausible by MPWMD Water Resources Manager.

# MPWMD Findings – CEQA Responsible Agency

- Application complies with Rule 22; shows adequate supply; no significant adverse effect on MPWRS, including CVAA; no adverse effects on other water systems.
- MPWMD Board has reviewed County environmental documents; weblinks and CDs provided with 2004-2010 docs.
- No Statement of Overriding Conditions needed.



# 30 Conditions of Approval

- #1 thru #4 define project: 57.21 AFY production limit; 99 Connections; no pumping from CVAA.
- #5 thru #26 address: conservation, well meters and reporting, fees, deed restriction, indemnification agreement, etc.
- #27 thru #30 are special conditions.





# Special Conditions of Approval

- #27: additional water use reporting to MPWMD; pay annual fee for staff review.
- #28: provide free copies of water-related reports submitted to other agencies.
- #29: obtain MPWMD signoff before drilling backup well to ensure it is not in the CVAA.
- #30: Disconnect two existing Cal-Am meters 90 days after SRWDS operation approved by Monterey County Health Dept.

# Applicant Requests for Minor Changes

The background of the slide is a photograph of a rocky stream flowing through a lush green forest. The water is clear and white with foam as it flows over the rocks.

- See Supplemental Packet.
- Finding #1 and #3– minor text revisions for clarity and accuracy .
- Conditions #17 and #18: 90 days requested rather than 60 for follow-up action and payment.
- Condition #21: request five years rather than two years to complete water system; or phase with County approval.
- Condition #30: Clarify language re: timing to disconnect two existing Cal-Am meters.



# Other Comments Received

- Public notice via direct mail, onsite posting, website, agenda mailing, etc.
- As of 3 PM today, comments received from Sierra Club, Richard Stott and Sandra Schachter.
- Sierra Club provided copies of previous comments to County; concerns included accuracy of water demand estimates and County enforcement of water use limits.
- Stott and Schachter concerned about use of Cal-Am water; recommend disconnection from Cal-Am (meters and/or service area boundary).



# Board Options on WDS Permit

- 1: Approve Permit #M12-06-L4 as written.
- 2: Amend Permit #M12-06-L4 (e.g., add or refine Condition of Approval).
- 3: Deny Permit with specified rationale and evidence to support Findings of Denial.
- 4: Continue consideration until specified needed information is obtained.



# Staff Recommendation

- Based on evidence in the record, including Superior Court confirmation of EIR adequacy, staff supports Findings of Approval pursuant to MPWMD Rule 22.
- Four special conditions are consistent with those for similar subdivision projects, and help protect the CVAA.

# For More Information

Staff reports, ordinances and presentation materials can be found on the District's website at:

[www.mpwmd.net](http://www.mpwmd.net)

PowerPoint presentations will be posted on the website the day after the meeting