The background of the slide is a photograph of a wooden roof truss structure under construction, showing various beams and supports against a clear blue sky.

ITEM 14. CONSIDER APPROVAL OF APPLICATION TO CREATE MALPASO AND AMEND CAL-AM WATER DISTRIBUTION SYSTEMS (CAW/MALPASO AMENDMENT)

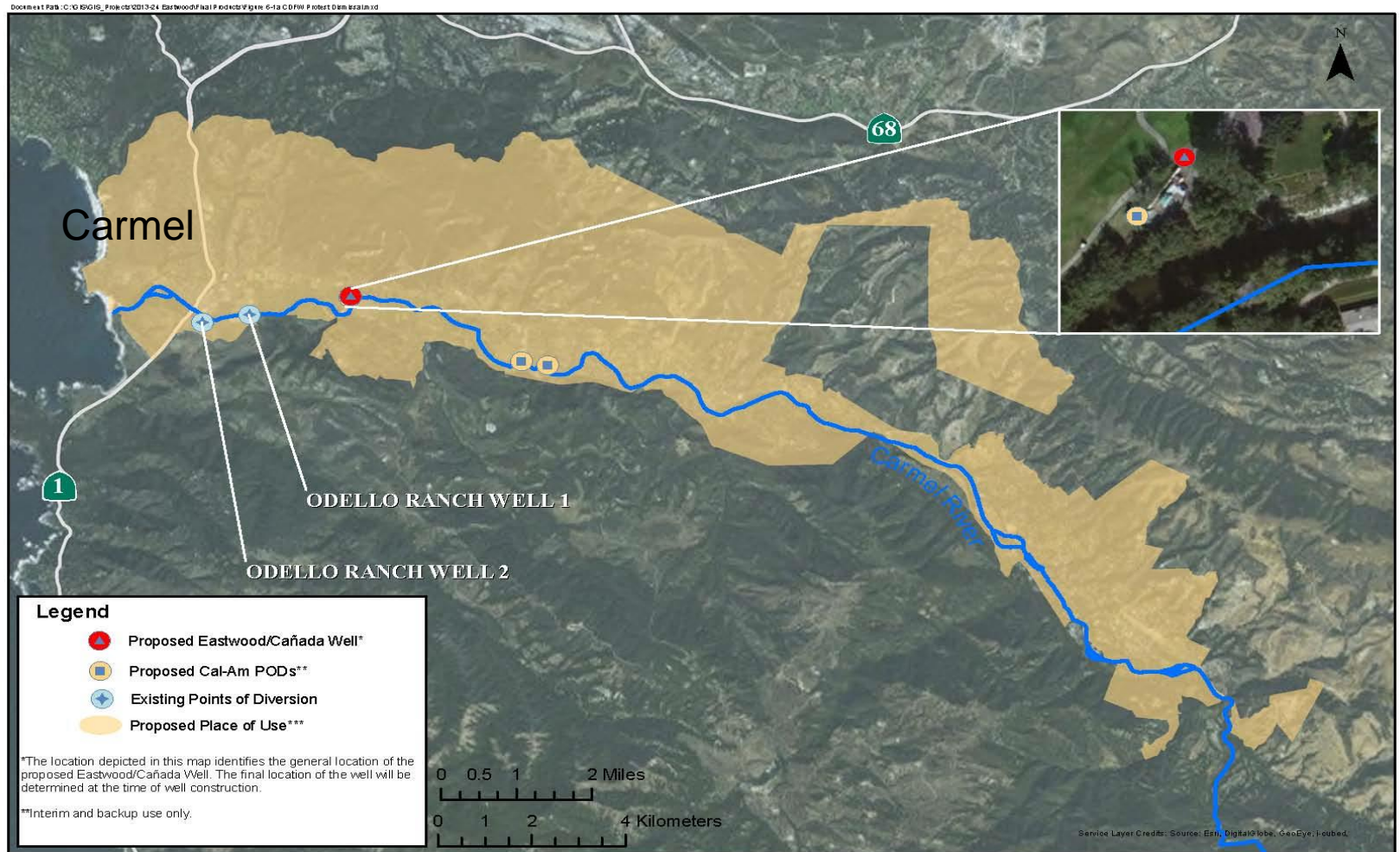
Meeting Date: August 17, 2015

Staff Contact: Henrietta Stern and Larry Hampson

Application for CAW/Malpasos Amendment

- Malpasos Application requests two actions:
 - (a) Create Malpasos Water Distribution System on existing Cal-Am parcel (at Rancho Cañada), and
 - (b) Amend California-American Water Company (CAW) “main” system permit to treat and distribute Malpasos water to Malpasos subscribers
- 85.6 AFY annual Malpasos production limit (80.0 AFY metered sales after losses)
- Connections limited to CAW service area in Carmel River Watershed and/or Carmel-by-the-Sea (see Ordinance No. 165).

Malpaso Service Area



Title: **CDFW Protest-Dismissal (Eastwood/ Cañada Individual Well) Alternative**

Date: 6/26/2015
 Scale: 1 inch = 2 miles
 Project: 2013-24



Monterey | Truckee | San Jose
Denise Duffy and Associates, Inc.
 Environmental Consultants Resource Planners
 947 Cass Street, Suite 5
 Monterey, CA 93940
 (831) 373-4341

Figure
6-1a




Malpaso Water Rights

- In 2001, SWRCB issued 131.8 AFY water rights for Eastwood/Odello agricultural irrigation.
- SWRCB recently split the right into 85.6 AFY for municipal supply and 46.2 AFY for Carmel River instream beneficial use.
- Malpaso to build new well at Rancho Cañada and deliver water through CAW system.
- Connections allowed for existing lots within Carmel River Watershed and/or City of Carmel.



Water Rights, continued

- 
- SWRCB determined that the new water rights permits do not violate any provision of the 2009 Cease and Desist Order.
 - Water not used by Malpaso subscribers goes to CAW to reduce unlawful diversions from Alluvial Aquifer.
 - Copies of Decision and Licenses were provided to the Board.



CEQA – Responsible Agency

- SWRCB as Lead Agency certified EIR for the *Eastwood/Odello Water Right Change Petition* on July 3, 2015. The Notice of Determination was filed on July 7, 2015. EIR was provided to the Board.
- District as a Responsible Agency relies on SWRCB's CEQA action.

District Findings of Approval for Malpaso and CAW WDS

- Application and related evidence meets the criteria and minimum standards for approval (Rules 22-B and C) to create Malpaso WDS and amend CAW WDS with the respective Conditions of Approval.
- MPWMD approval is consistent with SWRCB action, and helps CAW comply with Order 95-10.
- Significant adverse effects to Carmel River or alluvial aquifer is not anticipated. Near-term beneficial effects will result from instream dedication of License 13868B.

Malpaso Conditions of Approval [Exhibit 14-E]

- Sets System Capacity (85.6 AF per Calendar Year production limit) which becomes 80.0 AFY metered sales to Malpaso subscribers to account for system losses. One Master Connection to CAW system is allowed.
- Allows intertie between Malpaso and CAW systems.
- Malpaso required to submit list of eligible parcels to District.
- Malpaso subscribers must sign a Deed Restriction to allow MPWMD to access actual water use records.

CAW/Malpasos Amendment Conditions of Approval

- CAW Conditions are very similar to Malpasos Conditions [Exhibit 15-F]

Comments Received


- Public notice via onsite posting, agenda mailing, posting at Carmel City Hall, CAW and District offices, MPWMD website, and properties within 300 feet of Well Lot.
- CAW and Malpaso were provided agenda package. Staff made some revisions to Conditions based on Malpaso comments.
- As of 3 PM today, **no other comments received.**

Staff Recommendations

- Adopt Findings of Approval for Malpaso Application #WDS-20150715MAL.
- Approve application and issue Permit #M15-04-L3 to create Malpaso WDS with Conditions of Approval.
- Approve application and issue Permit #M15-05-L3 for CAW/Malpaso Amendment with Conditions of Approval.



Staff Recommendations, cont.

- 
- Direct staff to file two Notices of Determination with County Clerk for the respective WDS Permits as a CEQA Responsible Agency relying on SWRCB environmental review.

For More Information

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

www.mpwmd.net

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