



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

To: Honorable Mayor and Members of City Council
From: Sarah Hardgrave, Senior Planner
Meeting Date: February 3, 2010
Subject: **PLACING WATER REMAINING FROM THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT ALLOCATION INTO THE COMMUNITY RESERVE CATEGORY**
CEQA: This Is Not A Project Under CEQA (CEQA Guideline Section 15378(B)(5))

RECOMMENDATION

Adopt a resolution to place water remaining from the Monterey Peninsula Water Management District water allocation, as of January 2010, into the City's community reserve category.

DISCUSSION

On January 20, 2010, the City Council directed staff to place the remainder of the City of Pacific Grove's allocation of potable water from the Monterey Peninsula Water Management District (MPWMD) into the city-administered community reserve. This action conforms to Municipal Code Section 11.68.010(a) and City Council Policy No. 600-4. As of December 31, 2009, the MPWMD monthly water allocation report shows Pacific Grove has a total of 0.613 acre-feet of water available in its allocation that has not already been assigned to use.

CEQA Guideline Section 15378(B)(5)) exempts from its definition of "project" organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

FINDINGS

Adoption of the staff recommendation shall cause approval of the findings as stated in the attached resolution.

FISCAL IMPACT

None.

ATTACHMENTS

- A. Draft Resolution
- B. MPWMD Monthly Allocation Report for the month of December 2009

Respectfully submitted,

Reviewed by:

Sarah Hardgrave
Senior Planner

THOMAS FRUTCHY

Thomas Frutchey
City Manager

Attachment A

RESOLUTION NO. 10-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE TO PLACE WATER REMAINING FROM THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT ALLOCATION INTO THE COMMUNITY RESERVE CATEGORY

WHEREAS, the Monterey Peninsula Water Management District (MPWMD) records show that, as of December 31, 2010, there is 0.613 acre-feet of water remaining to be allocated within Pacific Grove; and

WHEREAS, on January 20, 2010, the City Council reviewed the status of the city's water reserves, including the status of the distribution of water to Water Wait List H pursuant to Council Resolutions 08-51 and 08-56, and projects added to Water Wait List I to which water have not been distributed; and

WHEREAS, on January 20, 2010, the City Council directed staff to prepare a resolution to place the City's remaining MPWMD water allocation in the city-administered community reserve, and to hold the remaining allocation available in the community reserve for a period of at least six months to identify potential commercial, governmental or other uses for the remaining allocation; and

WHEREAS, the State Water Resources Control Board has adopted a cease and desist order against California American Water, the purveyor of water to the City of Pacific Grove and its residents, which includes a moratorium on new connections that could impact the ability of project on Water Wait List I to obtain necessary permits. The cease and desist order is the subject of currently pending litigation, and its impact to the availability of City's MPWMD water allocation in the future has not yet fully been determined; and

WHEREAS, Municipal Code Section 11.68.060 requires that the City Council review the status of the city's water reserves every six months, and distribution of water from the city-administered community reserve to the residential, commercial, or governmental categories will be reconsidered on or before July 2010 in conjunction with the status of the cease and desist order and its affect on the City's water allocation; and

WHEREAS, adoption of this resolution is not defined as a project under the California Environmental Quality Act (CEQA), as set forth in CEQA Guideline Section 15378(B)(5)), organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:

