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## **Aquifer withdrawal in dispute**

**Expert says 7 years too long to pump from Seaside basin**

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In a trial over control of water from the Seaside basin aquifer, California American Water Co.'s contention that it can keep safely pumping for seven years was challenged by a consultant for the Monterey Peninsula Water Management District.

The water district filed suit in September 2003, asking the court to allow it to intervene in a dispute involving Cal Am and several past and current water consumers.

The suit was filed in response to an earlier lawsuit by Cal Am that asked a judge to define the company's rights to the underground basin. Unlike the Carmel River, the Seaside basin is not regulated by any state agency.

Cal Am is under state mandate to reduce its draw from the Carmel River, leaving control of the basin, its only other current source of water, a crucial issue.

The aquifer is also key in plans to increase the Peninsula's water supply because it can be used to store water from other sources, including desalination plants or water taken from the Carmel River during wet seasons.

Cal Am and other pumpers had proposed a settlement that would have allowed the current level of water pumping from the basin to continue for seven years.

In testimony Wednesday, Cal Am's hydrology consultant Tim Durbin said a computer model he developed showed the water company could continue pumping at the same rate for the next seven years without any significant damage to the basin.

But Durbin added that a source of fresh water to replace that pumped from the basin will eventually have to be developed.

Durbin's model covered a larger area than previous studies, extending east to Laguna Seca, west into Monterey Bay and north to Fort Ord.

He acknowledged under cross examination that some saltwater intrusion in the basin has occurred, but maintained that it has not had a significant impact.

"Real damage does not occur," he said, "until seawater reaches the wells. It is reversible."

Still, Durbin said, in the long run, pumping shouldn't exceed a safe yield that allows replacement of water in the aquifer.

But engineer Joseph Scaladini, a consultant to the water district, challenged some of those conclusions in testimony Wednesday and Thursday.

He showed hydrology graphs that, in contrast with Durbin's computer model, indicated that water was dropping below sea level in some Seaside-Fort Ord wells.

He also testified that Cal Am's proposal to continue pumping to meet customer demand would make seawater intrusion and well contamination inevitable.

He said Cal Am's plan is too vague about how much water would be replaced in the aquifer by the company. He recommended that a "water referee" be appointed to advise the court whether the aquifer is being properly managed.

Cal Am's proposed settlement would have established an 11-member "watermaster" board to monitor the aquifer.

Who should sit on that board is also a point of contention among the various parties who gathered in the Marina courthouse, including attorneys for the city of Seaside, the county, the water district and owners of the Laguna Seca Golf Ranch.

All parties agree the aquifer is in overdraft, which means more water is being taken out than is naturally recharged. But Cal Am and its allies argue they can continue current pumping levels, without causing seawater intrusion until a desalination plant is built.

The water district, Monterey County and the county Water Resources Agency are arguing for a more immediate reduction in pumping.

They contend the pumpers' proposed solution is based on the assumption that Cal Am will succeed in building a desalination plant. They contend the basin could be severely damaged if that project is delayed or stopped.

The water desalination plant is proposed to be built next to Duke Energy's Moss Landing power plant, but negotiations have stalled since Duke's recent announcement that it is selling the power plant.

Cal Am also has been unable to get a county permit for a pilot desalination plant at the site because Duke has failed to meet environmental obligations for the property, said Cal Am general manager Steve Leonard.

The court hearing will continue at 9 a.m. Tuesday in Marina.

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