

1 **EXHIBIT PBC - 2**

2
3 BEFORE THE CALIFORNIA
4 STATE WATER RESOURCES CONTROL BOARD

5
6 In the Matter of:

TESTIMONY OF MICHAEL NICCUM

7
8 **CALIFORNIA AMERICAN**
9 **WATER COMPANY CEASE AND**
10 **DESIST ORDER HEARING**

11
12 I, Michael Niccum, provide the following prepared testimony under penalty of perjury
13 in relation to the California State Water Resources Control Board ("State Water Board")
14 hearing, Phase 2, to determine whether to adopt a draft Cease and Desist Order ("CDO")
15 against California American Water ("Cal-Am") regarding its diversion of water from the
16 Carmel River in Monterey County.

17 **Q1. Please state your name and position.**

18 1. My name is Michael Niccum. I am General Manager and District Engineer of
19 the Pebble Beach Community Services District ("PBCSD"). I was appointed General Manager
20 on February 1, 2008. Prior to that, I was District Engineer of PBCSD, a position which I
21 occupied starting in June 1994. I am a California Licensed Civil Engineer. I received my B.S.
22 in Civil Engineering from the University of California, Berkeley, in 1980.

23 **Q2. Please describe your responsibilities with respect to the CAWD – PBCSD**
24 **Wastewater Reclamation Project.**

25 2. PBCSD is responsible, together with the Carmel Area Wastewater District
26 ("CAWD") and Pebble Beach Company ("PBC"), for the management and operation of the
27 CAWD – PBCSD Wastewater Reclamation Project (the "Reclamation Project"). PBCSD
28 owns and operates the distribution system, and CAWD owns and operates the treatment plant

1 components, of the Reclamation Project. Management is conducted through a Management
2 Committee composed of two representatives of PBCSD, two representatives of CAWD, and
3 one representative of PBC.

4 3. I am the person at PBCSD primarily responsible for operation of the
5 Reclamation Project. In that capacity, it is my responsibility to be familiar with the aspects of
6 operation, maintenance and performance of the Reclamation Project. I am personally familiar
7 with the facts relating to the Reclamation Project testified to herein.

8 **Q3. Please describe the performance of the Reclamation Project in supplying**
9 **reclaimed water for irrigation of the Del Monte Forest golf courses and other**
10 **recreational open spaces.**

11 4. The Reclamation Project was completed and commenced operation in the fall of
12 1994, shortly after my arrival at PBCSD. The performance of the Reclamation Project in
13 supplying reclaimed water is generally measured in a “water year” which runs from October 1
14 of one year to September 30 of the following year. The following table lists the total water,
15 reclaimed water, and potable water delivered for irrigation of the Del Monte Forest golf
16 courses and other recreational open spaces for all water years from beginning of operation
17 through 2006 – 2007.

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| Water Year* | Total | Recycled | Potable | % Recycled |
|------------------------|---------------|-----------------|----------------|-------------------|
| 1994-1995 | 792 AF | 615 AF | 177 AF | 78 % |
| 1995-1996 | 936 AF | 552 AF | 384 AF | 59 % |
| 1996-1997 | 1,109 AF | 782 AF | 327 AF | 71 % |
| 1997-1998 | 701 AF | 590 AF | 111 AF | 84 % |
| 1998-1999 | 902 AF | 667 AF | 235 AF | 74 % |
| 1999-2000 | 1,068 AF | 769 AF | 299 AF | 72 % |
| 2000-2001 | 972 AF | 600 AF | 372 AF | 62 % |
| 2001-2002 | 1,037 AF | 734 AF | 303 AF | 71 % |
| 2002-2003 | 1,030 AF | 721 AF | 309 AF | 70 % |
| 2003-2004 | 1,226 AF | 791 AF | 435 AF | 65 % |
| 2004-2005 | 881 AF | 674 AF | 207 AF | 77 % |
| 11-Year Average | 968 AF | 681 AF | 287 AF | 70% |
| 2005-2006 | 920 AF | 768 AF | 152 AF | 84 % |
| 2006-2007 | 1,079 AF | 919 AF | 160 AF | 85 % |
| 13-Year Average | 973 AF | 706 AF | 267 AF | 73 % |

*Water Year is measured from October 1st to September 30th.

5. The Reclamation Project was originally designed to deliver at least 800 acre feet of reclaimed water on average annually, freeing up at least 800 acre feet of potable water annually for other uses and for conservation. On completion of the original Reclamation Project, however, it was discovered that the salinity of the reclaimed water stressed the golf courses, requiring periodic flushing of the golf courses with potable water, and further that, there was insufficient storage capacity to meet peak demand, also requiring supplementation with potable water during peak demand periods. As a consequence, until 2005, the Reclamation Project supplied an average of 681 acre-feet of reclaimed water for irrigation annually (70% of total demand), and required an average of 287 acre-feet of potable water supplementation (30% of total demand) to satisfy all irrigation demand, as shown and calculated in the above table.

