



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 939420085 • (831) 658-5600
FAX (831) 644-9560 • <http://www.mpwmd.dst.ca.us>

SUPPLEMENT TO 12/11/06 MPWMD BOARD PACKET

Attached are copies of letters received between November 10 and December 1, 2006. These letters are also listed in the December 11, 2006 Board packet under item 18, Letters Received.

Author	Addressee	Date	Topic
Lauren Cohen & Derek Steere	Dave Potter	11/15/06	MPWMD has become out of control bureaucracy <i>11/17/06 response from David Berger attached.</i>
Karen Csejtey	Andy Bell	11/17/06	Expressing thanks to Andy Bell for participation on panel on water for Regional Challenges & Promise Class Day
Dick Butler	Megan Sheely	11/17/06	Protest MPWMD Petition for Extension of Time – Application 11674B (Permit 7130B) and Application 27614 (Permit 20808)
Robert W. Floerke	Victoria Whitney	11/17/06	Protest MPWMD Petition for Extension of Time – Application 11674B (Permit 7130B) and Application 27614 (Permit 20808)
Sandra K. Dunn	State Water Resources Control Board	11/20/06	Protest MPWMD Petition for Extension of Time – Application 11674B (Permit 7130B) and Application 27614 (Permit 20808)
Elizabeth Vitarisi- Suro	Michelle Knight	11/16/06	Possible formation of a Citizens Advisory Committee <i>11/28/06 response from David Berger attached.</i>



Lauren Cohen & Derek Steere

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4145 Segunda Drive
Carmel, CA 93923

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Monterey Water Management District
Board of Directors
Attention: Dave Potter

NOV 15 2006

MPWMD

Dear Dave:

It has become apparent as homeowners and remodeling contractors that the Monterey Peninsula Water Management District has become a bureaucracy out of control, an entity existing purely to support its own existence. Though it may have been created with a good purpose in mind and still may have good intentions, the policies as implemented are making it ridiculously difficult to do business on the Peninsula and for homeowners to make improvements to their own property. Worst of all you are taking advantage of the hardworking citizens who entrusted you to help, not hinder their quality of life in this beautiful area.

Every encounter with your organization both personally and professionally has been a negative frustrating experience from which we leave feeling deceived and "ripped off". You have the Planning and Building departments of the local cities held hostage, unable to issue a permit without your approval. They should be perfectly capable of checking on available water credits and permitted fixtures for a property. We believe that since we cannot get a permit without the MPWMD signing off, you take the opportunity to charge residents outrageous amounts for a useless "Water Permit" to use their own water on their own property.

Our most recent encounter with your dishonorable practices is pushing us to write this complaint. Our client wanted simply to change a bathtub to a walk in shower. There is no change in water usage, only a new fixture. She, in fact, is removing a fixture by eliminating a tub spout. She is being forced to pay \$210 for the Water Management District to do what? From information provided by your employees it appears that this "Processing Fee" is buying a stamp on my water permit application and a redundant visit from an inspector. This service might be worth \$25 but \$210 is extortion. In this scenario, what exactly is the point of your organization? It seems that the local building departments are already checking to insure that water fixtures meet the building codes and the involvement of your organization in this type of change adds no value. Where is the \$210 going? To pay for your facilities? Your 29 employees? What service are you providing to our client? This long time Peninsula resident already paid the City of Pacific Grove permit fees, had the plans checked, will have a building inspector approve her fixtures, what can she possibly be paying you to do?

Shouldn't you, as a government official, ask yourself, "Do my actions as a board member of this organization add value to the community?" We can understand if you believe that some of the policies of the water board, such as seeking out new sources of water, add value to life on the Peninsula but in small, day to day remodeling issues, you are just creating more excessive bureaucratic hurdles simply to generate funds. Sadly most contractors and homeowners have resigned themselves to being victims of your seemingly unchecked authority, therefore saying and doing nothing. We suspect, having no recourse, we will have to do the same.

Thank you for your time. We would appreciate a response to the questions asked above.

With Restraint,


Lauren Cohen Derek Steere

Cc: MPWMD Board of Directors
Dave Berger-General Manager



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
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November 17, 2006

Lauren Cohen and Derek Steere
4145 Segunda Drive
Carmel, CA 93923

Dear Ms. Cohen and Mr. Steere:

Thank you for your undated letter addressed to the Monterey Peninsula Water Management District Board of Directors that was received on November 15, 2006. Your letter has been forwarded to Board Chair Michelle Knight and the District Directors, and I'm responding on their behalf.

Your overall concern seems to be that the District's water permit process is self-serving and without value. I trust you are aware of the fact that the Monterey Peninsula is totally dependant on local water resources to meet community demand, and that MPWMD was created by 1977 State legislation to augment, manage and protect those limited water resources. You also are probably aware that while the District has continually worked to increase those water resources over the past quarter-century, unfortunately with limited success to date, more recent actions by the State Water Resources Control Board and a superior court adjudication have restricted use of these resources. Thus, an increasingly important part of the District's current mission is to help ensure that the community conserves our existing water resources by offering financial incentives such as our low-use fixture rebate program, and through District rules that created the water use credits and water permits system. Clearly, these unique regulatory requirements add time and expense for Peninsula property owners, and their professional service providers like you, in order to remodel homes and businesses. On the other hand, I think you will agree with me that without the District's pesky regulations having been in place, the amount of water consumed in the California American Water main system in 2005 would not have been *31 percent lower* than the amount consumed in 1988; thus, enabling Peninsula ratepayers to avoid State imposed fines and new connection moratoria.

I'd also like to respond to your suggestion that the District's enforcement of its water credit/permit regulations is redundant of city and county building regulation functions. First, no Peninsula city I'm aware of has expressed interest in taking on the responsibility of administering the District's water credit/permit regulations, assuming such is legally possible given the District's unique legislative mandate. Second, even if that were to occur, I believe a single entity responsible for enforcing these complex regulations helps ensure consistency in their administration, which benefits home owners and their remodeling contractors. Third, the minimal savings in having building inspectors also check for water permit compliance, in my judgment, would be more than offset by the increased (and redundant) technical and clerical staffing cost each of the six Peninsula cities and the county would incur, in order to manage and administer the District's water credit/permit regulations.

November 17, 2006.

Ms. Lauren Cohen and Derek Steere

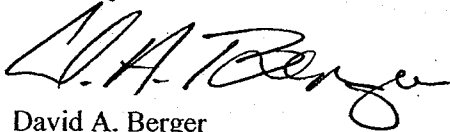
Page 2

Your letter also questioned why the District charged your client a \$210 water permit processing fee to simply replace a bathtub with a walk-in shower, and how that money was used by the District. District Rule 20-B, entitled *Permits to Connect to or Modify a Connection to a Water Distribution System*, requires a property owner or their representative to obtain a water permit for any proposed modification to, or relocation of, residential water fixtures. Under Rule 20-B and other District rules and regulations related to water use, our Water Demand Division staff (i.e. the water permit office) is required to verify the accuracy of each jurisdiction's approval of the added or replaced water fixture, and to ensure that the fixture does not exceed the allowable water credits available on the property. Under these rules, Water Demand Division staff also is required to conduct property inspections, prepare and review related documents, monitor water use, review construction plans, verify existing water uses and proposed water uses, calculate fixture units and potential water demand, and issue permits required by District rules. The District board established this \$210 permit processing fee to offset the Water Demand Division's cost to perform its permitting functions, including staff, supplies, equipment, materials, and contract services. It is a fee that was first established in 1985, and is charged to all water permit applicants pursuant to Rule 60. This fee was most recently increased to \$210 in March 2005 by Ordinance No. 120. The fee accurately reflects the current average cost of the Water Demand Division's cost of processing a residential water permit. While the revenue generated by this and other water permit fees does not fully offset the cost of operating the Water Demand Division, it helps avoid further adjustment to the District's user fee that all Cal-Am and Seaside Municipal water ratepayers incur, which would otherwise be necessary.

Finally, for your additional information I've attached a copy of the District's 2005 Annual Report, which describes all of the functions and projects carried out by the District that result from our state legislated mandate. You can also obtain further information on the District at our website: www.mpwmd.dst.ca.us.

Please contact me or Stephanie Pintar if you have further concerns or questions.

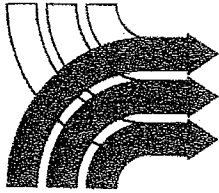
Sincerely,



David A. Berger
General Manager

pc: MPWMD Board of Directors
Stephanie Pintar, Water Demand Manager

Enclosure



**LEADERSHIP
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PENINSULA**

Educating Minds and Hearts to Build a Better Community

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MPWMD

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Karen Csejtey
Executive Director

Jessica Mayer
Administrative Asst.

November 17, 2006

Andy Bell, Civil Engineer
Monterey Peninsula Water Management District
P. O. Box 85
Monterey, CA 93942

Dear Andy:

On behalf of everyone at Leadership Monterey Peninsula, especially the class members, I would like to extend our sincere thanks for your participation in our panel on water for our Regional Challenges & Promise Class Day on November 8th.

Here is what some of the class members had to say:

"Great presentation--the presenter was articulate and well informed."

"Panel did an excellent job of analysis, explaining the issue underneath the surface."

"I was interested to learn that the agencies represented on the panel are working together for regional water solutions."

Our class this year is the largest (36 members) in the last 12 years. We can see that there is need and interest, and it is our job to develop informed and skilled community leaders who will help meet the increasingly complex challenges in our community.

Thank you for your continuing belief in our work and support of our efforts.

Sincerely,

Karen Csejtey
Executive Director

*Thanks so much, Andy
& it was great to meet you.*

LMP is an Award Winner!
Business Excellence Award, Education Category
by the Monterey Peninsula Chamber of Commerce

Leadership Monterey Peninsula is a 501 (c) (3) educational nonprofit organization, Federal ID# 77-0343488

801 Lighthouse Ave., Suite 106, Monterey, CA 93940 (831) 649-8252 ~ (831) 655-9246 fax
www.leadershipmonterey.org



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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
777 Sonoma Ave., Room 325
Santa Rosa, CA 95404-6528

November 17, 2006

In response refer to:
151422SWR2004SR20193:JEA

State Water Resources Control Board
Division of Water Rights
c/o Megan Sheely
P.O. Box 2000
Sacramento, California 95812-2000

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NOV 30 2006

MPWMD

Dear Ms. Sheely:

By this letter, NOAA's National Marine Fisheries Service (NMFS) registers its objection and protest to the Extension of Time of Water Right Permits No.'s 7130B and 20808 filed by Monterey Peninsula Water Management District (MPWMD) as referenced in your Notice of Petition for Extension of Time, dated October 6, 2006.

The Notice of Petition indicates MPWMD seeks an extension of time of 15 years to put the state's water of the Carmel River to full beneficial use for both permits. MPWMD seeks a right under Water Right 7130B to divert 15,970 acre-feet (af) by collection to storage at the unbuilt New Los Padres Dam. The season is from October 1 of each year to May 31 of the succeeding year. MPWMD seeks a right under Water Right 20808 to divert 42 cubic feet per second (cfs) by direct diversion and 24,000 af by collection to storage at the unbuilt New Los Padres Dam. The season is from November 1 of each year to June 30 of the succeeding year. The adverse impacts to public trust resources from diversions within the Carmel River Basin are well documented as are the adverse impacts associated with the construction of the New Los Padres Dam. These requests for time extensions to put water to beneficial use would reauthorize the diversion of more than 40,000 af of additional water from this basin and may reasonably be expected to result in additional adverse impacts to public trust resources.

NMFS does not dispute the petitioner's right to water that has been applied to beneficial use to date. However, it is our understanding no water has yet been put to beneficial use under these permits. To grant an extension of time under Title 23 CCR § 844, the petitioner must show that the "failure to comply with previous time requirements has been occasioned by obstacles which could not reasonably be avoided..." The obstacles in this case were the significant adverse impacts associated with the construction of New Los Padres Dam. NMFS believes any dam and reservoir constructed on the mainstem of the Carmel River will adversely affect, and may result in jeopardy, to listed steelhead. Therefore, it is unlikely that these obstacles will be overcome during the requested "15 year extension for construction."

In an effort to put a portion of the water covered by these permits to beneficial use, MPWMD previously filed change petitions to allow water diversion and storage for the Aquifer Storage and Recovery (ASR) project. NMFS is supportive of this shift to winter diversion and storage with ASR if it reduces the unauthorized diversion of 10,730 af per year that is currently occurring. However, even a total build-out of the Seaside ASR project will not allow for the utilization of the quantity of water held under these permits.



It is unclear how MPWMD would be able to put the additional water, beyond that required for ASR, into storage within the next 15 years.

Granting the time extension requests for these permits would expand consumptive use to an amount beyond that historically used. Considering serious existing impairment to this sensitive watershed, NMFS believes the impacts of the diversions considered for a time extension should be considered as new applications. Since the Carmel River is already fully appropriated much of the year, and is already impacted by unauthorized diversions, no new diversions should be permitted or reauthorized through time extensions unless minimum instream flows are met as defined in Table 9 on page 32 of the June 2002 NMFS report entitled "Instream Flow Needs for Steelhead in the Carmel River."

NMFS is currently discussing protest dismissal terms for MPWMD's change petitions to protect listed species and allow ASR storage to occur. If SWRCB grants an extension for one or both of these permits for ASR, the permits should include these same terms. For example, Condition 35 would need to be modified to meet the terms and conditions of WRO 2002-0002 and ensure diversions at San Clemente Dam continue to be minimized, congruent with current agreements such as the annual California Department of Fish and Game/Cal Am/MPWMD Memorandum of Agreement.

It appears that there is sufficient water in Permit 7130B to satisfy the water needs of ASR and feasible future water storage on the Carmel River. It is expected this water will be used to replace Cal Am's unauthorized diversions and improve conditions for listed steelhead. In addition, because of the large volume that is requested and the fact that it is unlikely to be put to beneficial use, we believe that the time extension for the 24,000 af of water under Permit 20808 should be denied.

Thank you for your cooperation in the above. We look forward to continued opportunities for NMFS and the SWRCB to cooperate in the conservation of listed species. If you have any questions concerning the contents of this letter please contact Ms. Joyce Ambrosius at (707) 575-6064 or joyce.ambrosius@noaa.gov.

Sincerely,



Dick Butler
Santa Rosa Area Office Supervisor
Protected Resources Division

cc: R. Strach, NMFS, Sacramento
V. Whitney, Chief, SWRCB, Sacramento
R. Floerke, CDFG, Yountville
L. Hanson, CDFG, Yountville
D. Berger, MPWMD, Monterey
A. Bell, MPWMD, Monterey
J. Williams, Sierra Club
R. Thomas, CRSA, Monterey

M e m o r a n d u m

To: Ms. Victoria Whitney, Chief
Division of Water Rights
State Water Resources Control Board
Post Office Box 2000
Sacramento, CA 95812-2000
Fax: (916) 341-5400

Date: November 17, 2006

Attention: Ms. Megan Sheely

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NOV 21 2006

MPWMD

From : *C. Catalano*
Robert W. Floerke, Regional Manager
Department of Fish and Game - Central Coast Region, Post Office Box 47, Yountville, California 94599

Subject : Protest of Petition for Extension of Time for Water Application (WA) 11674B (Permit 7130B) and WA 27614 (Permit 20808) by Monterey Peninsula Water Management District (MPWMD) to divert and store water from the Carmel River and Carmel River Subterranean Stream, Tributary to the Pacific Ocean, Monterey County

The Department of Fish and Game's (DFG) interest in these petitions is based on its status as trustee agency for California's fish and wildlife resources. DFG's right to protest these petitions is based on Title 23 California Code of Regulations (CCR) § 843 and other associated provisions of law.

WA 11674B requests the diversion of 15,970 acre-feet (af) of water for storage in the unbuilt New Los Padres Reservoir. WA 27614 requests an additional diversion of 24,000 af of water for storage in that facility and the direction diversion of 42 cfs from November 1 to June 30 of the following year. The adverse impacts to public trust resources from diversions within the Carmel Basin are well documented as are the adverse impacts associated with the construction of the New Los Padres Dam. These requests for time extensions to put water to beneficial use would reauthorize the diversion of more than 40,000 af of additional water from this basin and may, therefore, reasonably be expected to result in additional adverse impacts to public trust resources.

DFG does not dispute the petitioner's right to water that has been applied to beneficial use to date. However, documents submitted with the application show that no water has yet been put to beneficial use under these permits. This raises the issue of due diligence as it relates to extending the time to put the water requested to beneficial use. A key requirement for granting an extension of time under Title 23 CCR § 844 is a showing that the "failure to comply with previous time requirements has been occasioned by obstacles which could not reasonably be avoided." The obstacles in

this case were the significant adverse impacts associated with the construction of New Los Padres Dam. It is unlikely that these obstacles will be overcome during the requested "15 year extension for construction." In fact, the storage of the quantity of water described in the permits does not appear feasible.

The submitted applications do state that other facilities (including a well and its appurtenant facilities in the Seaside Groundwater Basin) have been constructed as part of a permanent aquifer storage and recovery (ASR) project that will store water diverted from the Carmel River in the winter to decrease diversion demand in the summer by utilization of that stored water. DFG is supportive of this shift to winter diversion and storage if it reduces the unauthorized diversion of 10,730 af of water that is currently occurring. However, diversion of water from the Carmel River for the ASR project has been occurring under Temporary Permits issued by the SWRCB and has not resulted in any water use under these two permits. DFG is aware that MPWMD does intend to utilize water under these permits for the ASR project and is in support of those diversions. However, even a total build-out of the Seaside ASR project will not allow for the utilization of the quantity of water held under these permits. It is unclear how MPWMD would be able to put the additional water, beyond that required for ASR, into storage within the next 15 years.

In an effort to put a portion of the water covered by these permits to beneficial use, MPWMD previously filed change petitions to allow water diversion and storage for the ASR project. DFG is currently discussing protest dismissal terms for those change petitions to protect public trust resources and allow ASR storage to occur. The time extension applications do not include a request for a similar modification of terms for the extension of these permits to comply with current agreements or orders.

Granting the time extension requests for these permits would expand consumptive use to an amount beyond that historically used. Considering serious existing impairment to this extremely sensitive watershed, DFG believes the impacts of the diversions subject to the request for a time extension should be considered as if they were a new application. Since the Carmel River is already a fully appropriated watershed much of the year, and is already impacted by unauthorized diversions, no new diversions should be permitted or reauthorized through time extensions, unless minimum in-stream flows are met as defined in Table 9 on page 32 of the June 2002 National Marine Fisheries Service report entitled "In-stream Flow Needs for Steelhead in the Carmel River." Additionally, some terms currently being discussed for inclusion into the change petitions filed to facilitate ASR may be applicable if extensions are to be granted. For example, Condition 35 would need to be modified to meet the terms and conditions of WRO 2002-0002 and the NOAA/Cal-Am Conservation Agreement and ensure that diversions at San Clemente Dam continue to be minimized, congruent with current agreements such as the annual DFG/Cal-Am/MPWMD Carmel River Flow Agreement.

Ms. Victoria Whitney

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November 17, 2006

If the SWRCB grants an extension for one or both of these permits, individual permit terms must also be appropriately modified to reflect recent agreements and orders. DFG will be available to consult on appropriate protest dismissal terms that would allow the permit terms and conditions to address current public trust protection requirements.

If you have questions regarding this protest, please contact Linda Hanson, Staff Environmental Scientist, at (707) 944-5562; or Scott Wilson, Acting Habitat Conservation Manager, at (707) 944-5584; or by writing to DFG at the above address.

cc: Monterey Peninsula Water Management District
Attention Mr. Andrew Bell
Post Office Box 85
Monterey, CA 93942

e☒: Department of Fish and Game
S. Puccini (Legal)
L. Hanson, J. Sarrow, B. Coey, M. Hill, S. Wilson (CCR)

LH/je

SOMACH, SIMMONS & DUNN

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NOV 27 2006

MPWMD

November 20, 2006

HAND DELIVERED

State Water Resources Control Board
Division of Water Rights
1001 I Street, 14th Floor
Sacramento, CA 95814

Re: Protest — Monterey Peninsula Water Management District's Petition for
Extension of Time — Application 11674B (Permit 7130B) and
Application 27614 (Permit 20808)

Dear Sir or Madam:

This letter is submitted on behalf of California American Water (California American) in protest to the above-referenced Petitions for Extension of Time.

Limited Scope of Protest

As evidenced by the letter submitted to the State Water Resources Control Board (SWCRB) from the Monterey Peninsula Water Management District (MPWMD), dated July 21, 2006, California American was made a joint owner with MPWMD in accordance with the terms of the Aquifer Storage and Recovery Management & Operations Agreement between California American Water and Monterey Peninsula Water Management District to that incremental portion of Permit 7130B and Permit 20808 relating to MPWMD's Phase 1 Aquifer Storage and Recover Project (ASR) (up to 2,426 acre-feet per year). California American fully supports MPWMD's efforts to effectuate its Phase 1 ASR. California American does not, however, support MPWMD's efforts to extend the time to prosecute implementation of the remaining portions of Permits 7130B and 20808.

In a letter dated October 4, 2006, the SWRCB indicated that it might split Permits 7130B and 20808 to reflect the change in ownership. In light of this correspondence from the SWRCB, California American's protest to MPWMD's Petition for Extension of Time pertains only to those portions of Permits 7130B and 20808 that are not jointly held.

State Water Resources Control Board
Re: Protest—MPWMD Petition for Extension of Time
November 20, 2006
Page 2

Protest

The California Constitution requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable. (Cal. Const., art. X, § 2.) To effectuate this constitutional requirement, the California Legislature mandates that upon issuance of a water right permit, construction of the necessary facilities and utilization of the water for beneficial purposes be prosecuted with due diligence in accordance with the terms of the permit issued. (Wat. Code, §§ 1396 and 1397.) By virtue of WR Order 98-04, the MPWMD was required to complete the construction work necessary to beneficially use the water rights granted pursuant to Permits 7130B and 20808 by December 31, 2005. To date, MPWMD has failed to construct facilities necessary to apply water to beneficial use, except certain limited facilities associated with the Phase 1 ASR.

The period of time specified in the permits for completing construction work may only be extended upon a showing of good cause. (Wat. Code, § 1398.) In this instance, MPWMD cannot make the requisite showing necessary to enable the SWRCB to extend the completion date of the permits.

Basis of Protest

In an effort to address the Monterey Peninsula's severe water shortage and to comply with WR Order 95-10, California American is concurrently pursuing alternative water supply options: Coastal Water Project, a non-dam project; and a Carmel River water rights focused alternative. Either project will involve diversion of water from the Carmel River, albeit the scope of the diversion may differ significantly depending on the alternative finally selected. California American filed Applications 310215A, 30215B, 30715, and 30644 to obtain the necessary water right entitlements to implement either of these options. Full evaluation of these alternatives pursuant to CEQA will be part of the water rights process. California American has signed a Memorandum of Understanding making the SWRCB the lead agency.

As the SWRCB is well aware, the MPWMD's water rights are an obstacle to California American perfecting its water right applications because, if they are perfected, they would appropriate the last remaining water available for appropriation from the Carmel River. The record is replete with objections from California American regarding MPWMD's failure to pursue its water rights in a manner that will meaningfully solve the serious water supply and environmental issues associated with the Carmel River. Having failed to diligently prosecute and implement its water rights within the time period allowed, MPWMD should not be able to effectively thwart the policy of Article 1, section 2 of the State Constitution by extending the due diligence period of its existing, yet unexercised or perfected, permits and block California American's efforts to pursue feasible water supply alternatives.

MPWMD's justification for its Petition is a history of why it has been unable to commence construction of a water supply project. As that history demonstrates, MPWMD

State Water Resources Control Board
Re: Protest—MPWMD Petition for Extension of Time
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Page 3

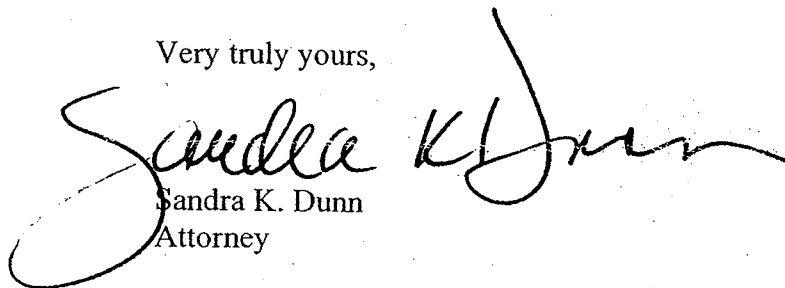
efforts have been continually politicized making it impossible for MPWMD to diligently prosecute a water supply solution now or in the future. To that end, MPWMD has offered the SWRCB no meaningful evidence of when, if ever, it will be able to effectuate its water rights beyond Phase 1 ASR. The very history that MPWMD provides is an ample lesson in why the extension of time should not be granted. Those who do not learn from history are doomed to repeat it.

The SWRCB's regulations expressly state that an application will be denied if the applicant is unable to proceed within a reasonable time, either because of absence of a feasible plan, lack of required financial resources or other causes. (Cal. Code Regs., Title 22, § 840.) Similarly, MPWMD's Petition for Extension of Time to commence construction should be denied in the absence of a clear showing by MPWMD that it is able to proceed within a reasonable time, has a feasible plan, and that it has the financial resources to implement that plan. MPWMD has made no such showing and, thus, its petition should be denied.

Year after year goes by without measurable progress in implementing a water supply project that will address the Monterey Peninsula's desperate water needs. The SWRCB, by denying MPWMD's Petition for Extension of Time, will take a giant step by removing a major obstacle that has prevented California American from obtaining appropriate water rights and from finally addressing the water supply needs of the peninsula, as required by WR Order 95-10.

For the reasons, set forth herein, California American respectfully requests that, except for those portions of Permits 7130B and 20808 required for Phase 1 ASR, MPWMD's Petition be denied and Permits 7130B and 20808 be revoked.

Very truly yours,



Sandra K. Dunn
Attorney

SKD:sb

cc: ✓ Monterey Peninsula Water Management District
David Laredo



**MONTEREY
PENINSULA
CHAMBER OF
COMMERCE**

November 16, 2006

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17

NOV 20 2006

MPWMD

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Gill Campbell
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Attorney at Law

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Clarissa Rowe
Washington Mutual Bank

Teresa Thomae
Central Coast Small Business
Development Center

Eric Waddell
The Mucky Duck

John Bailey
Interim CEO

Michelle Knight, Chair, Board of Directors and Public Outreach Committee
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, California 93942

Re: Possible formation of a Citizens Advisory Committee

Dear Ms Knight:

The Monterey Peninsula Chamber of Commerce is interested in participating in a Citizens Advisory Committee should the Board of Directors chose to form one. The Chamber has a long-standing interest in speedy accomplishment of a stable, safe, secure, and sufficient water supply for the Peninsula.

Would you please add the Chamber to your list of interested organizations and add the Chamber to your mail and e-mail distribution lists for information about the possible Citizens Advisory Committee? The best e-mail address to ensure we get timely information is Elizabeth@mpcc.com.

Thank you for considering our request.

Sincerely,

Elizabeth Vitarisi-Suro, Chief Operating Officer

cc: David A. Berger, Monterey Peninsula Water Management District General Manager

Dan Limesand, Monterey Peninsula Chamber of Commerce Gove

Established 1908

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**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

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FAX (831) 644-9560 • <http://www.mpwmd.dst.ca.us>

November 28, 2006

Elizabeth Vitarisi-Suro
Chief Operating Officer
Monterey Peninsula Chamber of Commerce
380 Alvarado Street
Monterey, CA 93940

Subject: Request for Comments on Proposed Ad Hoc Community Advisory Committee (CAC)

Dear Ms. Vitarisi-Suro:

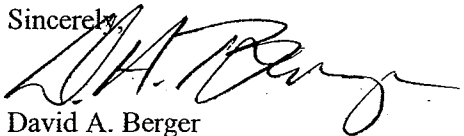
Thank you very much for the November 16, 2006 letter stating that the Monterey Peninsula Chamber of Commerce would like to participate on the Citizens Advisory Committee (CAC). Your name will be added to the list of organizations that have offered to participate on a committee, should one be established.

Currently, the Board of Directors of the Monterey Peninsula Water Management District is seeking public input on its upcoming decision regarding formation of an ad hoc Community Advisory Committee (CAC). Your participation in development of a charge for the proposed committee would be extremely helpful.

Based on input received at an August 7, 2006 meeting attended by groups interested in participating on the CAC, and further deliberations, the District's Public Outreach Committee developed a revised charge (enclosed). This charge was submitted to the full Board for consideration on October 16, 2006. The Board discussed it and received public comment. Based on comments presented by two members of the public, the Board voted to defer a decision until December 11, 2006, with the expectation that additional comments will be submitted on whether or not to activate the committee.

You are invited to submit comments on the proposed charge and the advisability of activating a CAC. Oral comments will be received at the December 11, 2006 meeting that begins at 7 PM in the conference room at the MPWMD offices, 5 Harris Court, Building G in Ryan Ranch. Written comments can also be submitted by fax to 644-9560, by email to arlene@mpwmd.dst.ca.us, or to the District's mailing address at P.O. Box 85, Monterey, CA 93942. The Board is looking forward to hearing from you on this important decision. Thank you again for your willingness to serve the community by participating on the CAC.

Sincerely,


David A. Berger
General Manager

Enclosures: October 16, 2006 Report to the Board of Directors on Formation of an Ad Hoc Community Advisory Committee

pc: MPWMD Board of Directors