

Received 1/29/09 at MPWMD
Board Meeting

**Bringing you HOPE -
Helping Our Peninsula's Environment**

Box 1495, Carmel, CA 93921
831/ 624-6500

Info7 at 1hope.org
www.1hope.org

Trustees 2009

Dena Ibrahim
Holly Kiefer
Vienna Merritt-Moore
Terrence Zito

Founding Trustees

Terrence Zito
Darby Worth
Ed Leeper
Robert W. Campbell
David Dilworth

Science Advisors

Herman Medwin, Ph.D.
- Acoustics
Susan Kegley, Ph.D.
- Hazardous Materials &
Pesticides
Arthur Partridge, Ph.D.
Forest Ecology

Board Members
Water Management District

January 29, 2009

Sand City Resort Deferred until SWRCB Ruling

Dear Chairwoman Markey and Board members,

Please Defer Issues Until SWRCB Ruling

We write to respectfully request that you **defer this issue** until the Water Resources Board finishes their review on whether this project will harm the new Cease and Desist Order enforcing compliance with Order 95-10.

Please Update EIR

Since the *project circumstances have changed significantly since the EIR was certified*, e.g. the project has changed and the Cease & Desist for 95-10 was issued, we believe you are legally obligated to update the EIR before taking action.

While the property's rights have been adjudicated it is not clear that all the water for the project will come from the Seaside Basin. An EIR update will examine this issue and show the potential for some of the water to come from the Carmel River.

Deferring action on this item puts the burden on the SWRCB rather than exposing the District to legal action and wasting public money.

We also respectfully request that --

- the evidence from the Bernardi v Monterey County lawsuit,
- SWRCB Order 95-10,
- The Cease and Desist Order for 95-10, and
- HOPE's article on the Peninsula Water Situation (www.1hope.org/watersit.htm),

be made a part of this hearing and considered.

Thank you, **David**
David Dilworth, Executive Director

Founded in 1998, and known for helping with hundreds of environmental and democracy successes including stopping both "Dirty Harry" and "The Terminator," **H.O.P.E.** is a non-profit, tax deductible, public interest group protecting our Monterey Peninsula's natural land, air, and water ecosystems and public participation in government, using science, law, education, news alerts and advocacy.