

Holman Ranch – MPWMD comments January 28, 2010
Todd Norgaard

*Submitted at
1/28/2010 Board
Meeting
Item 20*

My name is Todd Norgaard. I'm on the Carmel Valley Association Water Committee.

I would like to address this board regarding a recent application before the County Planning Commission for Holman Ranch – PLN080450 – and their request for a mitigated negative declaration. I would also like to commend the District for their excellent letter of November 18th from Stephanie Pintar pointing out the problems with this application and recommending an EIR focusing on water.

Our water committee also sent several letters identifying many of the same inaccuracies, inadequacies, and simply unbelievable statements in this application -- many of our points the same as in your letter. The final staff report ignored our comments. Your District letter was not even included in the staff report, was not made available to the public, and as far as we can tell, was not seen by the commissioners. We didn't receive a copy of your letter until several days after the meeting.

The applicant's attorney stated in the meeting that they were not going to pursue appropriative water rights as previously planned, and would rely solely on their riparian rights, which means they would not be restricted in any way in how much water they pumped so long as it was used for constructive use. County Counsel appeared to confirm this statement as fact. The applicant then went on to say that in order to facilitate approval they would voluntarily restrict their water use to 32 AFY vs. the 34 AFY shown in the application. The commission then went on to vote approval of the negative declaration with conditions, including that MPWMD issue a water distribution system permit.

CVA has no problems with Holman Ranch per se. But we have big problems with this approval process. I've passed out my comments to the planning commission to you.

We're very concerned that as the value of water goes up, there will be many more applications like this one where agricultural water uses get expanded to more permanent year around and intensified uses such as hospitality operations and wine production.

We ask that this project not slip by this body without further careful scrutiny. Thank you.

Holman Ranch – PC comments January 13, 2010
Todd Norgaard

My Name is Todd Norgaard. I chair the Carmel Valley Association Water Committee.

Members of our association have written numerous letters regarding this project. So far as I know, none of our concerns have been fully addressed in the latest staff report.

My remarks focus on only two things – water and process.

With the 95-10 ruling and the pending CDO every drop of Carmel Valley water is precious. Many residents of the Monterey Peninsula have been waiting years to add a bathroom. Many major remodels and new homes are going un-built. Higher rates are here. And water rationing may be imminent. Those of us who actually live in Carmel Valley have a further concern: We don't want our valley to become another overdrafted version of North County. We have too many competing claims. "There's more water on paper than we have in the ground." The decision you make today should reflect these realities.

Now I'd like to address process.

How much water this applicant has available is unknown.

No one, not even the applicant, can prepare an approvable plan without knowing how much water they have to work with. The plan as presented is totally hypothetical. And in many areas, as we have pointed out, it makes no sense.

Neither staff nor the commissioners can knowledgeably write enforceable conditions based on a hypothetical, nonsensical plan.

The Planning Commission cannot approve a project based on unknown conditions – including project-defining conditions that are likely to be imposed by other agencies – waste water, the water district, and the State Water Resources Control Board.

And when the applicant finds out how much water is actually available and under what limitations – he needs to be free to decide what business to pursue based on those facts -- and not be bound by inappropriate conditions.

As a former planning commissioner I recognize that at times the planning process can be circular. But in this case too many parts of the plan depend on one big unknown – water. There are simply too many carts before the horse.

We strongly recommend that the Planning Commission vote today to continue this application to a future date when the applicant can return with solid approvals from the State Water Resources Control Board, the Monterey Peninsula Water Management District, and the California Regional Water Quality Control Board – and can return with a plan that reflects the realities of the applicant's water situation.

Thank you.