



**MONTEREY PENINSULA  
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G  
POST OFFICE BOX 85  
MONTEREY, CA 93942-0085 • (831) 658-5600  
FAX (831) 644-9560 • <http://www.mpwmd.dst.ca.us>

# **SUPPLEMENT TO 3/15/10 MPWMD BOARD PACKET**

Attached are copies of letters received between February 17, 2010 and March 9, 2010. These letters are also listed in the March 15, 2010 Board packet under item 22, Letters Received.

<b>Author</b>	<b>Addressee</b>	<b>Date</b>	<b>Topic</b>
Ray von Dohren	Allen J Stroh	2/18/10	Well Setbacks from Sanitary Sewer Facilities
Colonel Darcy A. Brewer	MPWMD Board	3/5/10	Request for Variance



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
UNITED STATES ARMY INSTALLATION MANAGEMENT COMMAND  
HEADQUARTERS, US ARMY GARRISON, PRESIDIO OF MONTEREY  
1759 LEWIS ROAD, SUITE 210  
MONTEREY, CA 93944-3223

HAND  
DELIVERED

March 3, 2010

Office of the Garrison Commander

RECEIVED

MAR - 5 2010

MPWMD

Ms. Regina Doyle  
Chairman, Board of Directors  
Monterey Peninsula Water Management District  
5 Harris Court, Building G  
P. O. Box 85  
Monterey, CA 93942-0085

Dear Ms. Doyle,

On behalf of the Presidio of Monterey (POM), I respectfully request a variance from Rule 20-B of the Rules and Regulations of the Monterey Peninsula Water Management District (MPWMD Rules). Rule 20-B requires water permits for all water connections within the jurisdiction of MPWMD.

We are on a short glide path to provide Army resource managers (i.e., the Senior Stationing Resource Group) with a positive assessment of whether planned construction projects are likely to proceed without delays, difficulties, or interferences. If I am unable to provide such an assessment project funding could be significantly delayed or cancelled. Respectfully request your response to this variance proposal by March 19, 2010.

POM plans to build four structures during Fiscal Year (FY) 2011 and FY 2013, and demolish a larger structure. More specifically, POM plans to build a barracks building, an administrative building, and a dining facility while demolishing a larger barracks/administrative building in FY 2011. In FY 2013, POM plans to build a barracks building. These plans should not be viewed as further growth or expansion, but rather as POM's effort to update older structures with more efficient and environmentally friendly structures.

Rule 90 of the MPWMD Rules states, in pertinent part, "[t]he Board may, after holding a public hearing, in specific cases, grant a variance from any provision of the standards incorporated into these rules and regulations whenever it finds: (a) that special circumstances exist in a particular case, and (b) that practical difficulties or undue hardship would result from the strict interpretation and enforcement of any such standard, and (c) that the granting of such a variance would not tend to defeat the purposes of these rules and regulations." I respectfully submit to the Board that POM's planned projects meet these conditions as discussed below.

a. POM's planned projects are vital to DLIFLC and POM's mission and directly contribute to national security.

POM is home to the Defense Language Institute Foreign Language Center (DLIFLC), the only dedicated language training facility in the Department of Defense (DoD) and the largest institution of

its kind in the United States. The primary mission of the DLIFLC is to provide culturally-based foreign language education, training, evaluation, and sustainment for DoD personnel to ensure the success of the Defense Language Program and enhance the security of the nation. The linguists trained at DLIFLC are a vital component of our national security and are essential to the success of our contingency operations, not only in Iraq and Afghanistan, but throughout the world. Because of the importance and value of the training provided by DLIFLC, the Army is prepared invest over \$130 million dollars in improving DLIFLC's infrastructure. The demand for trained military linguists is high. State of the art facilities in lieu of the older and less efficient buildings will enable DLIFLC to continue to meet DoD linguist mission needs.

**b. Denying POM's request for a variance would result practical difficulties in carrying out DLIFLC & POM's mission.**

As stated above, the new facilities are required to meet the growing demand for higher learning and living standards. Indeed, President Obama laid out a vision of a nimble, well-armed and *multilingual* fighting force of the future. His focus is not building an armed force to fight land battles against the Soviets in Europe. The President stated: "Because in the 21st century, military strength will be measured not only by the weapons our troops carry, but by the languages they speak and the cultures they understand." The Chairman of the Joint Chiefs of Staff, Navy Admiral Mike Mullen, echoed the imperatives of having trained linguists available to commanders in the field. "No training is more crucial to the U.S. military than education in critical foreign languages and cultures...the flexibility of language training in the military underscores the state of global flux." Admiral Mullen characterized students at the DLIFLC as being "at the heart," both of the military's public outreach efforts in places like Afghanistan and within the U.S. military amid the cultural reform taking shape.

Without these new facilities and improvements to our infrastructure, DLIFLC and POM will face major challenges meeting the mission requirements. While other locations such as the U.S. Army Intelligence Center at Ft. Huachuca, AZ exist and could possibly accommodate the DLIFLC mission, as a practical matter the efficiencies of major relocations or attempting to build elsewhere do not at first glance appear worth consideration, particularly given the de-minimus impact on water resources of the Army constructing new facilities while ridding itself of older, less efficient structures.

**c. Granting POM's request for a variance would not tend to defeat the purposes of the MPWMD's Rules and Regulations.**

As I understand, the main purposes of the MPWMD's rule and regulations are to manage, augment, and protect water resources for the benefit of the community and the environment. Granting POM's request for a variance would not be contrary to the purposes of the MPWMD's rules and regulations for the following reasons:

The new facilities will not result in an increase in water usage. Although the demand for highly trained military linguists has grown, it does not automatically translate into an increase in the

-3-

total number of DoD personnel stationed at DLIFLC and POM. Over the years, the actual number of total population growth at POM has remained consistent despite projected growth over the same period. While it is difficult to accurately project accurate number of personnel at any given time due to personnel rotations and ever changing training and mission requirements, POM's realistic prediction is that the population growth will remain relatively constant at the current level based on previous overall historical statistics. In addition, the new facilities will be built to the "Green Standards" utilizing waterless urinals and other available water saving devices, which surely will result in significant water savings compared to the existing facilities with outdated devices. They will also be fitted with dual pipes to allow the use of recycled water for non-potable purposes. In short, POM projects that the new facilities for the DLIFLC will not result in an increase in overall potable water usage.

The new facilities will benefit the environment and the local community. In addition to building in full compliance with the Executive Order 13423, using various water saving devices, creating eco-friendly architectural designs, the construction activities will undoubtedly have a positive impact in creating potential jobs for area residents thereby providing a significant boost to the local economy.

In conclusion, granting POM's request for a variance by issuing water permits to allow POM to construct the new facilities in FY 2011 and FY 2013 will benefit the community and our nation with little impact on the local water resources. In short, authorizing a variance is not only reasonable but ultimately will prove beneficial to the community overall and will certainly result in accommodating the President's vision articulated above.

Therefore, I respectfully request the Board to grant this request for a variance.

I am forwarding a copy of this letter to Mr. Darby Fuerst, General Manager, Monterey Peninsula Water Management District, Mr. Curtis V. Weeks, General Manager, Monterey County Water Resources Agency, and Mr. J. Randall Robinson, Director, Installation Management Command, West Region.

Thank you in advance for your time and effort, and please feel free to contact me at (831) 242-6601.

Sincerely,



Darcy A. Brewer  
Colonel, U.S. ARMY  
Garrison Commander



# Carmel Area Wastewater District

— Over 100 years of service —

P.O. Box 221428, Carmel, CA 93922 ♦ (831) 624-1248 ♦ Fax (831) 624-0811

February 18, 2010

Ray von Dohren  
General Manager

Mark S. Scheiter  
Superintendent

Robert R. Wellington  
Legal Counsel

Board of Directors  
Greg D'Ambrosio  
Robert Kohn  
Robert Siegfried  
Charlotte Townsend  
Ken White

Mr. Allen J. Stroh, Director  
Department of Environmental Health  
County of Monterey  
1270 Natividad St.  
Salinas, CA 93906

Subject: Well Setbacks from Sanitary Sewer Facilities

Dear Mr. Stroh,

We have been informed that the County is currently approving wells for potable water production on both residential and commercial properties within unincorporated County areas as well as in the incorporated cities. The County Environmental Health Department has, on several occasions, contacted CAWD to verify that we do not have any sanitary sewer facilities within the prescribed setback from the proposed wells. Citizens within CAWD have expressed to CAWD that they are concerned about the lack of any formal process by which adjacent property owners are advised of any encumbrances on their properties as a result of a well approval. They have also expressed concern that without a recordation of the encumbrance, future property owners will be unaware of the existence of the well and may unwittingly install sewers within the setback.

To deal with these situations, CAWD proposes to notify Plumbing Permit applicants to contact County Environmental health to ensure their proposed work will not encroach on the setback. CAWD also recommends that in cases where the setback extends to adjacent properties, the County causes the encroachment to be recorded with the County Recorder's Office so that it will appear on subsequent title searches. Another option would be to require that the entire setback be located on the well applicant's property.

In any case, if we can assist with this concern, please let us know. Please contact Sanford Veile or me at 831-624-1248 if you wish to discuss this further, or if we may answer any questions.

Best regards,

Ray von Dohren  
General Manager

Cc Darby Fuerst, General Manager ✓  
Monterey Peninsula Water Management District

RECEIVED

FEB 24 2010

MPWMD