



Supplement to 11/18/13 MPWMD Board Packet

Attached are copies of letters received between October 15, 2013 and November 7, 2013. These letters are also listed in the November 18, 2013 Board packet under item 21, Letters Received.

Author	Addressee	Date	Topic
Michael W. Stamp	MPWMD Board	11/6/13	Comments on November 6, 2013 Agenda Action Item 3
Lorin Letendre	David J. Stoldt	10/24/13	Carmel River Festival and Feast
David W. Balch	David J. Stoldt	10/18/13	Commencement of Lawsuit Concerning Cost Sharing Agreement
Kathleen Baker	MPWMD Board	10/20/13	Public Water Now Initiative Petition
Marilyn Mason	MPWMD Board	10/21/13	Public Water Now Initiative Petition
Doug Wilhelm	MPWMD Board	10/21/13	Public Water Now Initiative Petition
Jody Hansen	MPWMD Board	10/21/13	Agenda Item No. 15 – Discuss Response to Receipt of Initiative Petition Submitted by Public Water Now

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LAW OFFICES OF
MICHAEL W. STAMP

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 Olga Mikheeva
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 Monterey, California 93940

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November 6, 2013

RECEIVED

NOV 07 2013

Kristi Markey, Chair
 and Members of the Water Demand Committee
 Monterey Peninsula Water Management District
 5 Harris Court, Building G
 P.O. Box 85
 Monterey, CA 93942-0085

MPWMD

via email

Subject: Comments on November 6, 2013 Agenda Action Item 3

Dear Chair Markey and Members of the Water Demand Committee:

These comments are submitted on Action Item 3 on today's agenda on behalf of Save Our Carmel River (SOCR), Patricia Bernardi, and The Open Monterey Project. We urge the Committee to recommend that the Board reject Draft Ordinance No. 158.

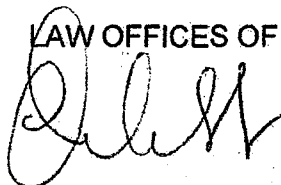
Draft Ordinance No. 158 proposes amendments to District Rule 28-B which are inconsistent with numerous aspects of CEQA, including lead agency provisions, cumulative analysis of environmental impacts, and appropriate review and mitigation. The ordinance has potentially significant environmental impacts that have not been evaluated and mitigated. The ordinance should be rejected.

As a next step, the District may consider notifying the jurisdictions that the proposed ordinance would assign a new task and pose a new risk to the jurisdictions, and the ordinance would require the jurisdictions to assume all risk and responsibilities arising out of the jurisdictions' actions on water credit transfers.

Thank you.

Very truly yours,

LAW OFFICES OF MICHAEL W. STAMP



Michael W. Stamp
 Molly Erickson



Carmel River Watershed
Conservancy

CARMEL RIVER FESTIVAL & FEAST

P.O. Box 223833, Carmel, CA 93923
501(c)(3) TIN #77-0548869



Carmel River Steelhead
Association

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OCT 28 2013

MPWMD

October 24, 2013

Mr. David J. Stoldt
General Manager, MPWMD
P.O. Box 85
Monterey, CA 93942-0085

Dear David

As co-hosts of the Carmel River Festival & Feast, the Carmel River Watershed Conservancy and the Carmel River Steelhead Association, thank you for being a sponsor of the inaugural event. Your contribution of \$500.00 enabled us to put on such a grand festival celebrating the launch of the San Clemente Dam Removal Project.

While we thank you for sponsoring the event your participation in the event made that day highly successful both in terms of community awareness of the importance of preserving and restoring the Carmel River and its watershed, and of bringing together the major "players" in the watershed that will have the most impact on the future of our river and its watershed.

In our observation the exhibits were extremely well attended (having the wild game and wine tastings mixed in with the other exhibits probably helped!) which should definitely increase public understanding and appreciation of the key issues and projects in the watershed.

With over 50 projects actively underway or in proposal stage within our watershed there is optimism for restoring the river and its adjacent habitat back to its former health and beauty. This will benefit both the people who enjoy recreational activities in and near the river as well as the threatened species that reside there—especially the South Central Coast Steelhead and the California Red-Legged Frogs.

We look forward to collaborating with you in the future on project that will restore much of the river for all species.

Appreciatively,

Lorin Letendre, President CRWC

Brian LeNeve, President CRSA

PASO ROBLES OFFICE

744 PINE STREET
PASO ROBLES, CA 93446
PH: (805) 226-0170

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October 18, 2013

AARON P. JOHNSON

PAUL W. MONCRIEF

L. PAUL HART

DENNIS J. LEWIS

KOREN R. MCWILLIAMS

J. KENNETH GORMAN

DAVID W. BALCH

File No. 6377.004

VIA EMAIL & U. S. MAIL

Mr. David J. Stoldt
General Manager MPWMD
5 Harris Court, Building G
Post Office Box 85
Monterey, CA 93940

Board Members of MPWMD
5 Harris Court, Building G
Post Office Box 85
Monterey, CA 93942-0085

David C. Laredo
De Lay & Laredo
606 Forest Avenue
Pacific Grove, California 93950

RE: Commencement of Lawsuit Concerning Cost Sharing Agreement

Dear Mr. Laredo, Mr. Stoldt, and Members of the Board:

Pursuant to Public Resources Code section 21167.5, I am writing to provide you notice that today, Petitioner Water Plus will be filing an action against the MPWMD and DeepWater Desal, LLC, concerning the August 19, 2013, Central Coast Regional Water Project Cost Sharing Agreement. The lawsuit will be brought under the California Environmental Quality Act (CEQA) and California Code of Civil Procedure Validation Procedures. The lawsuit to be filed today will challenge the actions of Respondents to commit Respondents to paying half of real party in interest's environmental and project costs of a private desalination plant in Monterey County, up to a maximum of \$800,000, without first complying with CEQA. Each named Respondent has given its final approval to entering into a Cost Sharing Agreement, which authorizes expenditures of public monies for a private project, without first complying with CEQA. Moreover, the agreement is written in a way that envisions future approvals by Respondent, again without complying with CEQA.

Additionally, I am attaching a copy of the Proposed Complaint.

If you have any questions, please do not hesitate to contact me.

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OCT 22 2013

MPWMD

Mr. Stoldt, Mr. Laredo, Board Members
October 18, 2013
Page 2 of 2



Very truly yours,

JOHNSON, MONCRIEF & HART, PC

A handwritten signature in black ink, appearing to read 'David W. Balch', written over the printed name.

David W. Balch

DWB/sld

Enclosures as above

Arlene Tavani

From: Kathleen Baker <kathbaker@aol.com>
Sent: Sunday, October 20, 2013 4:28 PM
To: sandcitymyr@aol.com; Dave Stoldt; Arlene Tavani
Subject: Option for Public Water

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OCT 21 2013

Dear MPWMD Board Members and General Manager:

MPWMD

I am currently a volunteer for the Public Water Now initiative. I would like to share with you my primary reasons for working to have our local water publically owned.

Since first residing in Monterey in 1986 I have seen the developments associated with the local waste and recycle programs and improvements. Our local Monterey Regional Waste Management District, whose organization and systems have been recognized among the best in the nation, has created and managed programs that educate the public as well as meet primary goals of reuse, recycle, and reclaim. I have benefitted as a local resident in ways to numerous to mention, both direct and indirect. The agency is a wonderful example of what a public agency can accomplish.

I believe that similar high quality programs under a publically run organization can be done with our local water. We need to find ways to save money on water, a resource becoming scarcer in our local area. We can be the national model on how to manage water resources for the benefit of the entire community. With public ownership I can foresee a time when the local water resources will be managed creatively and at a lower cost for all us—private citizen, public agency or commercial endeavor.

I encourage the Board and the General Manager to give strong consideration and support to the efforts that would allow our water to be managed by a NOT FOR PROFIT organization that has the primary goals of water resources protection and development at a low cost.

This is a critical time to show the leadership expected from a public agency faced with the issues of vital importance to all members of our current community and future generations. I hope that one day we will be able to say that when we had a water crisis the MPWMD lead the process to more than recovery, but also to building systems and programs that would be notable examples of conservation, cost containment and collaborative construction.

Thank you for time and attention.

Sincerely,

Kathleen Baker

345 Casanova Avenue,

Monterey, CA 93940

kathbaker@aol.com

Arlene Tavani

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From: Marilyn Mason <mason.marilyn@yahoo.com>
Sent: Monday, October 21, 2013 8:24 PM
To: sandcitymyr@aol.com; Arlene Tavani; Dave Stoldt
Subject: PS: I urge your action

OCT 22 2013

MPWMD

I hope you support the citizens' right to the initiative process and will support the decision and intent of the voters should it go to ballot and be approved.

Marilyn Mason
Seaside

> On Oct 21, 2013, at 10:02 PM, Marilyn Mason <mason.marilyn@yahoo.com> wrote:

>

> I support the need for a full analysis of the costs of public ownership of our local water, in order to reduce and control future water costs. That is our, the citizens', main concern. I'd truly appreciate your help in this.

>

> Marilyn Mason

> Seaside

>

Item 15

Submitted by Doug Wilhelm
at 10/21/13 Board Meeting¹¹

As a board member for Pubic Water Now, I would like to make several official comments to the Board tonight with regard to this item on your agenda. Due to an injury, our Managing Director was unable to attend and apologizes for his absence.

As you know, we are circulating a petition that we believe will move us an important step closer to solving our water problems. This initiative approach is far ahead of anything promoted in the past.

It will give the Monterey Peninsula Water Management District the authority to buy Cal-Am's local assets and establish a publicly-owned, board-elected water company. And by taking over control of our water from an outside corporation, it will also say good-bye to the PUC, and to all the interveners.

Technically, when the Public Water Now Initiative is passed by the voters in June 2014, it will instruct the Water Management District to complete work in nine months on a plan to put Monterey water under local control, and then to implement the purchase.

This is not some wild-eyed demand. It is based on the presumption that the plan will show that it makes financial sense to buy out Cal-Am. We know it will be economically practical for us to manage our water resources since Cal-Am is a profit-generating monopoly serving only the wishes of its shareholders.

We are optimistic that the initiative will be approved by the voters. We are confident the ensuing Feasibility Analysis and Acquisition Plan written by the Water Management District will clearly show that the people can control our

water resources more efficiently and at far less cost than a company headquartered in New Jersey.

What we are saying is that we have lost faith in Cal-Am and the CPUC, and it's time for them to go. For too long we have struggled with a company that has been grossly unresponsive at all levels. We simply don't trust them anymore because of the way they have operated and the way they have treated us.

Regarding tonight, we understand it would be too controversial to actually ask the Board to support the Initiative right now, but we would encourage you to do the following three things:

1. Remain neutral until all the signatures have been gathered and it qualifies for the ballot
2. Affirm your support for the democratic process the initiative represents,
3. And unambiguously pledge that if the initiative passes, you will support the will of the people and faithfully implement the new rules and regulations which it contains.

Finally, Public Water Now would like the opportunity to have a conversation with the Board about the reasons we are sure our initiative is an essential part of the solution for affordable water services. We will address the many issues we have considered including whether or not we can afford to buy Cal-Am, why public ownership can enhance the water supply effort, and why you should eventually fully endorse our effort. This presentation/discussion could occur during a regularly scheduled board meeting or in a special Board session.

Thank you for your time.



**MONTEREY
PENINSULA
CHAMBER OF
COMMERCE**

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OCT 21 2013

MPWMD

October 21, 2013

The Honorable David K. Pendergrass, Chair
Board of Directors
Monterey Peninsula Water Management District
5 Harris Court, Building 6
Monterey, CA 93940

Re: Agenda Item No. 15 – Discuss Response to Receipt of Initiative Petition
Submitted by Public Water Now

Dear Mayor Pendergrass and Members of the Board:

On behalf of the Monterey Peninsula Chamber of Commerce, we support the proposed response from the Public Outreach Committee, which allows the Monterey Peninsula Water Management District (MPWMD) to keep to its course and focus of developing the most sustainable and cost effective water supply solutions in addressing the Cease and Desist Order that will be implemented by the State on January 1, 2017.

All water sources, offered by both public and private entities, should be considered. However, the MPWMD Board should not invest time and money into studying the feasibility the Public Water Now petition unless this initiative is approved by the voters. Without such approval as a first step in determining viability, the Board could be wasting precious resources.

We trust that the MPWMD Board will direct its resources prudently in the effort to establish a new water supply sources. Thank you for your consideration of these comments.

Best regards,

Jody Hansen
President and CEO

cc: Brenda Lewis, Vice Chair, MPWMD Board
Robert S. Brower, Sr., MPWMD Board Member
Jeanne Byrne, MPWMD Board Member
Judi Lehman, MPWMD Board Member
Kristi Markey, MPWMD Board Member
The Honorable Dave Potter, MPWMD Board Member
Dave Stoldt, MPWMD General Manager