



Supplement to 6/23/2014 MPWMD Board Packet

Attached are copies of letters received between March 27, 2014 and June 16, 2014. These letters are also listed in the June 23, 2014 Board packet under Letters Received.

Author	Addressee	Date	Topic
Don Eastman	David Stoldt	6/12/14	Presentation to Stillwater Club
Katherine Mrowka	Larry Hampson	5/27/14	Carmel Canine Sports Center Project

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JUN 16 2014

MPWMD

Don Eastman
P.O. Box 1135
Pebble Beach, CA. 93953
831-641-9580
don.eastman@sbcglobal.net

June 12, 2014

Dave Stoldt, General Manager
Monterey Peninsula Water Management District
5 Harris Court, Building G
P.O. Box 85
Monterey, CA 93942-0085

Dear Mr. Stoldt:

On behalf of the approximate ninety members of the Stillwater Club who attended today's luncheon I send thanks for your wonderful speaking and audio/visual presentation on the subject of "water – why we worry". When you first sat down at the lunch table and looked over the crowd, recognizing many people you had dealt with in your professional capacity – including one former member of your district board – you commented that this was an audience of serious and accomplished people.

Your presentation more than lived up to the expectations of the attendees. As you spoke, and worked your way through a series of excellent PowerPoint slides, I could see that you had the full attention of the audience. We were impressed by your ability to take questions on the fly during your discussion. After you went to the question and answer phase, your ability to respond to informed and incisive inquiries was impressive. After the meeting I heard praise about your presentation from many members.

Your topic concerning the current water situation on the Monterey Peninsula is always of interest and is on the mind of all residents as we work our way past the recent election on Measure O, and move forward to address the many water issues that confront us.

This is the second time that I have had the privilege of hearing you speak, again I noted that you are a fountain of knowledge on the water issues of the Monterey Peninsula, and as an accomplished public speaker you are able to explain the complicated circumstances in factual and understandable fashion.

The membership of the Stillwater Club extends appreciation for today's informative presentation.

Very Truly Yours,


Don Eastman, Vice President and Program Chair
The Stillwater Club



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MAY 30 2014



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

MAY 27 2014

MPWMD

In Reply Refer to:
KDM:A030511

Mr. Alexander F. Hubbard
Hubbard & Hubbard LLP
400 Camino Aguajito
Monterey, CA 93940

Dear Mr. Hubbard:

MITIGATED NEGATIVE DECLARATION (MND) – CARMEL CANINE SPORTS CENTER PROJECT – RELATED TO APPLICATION 30511 OF WOLTER PROPERTIES LIMITED PARTNERSHIP, CARMEL RIVER SUBTERRANEAN STREAM IN MONTEREY COUNTY

On January 29, 2014, Division of Water Rights (Division) staff commented on the MND prepared by Monterey County for the Carmel Canine Sports Center Project (Project). On April 23, 2014, you asked for clarification of some of the Division remarks. In particular, you request clarification of the Division remarks that, due to non-use of water, Application 30511 may have lost its Table 13 status. As noted in Decision 1632, Table 13 provided a mechanism for persons using established quantities of water within the Carmel River watershed to have an opportunity to obtain a water right permit with a priority superior to the Monterey Peninsula Water Management District permit on Application 27614. The decision states: "This condition is to protect only persons using established quantities of water who may have questionable rights to the use of water or who wish to make a use of water which cannot be provided under existing water rights." (D1632, pp. 49, 50.)

The decision set forth the time period for review in establishing whether persons had established uses of water. The decision is silent regarding persons who, having established a use of water, subsequently discontinued using water. However, in the opinion of Division staff, Table 13 did not provide a mechanism for obtaining an enhanced water right priority for persons that have ceased using water for a prolonged period of time.

You ask that Division staff clarify the remarks on the MND regarding Table 13. The remarks are listed below:

Regarding the issue of whether the Division would issue a permit in the quantity of 96 af, the following information should be taken into consideration. In Decision 1632, the State Water Board provided a method for inbasin water users with existing projects to receive a permit with a modified water right priority. Such persons were listed in Table 13 of the decision. After modification, the Wolter Properties quantity was set at 96 af. The MND states that the Wolter Properties lands have been fallow since 2008. Division staff was unaware of the non-use issue until the MND was issued. Decision 1632 does not

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov

MAY 27 2014

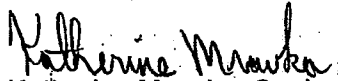
provide for protection in cases where there is no ongoing use of water. Based on the decision, persons listed in Table 13 may seek a year-round diversion season. However, all others are limited to a four month winter diversion period. In the opinion of Division staff, the Project will likely be limited to a reduced diversion season since there is no longer a basis for protecting ongoing water use. The MND should identify this problem and determine what source of water the Project would use, should the diversion season be limited to four months.

Division staff does not wish to modify these remarks.

You also ask that staff clarify whether tenants, or successors, to Table 13 applicants will enjoy the same appropriative rights as their Table 13 landlords or predecessors. When an application is re-assigned to another party, there is no change in the processing procedures. Protests, protest resolution documents, instream flow requirements and other matters related to application processing remain intact.

If you require further assistance, I can be contacted at (916) 341-5363 or by email at kmrowka@waterboards.ca.gov. Written correspondence should be addressed to: State Water Resources Control Board, Division of Water Rights, Attn: Katherine Mrowka, P.O. Box 2000, Sacramento, CA 95812.

Sincerely,


Katherine Mrowka, Senior
Inland Streams Unit
Division of Water Rights

cc: Monterey Peninsula Water
Management District
Mr. Larry Hampson
5 Harris Court, Building G
Monterey, CA 93940
Larry@mpwmd.net

Mr. John Ford
Monterey County Planning & Building
Inspection Department
168 West Alisal, 2nd Floor
Salinas, CA 93901