

COLETTI COMMENTS FOR AGENDA ITEM 19 - MPWMD MEETING 12-14-15

1) In Finding 3 staff claims that: "Potable water freed by reason of Project operations shall be available for re-use". Actually, this is not true. As I mentioned in my e-mail, the State Water Board affirmed Section 19.2 of the Cal-Am CDO when they placed a condition on the funding of the PGLWP. This condition states that all water freed up by reason of project operations shall return to the river until such time as directed otherwise.

So, my first question: why is there absolutely no mention of this State Water Board condition in the ordinance and why is the district so defiant about not recognizing it or complying with it?

2) In Section Five it's mentioned: "the district shall reserve 9 acre-feet per year of conserved water for its exclusive use".

My second question: does staff somehow believe the State Water Board's condition does not apply to the District? And further, is it staff's intention to re-use any of this water without consent from the State Water Board? Please be specific.

3) In Section Six it's mentioned: "This ordinance shall take effect upon completion of the Pacific Grove Local Water Project and verification of disconnection from the California American Water Distribution System."

Again, staff is willfully ignoring the Water Board funding condition that effects when and how ALL (not just some) of the saved potable water from this project can be re-used.

Willfully ignoring the Water Board over a 9 acre-feet entitlement for the District is a very bad idea. The district just signed a letter asking the Water Board to extend the Cease and Desist Order. Yet less than a month later you are proposing a water entitlement that is in direct conflict with the no growth policy of the CDO and specific Water Board direction for this project. This gives all the appearance of defying the State Water Board and their direction.

Therefore, I urge you to direct staff to bring back an ordinance that fully reflects the State Water Board's direction and specific conditions for this project. The current Ordinance before you this evening does not do this and should be redone.