

Exhibit 1

1 **RUSSELL M. MCGLOTHLIN (State Bar No. 208826)**
 2 **MICHAEL T. FIFE (State Bar No. 203025)**
 3 **BROWNSTEIN HYATT FARBER SCHRECK, LLP**
 4 **21 East Carrillo Street**
 5 **Santa Barbara, CA 93101**
 6 **Telephone No. (805) 963-7000**
 7 **Facsimile No. (805) 965-4333**
 8
 9 **Attorneys for CITY OF SEASIDE**

10 **CALIFORNIA STATE WATER RESOURCES CONTROL BOARD**

11 **IN THE MATTER OF WHETHER THE**
 12 **DRAFT CEASE AND DESIST ORDER**
 13 **CONCERNING CALIFORNIA AMERICAN**
 14 **WATER'S DIVERSION FROM THE CARMEL**
 15 **RIVER SHOULD BE ISSUED**

DECLARATION OF RALPH RUBIO
(MAYOR OF THE CITY OF SEASIDE)

BROWNSTEIN HYATT FARBER SCHRECK, LLP
 21 East Carrillo Street
 Santa Barbara, CA 93101

16 I, Ralph Rubio declare as follows:

17 1. I am the Mayor of the City of Seaside. I have served as the Mayor of the City of
 18 Seaside for approximately four years. I have personal knowledge of the following, and, if called as
 19 a witness, I would and could testify competently to the following:

20 2. In my capacity as the Mayor of the City of Seaside, I am familiar with the City's
 21 history and its strategic goals for the future.

22 3. The City is ethnically and culturally diverse. The City has a population of 34,194,
 23 and is roughly 49 percent white, 35 percent Hispanic, 12 percent black, and 10 percent Asian. (See
 24 U.S. Census Bureau QuickFacts, available at the U.S. Census Bureau Website:
 25 <http://quickfacts.census.gov/qfd/states/06/0670742.html>, attached as Seaside Exhibit "2".) The City
 26 of Seaside is predominantly middle class, and is the largest city on the Monterey Peninsula. (*Id.*)
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4. As described in the City's Vision Statement, the City aspires to be "a prosperous and fiscally sound, family-oriented community with a full range of housing, business, cultural and recreational opportunities in a safe and attractive environment by 2010." (City of Seaside Vision Statement, attached hereto as Seaside Exhibit "3")

5. The City of Seaside was a neighboring community to the former Fort Ord Army Base until the base's closure in 1993. Although the existence of the base imposed certain challenges upon the City, it was also an economic engine for the community. The closure of the base impacted the City through the loss of business that was generated by military personnel and their dependents. In fact, the population of the City declined by 18 percent in the years following the closure of the base while state-wide population grew by 13.6 percent. (See U.S. Census Bureau QuickFacts, attached as Seaside Exhibit "2.")

6. Through the City's perseverance, it has emerged from the base closure and has worked to diversify its economy by developing professional services, education, tourism, retail, and other employment within the City.

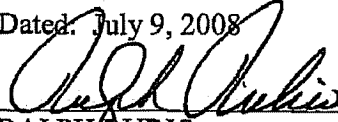
7. The City now has the opportunity for moderate, but meaningful, infill development within the California American Water service area based upon the 56.4 acre-feet of water remaining in the City of Seaside's water allocation from the Monterey Peninsula Water Management District's water allocation program.

8. The infill development within the California American Water service area will increase tax revenue, which will fund essential City services such as police and fire services, and recreation programs for youth and senior citizens.

9. Likewise, increased job growth from this development will help to improve the City's economy and job base, and will allow the City to make meaningful progress towards the development goals outlined in the City's vision statement.

I declare under a penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration is executed this 9th day of July, 2008 at Seaside, California.

Dated: July 9, 2008



RALPH RUBIO

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