

**From:** Anthony Davi Sr [<mailto:agsr@agdavi.com>]  
**Sent:** Wednesday, July 13, 2016 11:18 AM  
**To:** Quint, Matthew@Waterboards  
**Cc:** [catherine.stedman@amwater.com](mailto:catherine.stedman@amwater.com)  
**Subject:** CDO Hearing July 19,2016

Dear Mr. Quint and SWRCB Board Members:

As a lifetime member of the Monterey Peninsula, a business owner and property I have experienced the past 40 some years of water control and have been a participant in the conservation efforts that have resulted in a 46% reduction in water use. I think we the residents and business owners here on the Monterey Peninsula should be applauded for our accomplishments which has been a high sacrifice of quality of life and at financial costs. We have one of the highest water rates in the country. A great deal of progress has been made with the numerous local stake holders in negotiating a mutually agreeable modification to the CDO time frame. We are now a short distance to the goal line , let's not make it more difficult than it already is.

I support the extending the CDO deadline through 2021 and that the Diversion limit be maintained at the 8310 acre feet per year, a number we have been able to maintain and has kept us from water rationing verses the 7990 acre feet recommended by staff which could bring us to water rationing. These proposed conditions will in effect penalizing the community for our conservation efforts. Any further restriction in water use, and or rationing will place a huge additional burden on community already starving for water . In the big picture the 320 acre feet reduction is meniscal in comparison to the hundreds of thousands of acre feet of water that flow to the mouth of the Carmel River and into ocean each year, but that small reduction of 320 acre feet added to the current restriction will have a huge negative impact to the water starved Monterey Peninsula.

I also, request that the five (5) year average water use limitation being proposed by staff as a condition of extension, be deleted because it will be a disaster to business and business property owners. This type of land use limitation, will result in commercial properties becoming subject to long term vacancies, due to the water limitation. For example, a commercial property with a retail use is vacated , retail use being one of the lowest water user could NOT be rented to a person who wishes to use the property ,for example, a beauty salon or some other non-retail use. This is Land use control and not area of governess that SWRCB should be involved in. Land use is a right that belongs to the cities and county jurisdictions and subject to zoning. Zoning is land use and a right of each property owner. Any additional control or restriction by SWRCB could be a taking of property rights. Delete this 5 year average use restriction, an unreasonable restriction, in the spirt of good relationship and cooperation with the community. Remember, these restriction have the greatest impact on the business community, those who provide jobs and a most of the revenue required to operate our communities, let's not cut off the hands that feeds us.

I think it is time for majority rule, the minority have had their 40 year run at opposing just about every proposed solution and at a huge cost to the community. The reality is with hundreds of thousands of acre feet of water flow into the ocean annually, we do not have a water shortage , we have water storage problem, imposed upon us.

Mr. Quint and board members, don't penalize us for our good work, rather help us to get over the goal line, we are almost there. You can do this by granting us the extension of time ,don't take away the 320 acre feet of water we need and delete the 5 year average water use restriction.

Since the Monterey Peninsula has conserved more water than any other jurisdiction in the State of California, that we are near a long term water solution ,that should be adequate justification for the SWRCB to grant aforesaid mentioned request in its entirety.

I firmly believe that as residents of the State of California that we have the water rights which entitles us to participate in the use of the water in the Carmel River.

Thank you for your time and consideration in this very important matter.

Respectfully,

Anthony G. Davi, Sr.