

**From:** David Beech [<mailto:dbeech@comcast.net>]

**Sent:** Monday, January 30, 2017 3:35 PM

**To:** Mrowka, Kathy@Waterboards; O'Hagan, John@Waterboards; Aue, Marianna@waterboards; Grober, Les@Waterboards

**Cc:** Dave Stoldt; Rich Svindland; Barbara Meister; John Narigi; Mike Zimmerman; Ron Meer; Stephanie Locke; Bill Kampe (); 'Dave Laredo'; Brian LeNeve ([bjleneve@att.net](mailto:bjleneve@att.net)); [LarrySilver@earthlink.net](mailto:LarrySilver@earthlink.net); 'jficker@calstrat.com'; Minton, Jonas

**Subject:** Re: WR 2009-060 Condition 2 Meeting Yesterday

To: State Water Resources Control Board

Public Water Now continues to respectfully request that the Board deny any change to Condition 2. We are in agreement with Mr Le Neve that the most likely outcome of the proposed changes would be to favor certain applicants. Our own requests for examples of decisions that would be changed by the new interpretation have gone unheeded. For example, would Project Bella for a 235-room hotel, and the proposed Monterey Bay Aquarium education building, now become eligible for the water that they want?

Regarding the final position of the Monterey Peninsula Water Management District, as stated in the message below, we differ from it in both substance and questions of representation.

The substance of the new interpretation seems to be that the baseline would be increased to include water "that has already been "in the system" at some point during recent years" rather than what was actually billed when the moratorium came into effect. For this to be a zero-sum game, it appears that the conservation efforts of mainly residential ratepayers have to be used "to reduce consumption system-wide".

The District still claims to be presenting a "community-based proposal", although we tried to make clear in the Sacramento meeting that they had neglected to consult anyone representing the residential ratepayers who have the majority of Cal Am connections. We are even more disappointed that they have not remedied this oversight, and have continued to ignore any issues raised on behalf of this community..

We trust that the State Water Board will hear the voice of this part of the community, which has been largely responsible for the remarkable conservation of water over the last several years.

With thanks for your attention,

David Beech

On 1/26/2017 4:04 PM, Dave Stoldt wrote:  
All,

In an attempt to address concerns raised by the attorney for the Sierra Club, we have made very slight changes to the text of our January 3<sup>rd</sup> proposal. Most of the clarification is contained in the footnotes and is intended to underscore the unlikelihood of significant water credit transfers from location to location and the inability to move water from jurisdiction to jurisdiction under existing rules. Redline and clean versions are attached.

Once again, I want to point out that all of this discussion is about a very small amount of water use capacity that has already been “in the system” at some point during recent years, hence not new water. Further, the District’s rules and regulations are designed, ensure compliance with an overall Effective Diversion Limit, but to maintain a clear, well understood set of rules for local land use decisions.

At this time, the District does not intend to further modify its language on the community-based proposal, and we recognize that this version is consistent with the January 3<sup>rd</sup> proposal which has received an outpouring of support from many different stakeholders on the Monterey Peninsula.

Best regards,

Dave

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David J. Stoldt  
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