



**PACIFIC GROVE**  
CHAMBER OF COMMERCE  
& TOURIST CENTERS

March 20, 2017

Ms. Kathy Mrowka  
Mr. John O'Hagan  
Ms. Marianna Aue  
Mr. Les Grober  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

Dear Ms. Mrowka, Mr. O'Hagan, Ms. Aue and Mr. Grober,

The Board of Directors of the Pacific Grove Chamber of Commerce continues to support the Monterey Peninsula community and the Monterey Peninsula Water Management District (the District) by participating in the State Resources Control Board (SWRCB) hearing regarding Condition 2 of the Cease and Desist Order (CDO).

The Pacific Grove Chamber argued for the extension of the deadline and for additional clarification on portions of the CDO to ensure Cal-Am would have as much clear guidance as possible moving forward to address the Peninsula's water supplies issues in the best possible way. The Chamber supports Cal-Am and the District, in their effort to establish a long term, diverse solution to our region's challenges regarding water.

However, there are two issues that need to be addressed. The first is the change in use or zoning language in Condition 2. Under any interpretation, a property that has been vacant or underutilized can use the water that it is legally entitled to if the use does not change. The result of this is that the water capacity is already accounted for in the system. The language in Condition 2 related to change in use or zoning could be interpreted to limit water capacity if the use is changed to the amount of water used during an arbitrary five-year period, thereby restricting an owner's legal rights to the use of said property.

The second issue relates to transfers. Before even considering the issue of transfers, it is important to note that everyone understands that no new meters can be set so that any transfers can only be to exiting developed property with a prior history of water use, not new development. The amount of water available

to transfer is extremely limited and subject to many District restrictions including potential CEQA review. Even the small amount of water that might be transferred would represent a reduction in the capacity to use it where it originated, so it is not necessarily an increase in use.

The Chamber, along with the community, fully appreciates the importance of the Cease and Desist Order and the limits imposed by the Effective Diversion Limit, however we request the SWRCB to allow the local water district to regulate individual property permits that are consistent with the CDO.

Affordable workforce housing and minimal sustainable economic projects are two examples of critical and important elements that will allow the community and City of Pacific Grove to survive the current prevailing conditions.

Thank you for your consideration.

A handwritten signature in red ink, appearing to read "M Ammar". The signature is fluid and cursive, with a large loop at the end.

Moe Ammar  
President