



Supplement to 7/17/17 MPWMD Board Packet

Attached are copies of letters received between June 8, 2017 and July 10, 2017. These letters are listed in the July 17, 2017 Board packet under Letters Received.

Author	Addressee	Date	Topic
Steve Gorman	David J Stoldt	6/16/2017	This letter was personally served to District staff June 16, 2017
Joel Panzer	David J Stoldt	6/8/2017	Request for Cal-Am Meter Authorization

file:///U:\staff\Boardpacket\2017\20170717\LettersRecd\LettersRecd.docx

Steve Gorman

185 Del Monte Boulevard, Pacific Grove, CA 93950

(831) 915-1170

steve@gormanre.com

June 16, 2017

David J. Stoldt
David Laredo
Water Management District
5 Harris Court, Bldg. G
Monterey, CA 93940

**HAND
DELIVERED**

JUN 16 2017

MPWMD

D

THIS LETTER WAS PERSONALLY SERVED TO DISTRICT STAFF JUNE 16, 2017

Dear Mr. Stoldt and Mr. Laredo:

I have signed a deed restriction for my property under protest. It is my understanding that I cannot receive my permit unless I sign the deed restriction. Since Mr. Stoldt is on vacation, I have asked your staff to refrain from recording the deed until this matter is resolved.


I believe that the requirement that I sign a deed restriction encumbering my home violates both the letter and spirit of the law and is an unconstitutional taking of my property rights and privacy.

I am eliminating a bathtub in my master bathroom and installing a bar sink in our kitchen. I am also installing another sink in our master bathroom, which currently has only one sink. It is my understanding that this does not result in an intensification of water credits and that the bathtub actually represents a greater credit.

I respectfully ask that Mr. Laredo review this matter. I intend to pursue legal action against the Water Management District if this deed restriction is recorded and will make a coordinated media effort to expose what essentially amounts to blackmail: sign this deed restriction or you won't get your permit. If your organization were legally entitled to this information, you wouldn't be asking for deed restrictions. I signed the deed restriction because I don't want my family to suffer damages from not being able to follow through with this planned remodel; I had not anticipated a deed restriction for a simple remodel with no intensification of water credits. I request that the deed restriction not be recorded until this matter is resolved.

Thank you for your attention to this matter.

Sincerely,



Steve Gorman

JUN 12 2017

MPWMD



June 8, 2017

David Stoldt, General Manager
Monterey Peninsula Water Management District
Post Office Box 85
Monterey, CA 93942-0085

RE: Request for Cal-Am Meter Authorization (3294 17 Mile Drive; 008-455-014-000)

Dear Mr. Stoldt:

Maureen Wruck Planning Consultants, LLC represents Blossom Cove, LLC, and the property owners of 3294 17 Mile Drive in Pebble Beach. The subject property has a Water Use Permit (No. 386) for water entitlement from the CAWD/PBCSD.

Water Use Permit No. 396 authorizes the General Manager to provide water service and connections for the Benefitted Property and installation of water meters (emphasis added) for Residential Use. MPWMD Rule 11 defines Residential as follows: "*Residential*" shall mean water used for household purposes pertaining to Single... Family Dwellings". Rule 11 also defines "Household", to include: "*(s)perate living quarters... in which occupants live separately from any other people in the building and that have direct access from outside the building...*"

I am enclosing the floor plan of the living quarters for which we are requesting a Cal-AM meter. The owners believe a separate water meter is necessary to better manage (conserve) water use on the site. By way of this letter, I am asking the General Manager to authorize the issuance of a MPWMD water permit for a meter spilt for the separate living quarters as permitted by the Water Use Permit 386 and the Rule 11 definitions cited above and attached as Exhibits.

Respectfully submitted,


Joel R. Panzer
Maureen Wruck Planning Consultants, LLC

JP/Attachments: Water Use Permit No. 386 (excerpts);
MPWMD Rule 11 – "Household";
Studio Floor Plan

21 W. Alisal Street, Suite 111
Salinas, CA 93901
(831) 771-2557
joel@mwruck.com

- (b) The nature of the use is for Residential use; and
- (c) Compliance with MPWMD Rule 21 B, including payment of customary fees and connection charges required by both Cal-Am and MPWMD of water users within the Cal-Am service area calculated based upon the annual water usage capacity for proposed or planned development on the Benefited Property and calculated in the manner described in MPWMD Rule 24.

Upon the filing of the information and payment of the fees required above, the General Manager of MPWMD shall issue a Water Permit pursuant to MPWMD Rule 23 authorizing the expansion/extension of the Cal-Am water distribution system.

4. Owner shall be entitled to request of MPWMD, and thereby cause, an increase in the number of connections or the annual water use with respect to the Benefited Property upon presentation of the information and payment of the fees set forth in Paragraph 3 above, provided however, that in no event shall:

- (a) the connections be other than a Residential Connection (as defined in this Water Use Permit);
- (b) the aggregate amount of capacity for annual water use for the Benefited Property exceed the amount of the Water Entitlement dedicated to the Benefited Property.

and the connection shall be the nearest point of user access beyond the water-measuring device. Where a water measuring device is removed for a period exceeding 36 months, or is relocated or resized, the former connection shall cease to exist. Where any permit is transferred in contravention of Rule 28, the connection(s) affected by said permit shall cease to exist. For the purpose of these Rules and Regulations, access for fire protection and/or access for short-term use through a hydrant meter installed with the consent of the water distribution system, shall not be deemed a connection. Each new connection, based upon projected quantity of water use, shall be categorized as either "Residential," "Commercial/ Governmental," or "Industrial" as follows:

- **Residential Connection** – Unless otherwise determined by the General Manager, on a case-by-case determination, any house, apartment or other living quarters intended for residential use.
- **Commercial/Governmental Connection** – Unless otherwise determined by the General Manager, on a case-by-case determination, any public use, business or manufacturing company that requires a separate water service where the water is not used principally in the manufacturing or processing function including, but not limited to, offices, retail stores, hospitals, churches, gas stations and service businesses.

- **Industrial Connection** – Unless otherwise determined by the General Manager, on a case-by-case determination, any manufacturing or processing function, including but not limited to factories, refineries, bottling plants, nurseries, laundries and golf courses.

Owner – “Owner” means the holder (of record) of fee title to the Benefited Property.

Residential – “Residential” shall mean water used for household purposes, including water used on the premises for irrigating lawns, gardens and shrubbery, washing vehicles, and other similar and customary purposes pertaining to single and multi-family dwellings.

Revoke – “Revoke” means to permanently withdraw authority to act as previously provided by a valid permit.

Terminate – “Terminate” means the withdrawal, without formal MPWMD action, of authority to act as previously provided by a valid permit or water service connection, whichever is applicable.

Water Entitlement – “Water Entitlement” means all or any portion of an aggregate of 380 acre-feet per year of potable water which has been dedicated to land within the jurisdiction of MPWMD for the purpose of providing for the

maximum or less, equating to a maximum of 1.28 gallons per flush. (Note: The HET category includes dual-flush fixtures, which have been determined to meet the volume requirement by defining the effective flush volume as the average volume achieved with one full flush and two reduced flushes.)

Added by Ordinance No. 127 (1/25/2007); amended by Ordinance No. 140 (11/16/2009); Ordinance No. 170 (5/16/2016)

HIGH EFFICIENCY URINAL -- "High Efficiency Urinal" shall mean a Urinal designed to flush with a maximum of 0.5 gallon per flush.

Added by Ordinance No. 140 (11/16/2009)

HIGH WATER USE PLANT -- "High Water Use Plant" shall mean any plant categorized as high water need by the Water Use Classification of Landscape Species guide ("WUCOLS").

Added by Ordinance No. 172 (8/15/2016)

HOT WATER DEMAND PUMPING SYSTEM

Added by Ordinance No. 110 (9/30/2003); amended by Ordinance No. 111 (1/29/2004); Ordinance No. 125 (9/18/2006); deleted by Ordinance No. 129 (8/20/2007)

HOUSEHOLD - "Household" shall mean all of the people who occupy a housing unit. A housing unit is a house, an apartment, a mobile home, a group of rooms, or a single room occupied (or if vacant, intended for occupancy) as separate living quarters. Separate living quarters are those in which the occupants live separately from any other people in the building and that have direct access from the outside of the building or through a common hall.

Added by Ordinance No. 169 (2/17/2016)

HYDROLOGICAL MANAGEMENT UNIT - "Hydrological Management Unit" means any source of water supply, which has been identified by the General Manager pursuant to these Rules and Regulations, for the purposes of water management to be a distinct source of water. The General Manager shall annually promulgate or update a Hydrological Management Unit reference source to identify each source of water supply within the District. Initially, this reference shall include any stream shown as a solid blue line on the most recent USGS 7 1/2 minute series topographical map, the Carmel Valley aquifer above the Narrows, the Carmel Valley aquifer below the Narrows, the Seaside aquifer, and sources of Reclaimed Water.

Added by Ordinance No. 19 (12/10/84)

HYDROZONE -- "Hydrozone" shall mean a portion of the Landscape Area having plants with similar water needs and rooting depths served by a valve or set of valves with the same schedule. A Hydrozone may be irrigated or non-irrigated.

Added by Ordinance No. 172 (8/15/2016)

