

Stephanie Locke

*Submitted by staff
at 2/12/15 committee
meeting.
Item 3*

From: Molly Erickson <erickson@stampaw.us>
Sent: Thursday, February 12, 2015 1:17 PM
To: Dave Stoldt
Cc: Stephanie Locke; Arlene Tavani
Subject: Re: Your call

Dave:

Then we disagree on several points. As just one example, the CEQA determination is not in the ordinance, so "everything" is not included, contrary to your claim.

As to the deferral, the staff report references conferring with the TAC on definitions, and the staff report does not indicate that has taken place.

The timing of MPWMD's actions speaks for itself.

Please send me the initial study and CEQA determination as soon as possible. Thank you.

Molly Erickson
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On Feb 12, 2015, at 12:58 PM, Dave Stoldt <dstoldt@mpwmd.net> wrote:

Molly,

We believe the current document is "there" and ready to go. It has been in the public domain for quite some time and has been reviewed by industry groups and discussed with interested members of the public. We did a CEQA analysis and the initial study will be filed tomorrow. Generally, the finding for the initial study is that there is no impact and we are, in fact, placing limitations of outdoor seating that is was previously unregulated.

I have no idea what you mean about deferral of definitions. Everything that will go in the ordinance is in the ordinance draft.

A continuation is not really of benefit, as there is need to establish an enforceable practice as soon as possible. This has been at the Board and Committee level since last Fall and brought out quite a bit of public input. It is ready to go.

Dave

David J. Stoldt
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831.658.5651

From: Molly Erickson [<mailto:erickson@stamplaw.us>]
Sent: Thursday, February 12, 2015 12:48 PM
To: Stephanie Locke
Cc: Dave Stoldt
Subject: Re: Your call

Dave and Stephanie:

I quickly reviewed the draft ordinance that you provided to me half an hour ago.

The concept seems to be workable. The current draft document is not there yet.

We question the accuracy of several of the material findings that provide substantial basis for the ordinance.

We also are concerned about the lack of CEQA analysis. We cannot meaningfully comment on the proposal until we have seen that analysis. A last minute CEQA analysis would not be a wise approach.

We also have concerns as to the deferral of development of definitions. These appear to be significant and material to the application of the ordinance and its potential impacts on the environment (see concern above re CEQA). It is not helpful to try to add these after the Committee's review, as is proposed. The ordinance will not be ready to proceed past Committee review until those are fixed and final and have been provided to the public with adequate time for review and comment.

Please share these comments with the Water Demand Committee.

We respectfully suggest that the Committee take public comment and continue this item for further refinement in accordance with these comments.

Thank you.

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On Feb 12, 2015, at 12:17 PM, Stephanie Locke <s.locke@mpwmd.net> wrote:

Hi,

Here's the [link](#).

Regards,

Stephanie

From: Molly Erickson [<mailto:erickson@stamplaw.us>]
Sent: Thursday, February 12, 2015 12:16 PM
To: Stephanie Locke
Cc: Dave Stoldt
Subject: Re: Your call

Steph:

Please email the WD report to me. What time is the WD meeting? Thank you.

Molly Erickson
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On Feb 12, 2015, at 12:08 PM, Stephanie Locke <s.locke@mpwmd.net> wrote:

Hi Molly,

When we didn't hear back from you, I called Pat. She and I went over the proposal to regulate outdoor restaurant seats that will be considered by Water Demand today, and by the TAC and Board next Wednesday. She did not have any concerns, and agreed that the proposal was sane and sensible.

Regards,
Stephanie

From: Molly Erickson [<mailto:erickson@stamplaw.us>]
Sent: Thursday, February 12, 2015 12:01 PM
To: Dave Stoldt; Stephanie Locke
Subject: Your call

Dave and Stephanie:

I received your recent voice message. I can call you back next week. If you have any information that you would like me to review in the meantime, please send it to me.

Thank you.

Molly

Molly Erickson
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