

EXHIBIT 3-B



Allocation of Water for Affordable/Workforce Housing A Call for Cooperation Between State Agencies

Problem Statement: The Monterey Peninsula aspires to make progress on its Regional Housing Needs Allocation (RHNA), but is restricted by a State Water Resources Control Board (SWRCB) Cease and Desist Order (CDO) limiting setting of new meters or increasing water use at existing sites. Such restrictions are likely to remain in place up to three more years, until a new water supply is available. The Monterey Peninsula Water Management District (District) seeks to gain support of housing advocates to approach the SWRCB with letters of support for its Application for relief of the restrictions solely for use on near-term housing projects which contain a moderate, low, or very low income element.

SB 330: The Housing Crisis Act of 2019

- California is experiencing a housing supply and affordability crisis of historic proportion
- Long commutes increase risk to life and health problems
- Lack of affordable housing is a public health & safety issue
- It is the policy of the state that a local government not reject or make infeasible housing development projects...
- Local governments are restrained from imposing a moratorium or similar restriction or limitation on housing development

The State Water Board CDO (Condition 2):

"Cal-Am shall not divert water from the Carmel River for new service connections or for any increased use of water at existing service addresses resulting from a change in zoning or use."

Please Consider a Letter of Support!

Erik Ekdahl, Deputy Director,
Division of Water Rights
Erik.Ekdahl@waterboards.ca.gov

Steve Westhoff, Office of Chief Counsel
Steven.Westhoff@waterboards.ca.gov

Possible Opening Under the CDO:

3.c. Either Cal-Am or **the District may petition** the Deputy Director for Water Rights **for relief** from reductions imposed under this Order. No relief shall be granted unless all of the following conditions are met: (1) Cal-Am and the District continue the moratorium on new service connections; (2) the demand for potable water by Cal-Am customers meets all applicable conservation standards and requirements; and **(3) a showing is made that public health and safety will be threatened if relief is not granted.** Any relief granted shall remain in effect only as long as a prohibition on new service connections remains in effect, and compliance with applicable conservation standards and requirements remains in effect. This section supersedes ordering paragraph 3.b. of State Water Board Order WR 2009-0060.

April 9, 2012 SWRCB Letter

"The State Water Board generally agrees with the proposed procedure of requesting an exception from Condition 2 for public health and safety needs, provided: (1) the procedure allows adequate time for State Water Board staff to review the proposed exception; and (2) expanded water service is not provided prior to the State Water Board granting such an exception."