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**From:** Larry  
**Sent:** Wednesday, June 23, 2021 1:27 PM  
**To:** Downstream Distribution Group  
**Subject:** Public Comment for June 24 CAWD Board Meeting

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**Public Comment for the  
June 24, 2021 CAWD Board Meeting:**

***Please do not litigate over the Carmel River FREE Project —  
litigation would not serve anyone's interests, and could be highly destructive for the community***

Good morning President White and CAWD board members,

My name is Larry Levine and for almost 40 years I have been one of your ratepayers in Mission Fields.

I am commenting to you once again representing several hundred other ratepayers, as the Chair of the County Service Area #50 Citizens Advisory Committee. CSA #50 was developed by local residents and business people of Mission Fields, the Crossroads area, and nearby residences and businesses, immediately following the two major floods of early 1995. I'm sure you will remember the major suffering and many tens of millions of dollars of public and private damage caused by those floods.

Our CSA #50 mission is to prevent future flooding of our neighborhoods, which has always included most importantly opening a flood channel south of the lower Carmel River.

We have been working toward this for 26 years now, so far, and finally with the approval of the CRFREE Project by the County Board of Supervisors on January 15, and very large final funding grants awaiting likely approval in the immediate future, our dreams of significant flood prevention seem close, although still a few years until project completion. We will hold our breath that there will not be another flood before then, as we are already "overdue" for more flooding.

*I comment today because the final item on your agenda is "whether to initiate litigation" to be discussed in closed session. If CAWD is considering litigation concerning the Carmel River FREE Project, I would strongly urge you NOT to initiate that.*

I know your staff and attorneys have been in constructive conversation and negotiations with Monterey County, Big Sur Land Trust and others for several years, involving your pipeline under-grounding project. You have achieved major accomplishments in these negotiations, including millions of dollars of funding for

**your project in the impending FEMA grant for CRFREE; assurance that the floodway cannot be opened until the pipeline project would be completed; and more. Congratulations for all that.**

**Perhaps some of you attended the virtual County Board hearing on January 15. Every stakeholder and Supervisor celebrated the visionary CRFREE project, and enthusiastically encouraged the Board to approve the project that day, which the Board did unanimously. The project is considered a pioneering environmental project worthy of being a model for California. County Board approval has been considered vital for completing the funding package, millions of dollars in grant funding, and now we are there. The success of this project has only been possible due to true mosaic of supporting public agencies, private entities, and supportive funding sources.**

**The only single outlier was the Carmel Area Wastewater District which, while expressing support for the project, requested yet another delay instead of approval on that day. These delays have already put the project years behind schedule, it might have been fully funded with construction underway by now. Any further delay, and certainly litigation, could cause appearance of community conflict over the project, which is not the case, and could jeopardize or even lose funding for the project, scuttling both flood protection for CSA #50 people and properties, and the completion of your District's pipeline project, and all the environmental and other benefits of the CRFREE project. We of CSA #50 very deeply hope this will not occur.**

**Certainly we hope you will continue any constructive conversations that still need to happen, but we believe that litigation could be absolutely devastating to the project and to the safety of our residents and properties. Should another major flood occur because of further delay or scuttling of the project, I imagine that flood victims would seek to understand why no flood control had been realized after all these years, and attention would focus on these various delays to bringing the Carmel River FREE Project to realization..**

**Please celebrate your success here, and let's move ahead.**

**Thank you for your attention.**

**Larry Levine, Chair  
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