



## Monterey County Board of Supervisors

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

### Board Order

Upon motion of Supervisor Potter, seconded by Supervisor Armenta and carried by those members present, the Board of Supervisors hereby:

Approved and authorized the Chair of the Board of Supervisors to execute and send a letter to the State Water Resources Control Board regarding California-American Water Company's request to modify Cease and Desist Order WR 2009-0060.

PASSED AND ADOPTED on this 12<sup>th</sup> day of July 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 79 for the meeting on July 12, 2016.

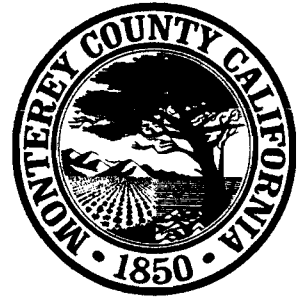
Dated: July 26, 2016  
File ID: 16-874

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By Denise Hancock  
Deputy

# MONTEREY COUNTY

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## BOARD OF SUPERVISORS

FERNANDO ARMENTA, *District 1*  
JOHN M. PHILLIPS, *District 2*  
SIMÓN SALINAS, *District 3*  
JANE PARKER, *Chair, District 4*  
DAVE POTTER, *Vice Chair, District 5*

July 12, 2016

Felicia Marcus, Board Chair  
Tom Howard, Executive Director  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

Matthew Quint  
Division of Water Rights  
State Water Resources Control Board  
P.O. Box 2000  
Sacramento, CA 95812

**Re: California-American Water Company Request to Modify Cease and Desist Order WR 2009-0060**

Dear Chair Marcus, Mr. Howard, and Mr. Quint:

On behalf of the Monterey County Board of Supervisors, I am writing in support of attached comments previously provided by the Monterey Peninsula Regional Water Authority (MPRWA), California American Water (Cal-Am), Monterey Peninsula Water Management District (MPWMD) and others addressing the State Water Resources Control Board (SWRCB) staff's Preliminary Recommendation to Modify Cease and Desist Order (CDO) WR 2009-0060.

The County appreciates the SWRCB staff's recommendation to extend the CDO deadline to 2021 and acknowledges the efforts of the SWRCB staff in negotiating a modification to the CDO with local stakeholders. As articulated in the attached letter, the County urges revision of the Preliminary Recommendation, in order to comply with the CDO, with respect to the effective diversion limit (EDL), carryover credits, and supplemental water rights acquisitions, collectively ensuring continued viability of our local economy and community. The Preliminary Recommendation, as drafted, presents a substantial risk of EDL exceedance and corresponding enforcement proceedings during the CDO extension period. We concur that the Preliminary Recommendation, if implemented, presents a substantial and unwarranted risk to the public.

The County supports the request that the Effective Diversion Limit (EDL) be increased to 8,310 acre feet a year, to avoid early stages of water rationing and water bill surcharges, detrimental to the people and businesses of the Monterey Peninsula. We agree that much progress is being made to develop an alternative water supply, noting that the groundwater replenishment project and a new pipeline to deliver

its water should be underway next year. Cal-Am, our local mayors and Water Management District have done everything in their power to keep the California Public Utilities Commission moving ahead on approving a desalination plant to replace withdrawals from the Carmel River. We also believe that significant progress has also been achieved including removal of the San Clemente Dam, and agreements with significant pumpers to divert and allocate water to the riverine habitat.

The County joins with the Monterey Peninsula Regional Water Authority (MPRWA), California-American Water Company (Cal-Am), Monterey Peninsula Water Management District (MPWMD) and others, and respectfully asks that the SWRCB accept the changes that MPRWA, Cal-Am, MPWMD, and other stakeholders have requested to your staff's Preliminary Recommendation. The conditions we support result from extensive stakeholder negotiations supported by environmental and community groups. We believe this compromise is essential to both protect the river and the continued viability of the greater Monterey Peninsula community.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane Parker", written over a horizontal line.

Jane Parker  
Chair, Board of Supervisors

Attachment:

- 6/29/16 Joint Letter to State Water Resources Control Board from CalAm, MPRWA, MPWMD, City of Pacific Grove, and Pebble Beach Company
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