



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Division of Water Rights

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Arnold Schwarzenegger
Governor

NOTICE OF PUBLIC WORKSHOP

The State Water Resources Control Board will hold a Workshop to Receive Comments regarding a Draft Cease and Desist Order against California American Water for the Unauthorized Diversion and Use of Water from the Carmel River in Monterey County

The **Public Workshop**
will commence on
Wednesday, September 2, 2009
at **1:00 p.m.**

in the
Coastal Hearing Room
Joe Serna, Jr./Cal-EPA Building
1001 I Street, Second Floor
Sacramento, CA

SUBJECT OF WORKSHOP

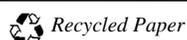
The State Water Resources Control Board (State Water Board) will accept comments regarding a draft Cease and Desist Order against California American Water (Cal-Am) for the unauthorized diversion and use of water from the Carmel River in Monterey County. A quorum of the State Water Board members may be present. After receiving the comments, the members may provide direction to staff regarding changes to the draft. The draft order can be found at:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/caw_cdo/.

BACKGROUND

Cal-Am diverts water from the Carmel River in Monterey County, California in order to supply the residential, municipal, and commercial needs of Monterey Peninsula area communities. In 1995 the State Water Board adopted Order WR 95-10 (Order 95-10). Among other matters, the order found that Cal-Am was diverting about 10,730 acre feet annually (afa) of water from the Carmel River without a valid basis of right and directed that Cal-Am should diligently implement actions to terminate its unlawful diversion.

California Environmental Protection Agency



On January 15, 2008, the Assistant Deputy Director for Water Rights issued a notice of proposed cease and desist order (CDO) to Cal-Am. The draft CDO sought to compel Cal-Am to reduce the unauthorized diversions by specified amounts each year starting in water year 2008-09 and continuing through water year 2014.

On February 4, 2008, Cal-Am sent a letter to the State Water Board's Division of Water Rights objecting to the draft CDO and requested a hearing pursuant to the procedure established under California Water Code section 1834.

On April 1, 2008, the State Water Board held a public hearing in Monterey to receive public policy statements from anyone concerned with the draft CDO. Seven days of evidentiary proceedings were held in Sacramento, California on June 19 and 20; on July 23, 24, and 25; and on August 7 and 8, 2008 in order receive evidence relevant to determining whether to adopt, with or without revision, the draft CDO.

PROCEDURAL MATTERS

At the workshop there will be no sworn testimony or cross-examination of participants, but the State Water Board and its staff may ask clarifying questions. Participants should submit written comments prior to the workshop. At the workshop, participants will be given an opportunity to summarize and supplement their written materials with oral presentations.

To ensure a productive and efficient workshop, and to ensure that all participants have an opportunity to participate, oral presentations from any interested persons will be limited to three minutes, or otherwise at the discretion of the Board Chairman. Participants with similar comments are requested to make joint presentations.

Written comments regarding the Draft Cease and Desist Order must be **received by 12 noon on Wednesday, August 26, 2009, in order to be considered by the Board prior to the workshop.** Please indicate in the subject line: **"Comment Letter: Cal Am CDO Hearing Workshop."** When mailing comments, address them to:

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Written comments submitted via email should be sent to Ms. Townsend at: commentletters@waterboards.ca.gov.

Hand and special deliveries should also be addressed to Ms. Townsend at the address above. Couriers delivering comments must check in with lobby security and have them contact Ms. Townsend at (916) 341-5600.

INFORMATION REGARDING WORKSHOP

Please direct any questions concerning this notice to Paul Murphey, Engineering Geologist, at (916) 341-5435.

PARKING AND ACCESSIBILITY AND SECURITY

There is parking across the street from the Joe Serna, Jr. (Cal/EPA) Headquarters Building in Sacramento. The Cal/EPA Headquarters Building is accessible to people with disabilities. Individuals who require special accommodations are requested to contact Catherine Foreman, Office of Employee Assistance, at (916) 341-5881.

Due to enhanced security precautions at the Joe Serna, Jr. (Cal/EPA) Headquarters Building, all visitors are required to register with security staff prior to attending any meeting. To sign in and receive a visitor's badge, visitors must go to the Visitor and Environmental Services Center located just inside and to the left of the building's public entrance. Visitors may be asked to show valid picture identification. Valid identification can take the form of a current driver's license, military identification card, or state and federal identification cards. Depending on the size and number of meetings scheduled on any given day, the security check-in could take from three to fifteen minutes. Please allow adequate time to sign in before being directed to the workshop.

August 13, 2009
Date



Jeanine Townsend
Clerk to the Board