

Proposed Decision Jeopardizes Carmel River Protection Program

Your Comments Can Make A Difference!

A message from the Board of Directors Monterey Peninsula Water Management District

California-American Water Company (Cal-Am) and the Monterey Peninsula Water Management District (MPWMD) have cooperated for two decades on a required program to offset the environmental impacts of community water use on the Carmel River, known as the Mitigation Program. Activities include fish rescue and rearing, streamside erosion control and plantings, lagoon management, surface and groundwater monitoring, conservation and new water supply through diversion of excess winter streamflow into injection-recovery wells. The Mitigation Program has improved river conditions to the benefit of people, fish and wildlife.

Funding for this successful partnership is threatened by a Proposed Decision issued in December 2010 by Administrative Law Judge Maribeth Bushey of the California Public Utilities Commission (CPUC). The Proposed Decision is factually and legally flawed, yet provides no opportunity to set the record straight in a public hearing.

The Proposed Decision would deny Cal-Am's Application No. 10-01-012 to reinstate the District's user fee on the Cal-Am bill to fund the Mitigation Program even though Cal-Am, MPWMD and the CPUC's own watchdog Division of Ratepayer Advocates support the application. All agree that the existing Mitigation Program funding mechanism should continue without change.

Cal-Am has repeatedly stated that MPWMD is best equipped to carry out the Mitigation Program in a cost-effective manner due to the District staff's expertise and experience. Mitigation Program implementation by MPWMD also allows the public to participate in program oversight and budget development through open board meetings and local public hearings.

If approved by the CPUC without change, the Proposed Decision would terminate the long-standing funding for fish, riparian, lagoon, hydrology, water supply and conservation programs that have protected our primary source of water supply.

Notably, the State Water Resources Control Board (SWRCB) requires Cal-Am to undertake the Mitigation Program measures if the MPWMD program ends. However, the Proposed Decision makes no provision for Cal-Am to ramp up and start a new program on its own. This is no time to interrupt the Mitigation Program activities while the community strives to comply with SWRCB Order 95-10 and the federal Endangered Species Act.

Your efforts can help the Carmel River. Please voice your support for Application No. 10-01-012 to ensure uninterrupted protection of the Carmel River. Please encourage the CPUC to modify the Proposed Decision and accept the Settlement Agreement that will continue the Mitigation Program. The deadline for comments is January 10, 2011. The CPUC contact information is:

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For more information, please visit the MPWMD website at www.mpwmd.dst.ca.us or call 831-658-5650. Thank you for your support!

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