

## EXHIBIT 8-A

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**From:** Trish Chapman [tchapman@scc.ca.gov]  
**Sent:** Wednesday, March 03, 2010 6:54 AM  
**To:** tchapman@scc.ca.gov  
**Subject:** San Clemente Dam Removal Project update, Feb 2010  
**Attachments:** CollaborationStatement\_Signed.pdf

**To: San Clemente Dam Removal Project, Interested Parties Email List****March 2010 Project Update**

As many of you may have read in the press recently, the effort to remove San Clemente Dam on the Carmel River is once again moving forward. This email provides an update on the activities of the project team which includes California American Water (CAW), the State Coastal Conservancy, and NOAA's National Marine Fisheries Service (NMFS).

**Collaboration Statement**

As reported in the press, on January 11, 2010, federal, state, and local agency representatives and local elected officials signed a Collaboration Statement committing to participate in the effort to resolve remaining obstacles in the dam removal effort. Thus, while it is still not certain the dam will be removed rather than buttressed, the participants and stakeholders have shown a strong commitment to making the project a reality.

**Next steps**

In order for CAW to commit to dam removal as the approach for resolving the safety issue posed by San Clemente Dam, it needs to receive project approval from the Division of Safety of Dams (DSOD) and the California Public Utilities Commission (PUC). The project team hopes to gain approval from the DSOD by the summer of 2010, and expects CPUC approval in the fourth quarter of 2010. The project team plans to focus on three key activities in the fall of 2010: 1) preparing the preliminary engineering designs and construction approach; 2) initiating the permitting process; and 3) securing the public share of the project funding.

The dam removal project being pursued continues to be the Carmel River Reroute and San Clemente Dam Removal Project described in the Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR). The EIS/EIR was certified by the Department of Water Resources in December 2007. In March 2008, the project team held several community meetings to get input on the Reroute and Removal project. Several concerns were raised at these meetings about the impacts of the project during the construction phase. These concerns will be addressed when work resumes on the preliminary engineering. Our intent is to develop potential strategies to avoid or mitigate issues of concern, return to stakeholders to present these draft approaches, and then revise them as necessary based on additional input.

**Project Information**

A 7-page description of the proposed dam removal project can be found on the Conservancy's website at:

<http://scc.ca.gov/2010/01/07/san-clemente-dam-removal-project/>

The EIS/EIR can be found online at: <http://www.sjd.water.ca.gov/environmentalservices/sanclemente/index.cfm>

If you have additional questions or concerns about the project, please send them to me by replying to this email. I will address all questions received as quickly as possible. Concerns about the technical approach of the project or potential construction impacts will be addressed once the preliminary design and project permitting are initiated (see above). Any stakeholder group that would like to set up a meeting to discuss the project should also contact me by email.

**UNSUBSCRIBE FROM LIST:** To unsubscribe from this email list, please respond to this email with UNSUBSCRIBE as the reply text.

Trish

3/5/2010

# San Clemente Dam Removal Project Collaboration Statement

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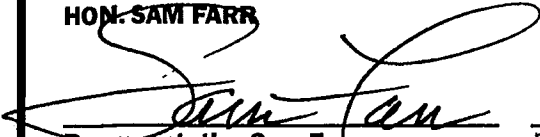
**We, the undersigned, recognize:**

- California American Water owns the San Clemente Dam ("the dam"), located on the Carmel River in Monterey County approximately 18 miles upstream from the mouth of the river in Monterey Bay.
- The Carmel River and the area surrounding the dam constitute valuable watershed area and habitat for many species of plants and animals.
- California American Water and the California Department of Water Resources (DWR) Division of the Safety of Dams (DSOD) have determined the dam is inadequate for seismic stability and flood safety. DSOD is requiring California American Water to alleviate the dam safety hazards.
- In December 2007, DWR completed the San Clemente Dam Seismic Safety Project Final Environmental Impact Report/Environmental Impact Statement ("EIR/EIS"), under the California Environmental Quality Act and the National Environmental Policy Act, analyzing alternatives for addressing the safety issues. Alternatives that meet DSOD safety requirements include Dam Strengthening (buttressing) and the Carmel River Reroute, which includes removal of San Clemente Dam. DWR certified the Final EIR on December 31, 2007.
- The California State Coastal Conservancy has recently funded several studies and has determined that the River Reroute and Dam Removal Project is a feasible alternative.
- The California State Coastal Conservancy, NOAA's National Marine Fisheries Service, the California Department of Fish and Game, and multiple non-governmental organizations believe that removing San Clemente Dam will result in multiple public environmental benefits, including improving access to 25 miles of spawning and rearing habitat for steelhead trout, restoring the ecological connectivity of the river and riparian corridor, and restoring river functions and sediment transport.
- The South-Central California Coast steelhead trout and the California red-legged frog are listed as threatened species under the Federal Endangered Species Act. The Carmel River has been designated critical habitat for both of these species.
- California American Water has determined that implementation of the Reroute and Dam Removal alternative would cost more than the Dam Strengthening alternative.
- California American Water is obligated to resolve the safety risk posed by the dam at the least cost possible to its ratepayers.
- California American Water is amenable to removal of the dam instead of buttressing it, provided the project will satisfy the safety concerns of DSOD in a timely manner and will not unduly burden California American Water's ratepayers and shareholders.
- The California State Coastal Conservancy, NOAA's National Marine Fisheries Service, and California American Water have been working collaboratively since 2007 along with other federal, state, and local organizations to develop a reasonable and prudent solution for San Clemente Dam that would meet the requirements and constraints of the undersigned.
- California American Water has implemented risk reduction measures for the dam's operation as requested by DSOD while California American Water and resource agencies develop a plan.

**In recognition of these facts, we, the undersigned, are committed to:**


Working collaboratively over the next year to develop a project plan by June 2010 for the Carmel River Reroute and San Clemente Dam Removal Project such that it can be compared to the project plan for the San Clemente Dam Strengthening Project with regard to costs and liabilities, and to making a good faith effort between now and November 2010 to find funding sources and a governmental or non-profit entity to take over the dam site before or after Dam Removal.

**HON. SAM FARR**

  
**Representative Sam Farr**  
Member, House of Representatives,  
California 17th District

1-11-10  
Date

**HON. ABEL MALDONADO**

  
**Senator Abel Maldonado**  
California 15th District

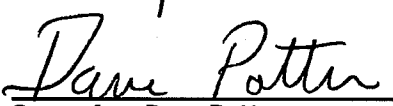
1-8-10  
Date

**HON. BILL MONNING**

  
**Assemblymember Bill Monning**  
California 27th District

1-07-2010  
Date

**HON. DAVE POTTER**

  
**Supervisor Dave Potter**  
Monterey County Board of Supervisors


1-19-2010  
Date

**HON. REGINA DOYLE**

  
**Chair Regina Doyle**  
Monterey Peninsula Water Management District

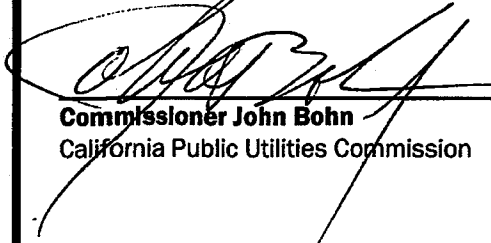
1-19-2010  
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**SECRETARY MICHAEL CHRISMAN**

  
**Secretary Michael Chrisman**  
California Department of Natural Resources


1/11/10  
Date

**COMMISSIONER JOHN BOHN**

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Commissioner John Bohn  
California Public Utilities Commission

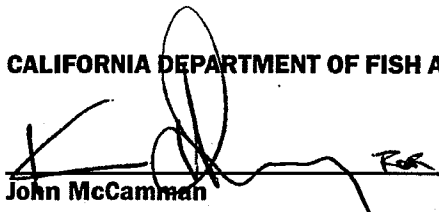
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**NOAA'S NATIONAL MARINE FISHERIES SERVICE**

 \_\_\_\_\_  
Rodney R. McInnis  
Southwest Regional Administrator


1-11-10  
Date

**CALIFORNIA DEPARTMENT OF FISH AND GAME**

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John McCamman  
Director

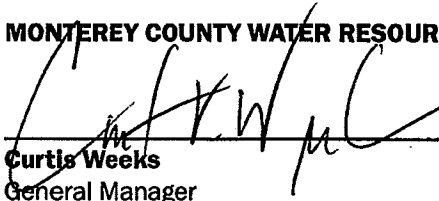
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**CALIFORNIA STATE COASTAL CONSERVANCY**

 \_\_\_\_\_  
Samuel Schuchat  
Executive Officer

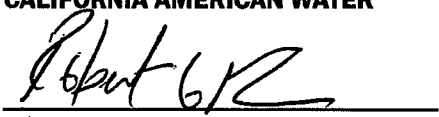
1/11/10  
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**MONTEREY COUNTY WATER RESOURCES AGENCY**

 \_\_\_\_\_  
Curtis Weeks  
General Manager

1/11/10  
Date

**CALIFORNIA AMERICAN WATER**

 \_\_\_\_\_  
Robert MacLean  
President

1/11/10  
Date

