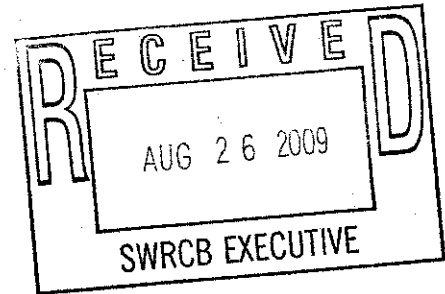




AIA Monterey Bay
A Chapter of The American Institute of Architects



August 25, 2009

State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Attn: Jeanine Townsend, Clerk to the Board

RE: Comment Letter - Cal Am CDO Hearing Workshop

The Board of Directors of the Monterey Bay Chapter of the American Institute of Architects has reviewed the draft Cease and Desist Order (draft CDO) file for Cal-Am. As Architects we have a great concern for both the built and natural environments, and the impact that improvements, uses and regulations have upon them.

Sustainability at a national as well as a local level are primary concerns of our organization. Steps and programs have been put in place at both levels to address these important issues that confront us.

Our Board has unanimously passed this resolution respectfully requesting that the SWRCB acknowledge our concerns, and to use the powers of your Board to help our communities solve our water problems by helping us to gain approval and funding for replacement water, rather than through the unreasonable burden of even more cutbacks, rationing, and economic turmoil. We ask you to consider:

- The water cutbacks proposed would be devastating to our business community, forcing major cutbacks in activity and cost thousands of jobs, not to mention concerns about adversely impacting health and safety.
- The result of further cutbacks will cost local governments millions of dollars in discretionary revenues from Transient Occupancy Taxes and visitor and non-visitor-generated sales tax. With our economy in its current recession, and the State having mandatory work cutbacks, proposing this type of punitive action on our communities is irresponsible.
- This will negatively ripple throughout the entire region affecting all those working and residing on the Peninsula.
- The proposed water cutbacks are highly unfair to an area that has already reduced its water use to the lowest per capita rate in California. How is your Board able to justify rationing in a region where the people are already the most frugal water users in the State? If the species of concern are truly the core issue, then why doesn't the SWRCB use its powers and influence to help us solve the problem by

assisting in permitting approval and/or by securing funding to help construct one or more projects that would allow Cal-Am to find appropriate replacement water to serve the residents and businesses in our communities?

- The businesses and residents of the Cal Am service area have repeatedly risen to the occasion to conserve their water use, but this problem cannot be solved just through conservation. We urge you not to punish Peninsula business and residents further with even more drastic cutbacks and ultimate rationing.
- Recently a new conservation rate structure was approved for Cal-Am to implement, which will drastically increase the water rates as people use more water. We respectfully request the SWRCB not take action until after these new conservation rates have had a chance to be put in place and to work. Although this is a severe measure to reduce water use, it is still better than mandatory rationing. The 5th tier water rate is about \$25 per 100 cubic feet (748 gallons or 1 unit) of water, and it is our understanding that this will be the highest water rate in the State.
- Your draft CDO punishes those jurisdictions who have planned best in conserving their tiny amounts of carefully saved water, which your draft order would wipe away. Further, it would question and potentially erase successful projects which have already saved over a billion gallons of Carmel River water, specifically the Pebble Beach Reclamation project. This project spent millions of dollars to build facilities so that no potable water is used to irrigate the Pebble Beach golf courses, and substituting treated wastewater instead.

A number of options are being considered and explored to address long-term water needs for the Monterey Peninsula. An EIR has recently been completed that could allow for a regional project that could solve the withdrawals that Cal-Am is making from the Carmel River without priority of right. We respectfully request the State Water Resources Control Board defer the Cease and Desist Order until these options can be developed and implemented. Further, we ask that the SWRCB assist our communities in getting approval for water projects that will help Cal-Am meet the SWRCB order.

Richard J. Fedelem

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