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Congress of the United States
House of Representatives
Washington, DC 20515-0517

September 30, 2009

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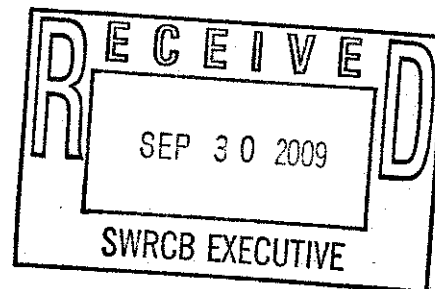
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Via Electronic Mail to commentletters@waterboards.ca.gov

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



Re: Comments regarding the Draft Cease and Desist Order WR 2009-00XX

Dear Ms. Townsend:

As a life-long resident of Carmel, one is never far from being involved in water supply and management as a household matter. As the elected representative of the Monterey Peninsula for the last 35 years, I am well familiar with peninsula water issues as a public policy matter. Most recently I, along with Bill Gianelli (your former Director), brought consensus to water issues related to the re-use of Fort Ord.

As you are aware last month in Sacramento there was agreement among the relevant agencies and parties on a dam removal process which will create a new passage for the Carmel River.

It would appear that CalAm is finally on track with a positive, stable system approach to addressing the Carmel River problem, using best practices in the industry. I ask that the Board take into consideration the progress made toward a final solution and credit CalAm with its move to embrace conservation and clean up processes. With this in mind I urge the State Water Quality Control Board to delay the implementation of its draft Cease and Desist Order dated July 27, 2009, regarding California American Water Company's (Cal-Am) unauthorized diversion of water from the Carmel River.

The CalAm distribution area leads the State of California with a per capita water use of 70 gallons per day, compared to Sacramento's 300 gallon per day average. It is this kind of economical use of water – and an aggressive wastewater treatment plant policy – that allows the Monterey County growers to irrigate more fresh produce crops with reclaimed water than anywhere in the world.

CalAm has tried diligently over the years to improve water access while protecting the Carmel River flow. However its attempts have often been hindered by public funding issues.

But as we are now on the cusp of implementing an agreement that can resolve years of dispute, I question the efficacy of imposing the cease and desist order at this time.


A cooperative effort is underway to develop new water supplies that will solve the Carmel River and Seaside Basin overdraft problems. This plan has developed over many months through the active efforts of regional water agencies, local government, the California Public Utilities Commission (CPUC), environmental, and business organizations. It offers the first meaningful hope in many years of new sources of water to replace Cal-Am's overdraft.

In light of this progress, I believe the Control Board's proposed Cease and Desist Order ill-timed and counter productive. Many Monterey County residents, businesses, and other interests have commented in this proceeding on the severe impact that the proposed reductions would have on the Monterey Peninsula's economy and quality of life. The Control Board has even received comments from the Defense Language Institute regarding the draft order's debilitating impact on the future growth of the Institute's language training mission to meet national security needs. I share all of these concerns. The impact of the order is clear. The question is whether that impact is unavoidable.

In its August 20, 2009 comments, the CPUC outlines its extensive efforts over the better part of two decades to pursue a fix to the Monterey Peninsula's water shortage problems. In particular, the CPUC details its efforts to help bring the cooperative water supply project to fruition. It concludes by urging the Control Board to "work out a realistic timeline cooperatively with Cal-Am and [the CPUC] to align the effective date of the [Cease and Desist Order] with the completion of the Commission's current proceeding on a new water supply project. I wholly agree with the CPUC on this point. With the regional solution so close to fruition, I do not see the value of forcing these disruptions now. The Control Board could best serve the interests of the Monterey Peninsula's people and environment by joining with the CPUC and other parties to the cooperative water project rather than working at cross purposes to their efforts.

Thank you for your time and attention to my concerns.

Sincerely,



SAM FARR

Member of Congress

*Let's make it work for everyone!
Thanks*