



State Water Resources Control Board



Linda S. Adams
Secretary for
Environmental Protection

Division of Water Rights
1001 I Street, 14th Floor ♦ Sacramento, California 95814 ♦ 916.341.5300
P.O. Box 2000 ♦ Sacramento, California 95812-2000
Fax: 916.341.5400 ♦ www.waterboards.ca.gov/waterrights

Arnold Schwarzenegger
Governor

FIRST CLASS AND ELECTRONIC MAIL

September 16, 2009

To: Enclosed Service List

Ladies and Gentlemen:

PROPOSED CEASE AND DESIST ORDER AGAINST CALIFORNIA AMERICAN WATER FOR UNAUTHORIZED DIVERSION OF WATER FROM THE CARMEL RIVER IN MONTEREY COUNTY

Enclosed is a revised proposed cease and desist order (CDO) in which the State Water Resources Control Board (State Water Board or Board) proposes enforcement action against California American Water (Cal-Am) for unauthorized diversion and use of water from the Carmel River. This draft includes revisions made following the September 2, 2009 Board Workshop.

This order is tentatively scheduled for consideration by the State Water Board at its meeting on October 20, 2009. The State Water Board will notify you of the location and time of this meeting approximately ten days prior to the meeting.

All interested persons and parties to the proceeding will have the opportunity to comment on the proposed order at the State Water Board meeting. As the Board has already conducted a public workshop on this matter, presentations should be limited to three (3) minutes. Comments should be limited to the general acceptability of the order or possible technical corrections. Parties may not introduce evidence at the State Water Board meeting.

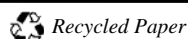
Parties must submit in writing comments or changes to the proposed order they wish the State Water Board to consider at the meeting. **All written comments must be received by the Board by 12 Noon on Wednesday, September 30, 2009.**

Written comments are to be addressed and submitted to:

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

You may also submit your comments to Ms. Townsend by fax at (916) 341-5620, by email at commentletters@waterboards.ca.gov, or by hand delivery to the following address:

California Environmental Protection Agency



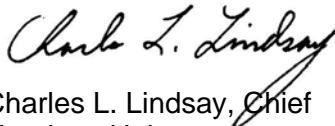
Jeanine Townsend, Clerk to the Board
Executive Office
State Water Resources Control Board
Cal/EPA Headquarters
1001 "I" Street, 24th Floor
Sacramento, CA 95814-2828

Couriers delivering comments must check in with lobby security and have them contact the Executive Office on the 24th floor at (916) 341-5600.

Please include the subject line, "COMMENT LETTER – 10/20/09 BOARD MEETING: CAL-AM CDO." Any faxed or emailed items must be followed by a mailed or delivered hard copy with an original signature.

If you have any questions regarding this letter, please contact Paul Murphey at (916) 341-5435 or pmurphey@waterboards.ca.gov or Buck Taylor at bgtaylor@waterboards.ca.gov.

Sincerely,



Charles L. Lindsay, Chief
Hearings Unit

Enclosures: Proposed CDO
Service List

CALIFORNIA AMERICAN WATER CEASE AND DESIST ORDER
JUNE 19, 2008 HEARING
SERVICE LIST

Service by Electronic Mail

California American Water
Jon D. Rubin
Diepenbrock Harrison
400 Capitol Mall, Suite 1800
Sacramento, CA 95814
(916) 492-5000
jrubin@diepenbrock.com

State Water Resources Control Board
Reed Sato
Water Rights Prosecution Team
1001 I Street
Sacramento, CA 95814
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rsato@waterboards.ca.gov

Public Trust Alliance
Michael Warburton
Resource Renewal Institute
Room 290, Building D
Fort Mason Center
San Francisco, CA 94123
Michael@rri.org

Sierra Club – Ventana Chapter
Laurens Silver
California Environmental Law Project
P.O. Box 667
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(415) 383-7734
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jgwill@dcn.davis.ca.us

Carmel River Steelhead Association
Michael B. Jackson
P.O. Box 207
Quincy, CA 95971
(530) 283-1007
mjatty@sbcglobal.net

Calif. Sportfishing Protection Alliance
Michael B. Jackson
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mjatty@sbcglobal.net

City of Seaside
Russell M. McGlothlin
Brownstein, Hyatt, Farber, Schreck
21 East Carrillo Street
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RMcGlothlin@BHFS.com

The Seaside Basin Watermaster
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Monterey Peninsula Water Management
District
David C. Laredo
606 Forest Avenue
Pacific Grove, CA 93950
(831) 646-1502
dave@laredolaw.net

City of Sand City
James G. Heisinger, Jr.
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P.O. Box 5427
Carmel, CA 93921
(831) 624-3891
jim@carmellaw.com

Pebble Beach Company
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Fenton & Keller
P.O. Box 791
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City of Monterey
Fred Meurer, City Manager
Colton Hall
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(831) 646-3886
meurer@ci.monterey.ca.us

Monterey County Hospitality Association
Bob McKenzie
P.O. Box 223542
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info@mcha.net
bobmac@qwest.net

California Salmon and Steelhead Association
Bob Baiocchi
P.O. Box 1790
Graeagle, CA 96103
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rbaiocchi@gotsky.com

Planning and Conservation League
Jonas Minton
1107 9th Street, Suite 360
Sacramento, CA 95814
(916) 719-4049
jminton@pcl.org

National Marine Fisheries Service
Christopher Keifer
501 W. Ocean Blvd., Suite 4470
Long Beach, CA 90802
(562) 950-4076
christopher.keifer@noaa.gov

Division of Ratepayer Advocates
Max Gomberg, Lead Analyst
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-2056
eau@cpuc.ca.gov

City of Seaside
c/o Rick Medina
440 Harcourt Avenue
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rmedina@ci.seaside.ca.us

Pebble Beach Company
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Carmel River Steelhead Association
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Service by Mail

City of Carmel-by-the-Sea
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