




EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

TO: Paul Clanon
Executive Director
Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

FROM: 
Thomas Howard
Executive Director

DATE: NOV 16 2012

SUBJECT: RESPONSE TO REQUEST FOR ASSISTANCE ON WATER RIGHT ISSUE;
MONTEREY PENINSULA WATER SUPPLY PROJECT PROPOSED IN
APPLICATION 12-04-019 BY CALIFORNIA-AMERICAN WATER COMPANY

This memo responds to your letter dated September 26, 2012, requesting that the State Water Resources Control Board (State Water Board) assist the Public Utilities Commission (Commission) in reviewing whether the California American Water Company (Cal-Am) has the legal right to extract desalination feedwater for the proposed Monterey Peninsula Water Supply Project (Project). Specifically, you state that you are not asking for a determination of water rights, but are instead requesting an opinion as to whether Cal-Am has a credible legal claim to extract feedwater as proposed for the Project in order to inform the Commission's determination regarding the legal feasibility of the Project. You request that the State Water Board prepare an initial staff report by December 14, 2012, in order to inform subsequent testimony on the Project.

State Water Board staff will review the information referenced in your letter and will prepare an initial staff report for the Commission and for public review by December 14th. A revised staff report will be prepared after receiving feedback from the Commission and the public. Paul Murphey, an Engineering Geologist in the State Water Board's Division of Water Rights, will be the lead technical staff person assigned to this Project. At your earliest convenience, please identify Commission staff that our administrative and technical staff should work with on this Project. We will track our expenditures and work with the Commission staff on a mechanism to reimburse the State Water Board's costs. Thank you for seeking our assistance on this matter.

If you have any questions regarding this matter, you may contact me at (916) 341-5615 or Paul Murphey at (916) 341- 5435 (pmurphey@waterboards.ca.gov), or Michael Buckman, Chief of the Hearings Unit, at (916) 341-5448 (mbuckman@waterboards.ca.gov).

CHARLES R. HOPPIN, CHAIRMAN | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov