

ATTACHMENT 5

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COASTKEEPER
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October 10, 2008

California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401

Attn: Mike Higgins

Re: Sand City DeSal Plant. Adoption of Waste Discharge Requirements (WDRs) Order No. R3-2008-0017, Sand City, Monterey County.

Note: This item is currently on the CONSENT AGENDA.

Dear Chair Young, Board Members, Staff, and Mr. Higgins:

On behalf of Monterey Coastkeeper please accept the following comments regarding the Sand City Desalinization Plant. We request an additional condition be placed on this order.

We regret not being able to come before you in person. Unfortunately, I have a triple conflicting schedule for this day. And, I apologize for this late comment; like everyone else, we are doing the best we can. Please accept our apologies.

Taken directly from the staff report, the plant is designed to provide 300 acre feet of water per year. Initially, 94 acre feet will be used by Sand City and the balance will alleviate the regional water shortage.

State Water Resources Control Board Order 95-10 is very clear:

“Cal-Am shall diligently implement one or more of the following actions to terminate its unlawful diversions from the Carmel River: (1) obtain appropriative permits for water being unlawfully diverted from the Carmel River, (2) obtain water from other sources of supply and make one-for-one reductions in unlawful diversions from the Carmel River, provided that water pumped from the Seaside aquifer shall be governed by condition 4 of this Order not this condition, and/or (3) contract with another agency having appropriative rights to divert and use water from the Carmel River.”
(Emphasis added)(State Order 95-10, page 40, Number 2).

While the staff report refers to 95-10 and the need for Cal-Am to find water from other sources, the staff report omits the stipulation that new water must “make one-for-one reductions in unlawful diversions from the Carmel River”.

We believe the intent of Order 95-10 is very clear, new water must be found and new water must lead to a one-for-one reduction in pumping. New water shall alleviate the overdraft first.

Item No. 25
December 4-5, 2008 Meeting
Adoption of WDR Order No. R3-
2008-0017, Sand City
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