



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5600
FAX (831) 644-9560 • <http://www.mpwmd.dst.ca.us>

SUPPLEMENT TO 8/17/09

MPWMD BOARD PACKET

Attached are copies of letters received between July 7, 2009 and August 7, 2009. These letters are also listed in the August 17, 2009 Board packet under item 16, Letters Received.

| Author | Addressee | Date | Topic |
|--------------------------|------------------|-------------|--|
| Craig E. Anthony | Darby Fuerst | 7/14/09 | Hidden Hills Implementation Plan |
| Mary Anne Dennis | Regina Doyle | 7/14/09 | Sub/Non Potable Water for Irrigation Purposes |
| Arleen Hardenstein | MPWMD Board | 7/20/09 | Water Credits Associated with Mandatory District Conservation Requirements Resulting from Proposed Updates to Regulation XIV, Water Conservation |
| Gary & Marina Koifman | MPWMD Board | 7/20/09 | The Appeal Process Participation, APN# 416-132 010-000 PLN 50671, New Single Family Home 23836 Paseo Real, Bay Ridge, Hidden Hills, Monterey, CA |
| Paul E Davis, AIA | Darby Fuerst | 7/21/09 | Forest Hill Manor, 551 Gibson Ave., Pacific Grove, Special Circumstances |
| Dean Maxinoski | General Manager | 7/29/09 | Marotta/Woods River Intrusion |
| Jeffrey R. Single, Ph.D. | Craig Anthony | 8/3/09 | Los Padres Fish Passage |

RECEIVED

JUL 14 2009

MPWMD



California American Water - Monterey
511 Forest Lodge Rd, Suite 100
Pacific Grove, CA 93950
amwater.com

July 14, 2009

(transmitted via e-mail, fax and hard copy)

Mr. Darby Fuerst
General Manager
Monterey Peninsula Water Management District
5 Harris Court, Bldg G.
Post Office Box 85
Monterey, CA 93940-0085

Subject: Hidden Hills Implementation Plan

Dear Mr. Fuerst,

This letter presents the action plan to bring the Hidden Hills system back into compliance with the Pro Rata Expansion Capacity connection level of 0.482 acre-feet of production per connection. The plan relies on a number of actions to address customer over usage and reduction of system unaccountable water use.

The first issue is to verify the number of existing connections in Hidden Hills. The number of connections used for the connection pro rata calculation is the number of customers found on the CAW monthly Consumption Report. The Consumption Report actually identifies the number of bills generated by the monthly meter reading process. The Consumption Report overestimates the actual number of connections receiving water. For example, when a property is sold two bills are issued in a single month; both seller and buyer receive a bill resulting in over counting connections. CAW has audited the connection history for Hidden Hills with the following actual connection results:

| Date | Connections |
|----------------|-------------|
| January 2000 | 395 |
| October 2000 | 396 |
| February 2000 | 397 |
| April 2001 | 398 |
| June 2001 | 399 |
| August 2001 | 400 |
| June 2002 | 401 |
| August 2002 | 402 |
| June 2003 | 403 |
| September 2003 | 405 |
| November 2003 | 407 |
| August 2004 | 409 |
| September 2004 | 411 |
| February 2005 | 412 |
| April 2005 | 413 |
| May 2005 | 414 |
| September 2005 | 415 |
| October 2005 | 416 |

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| | |
|----------------|-----|
| November 2005 | 418 |
| August 2006 | 420 |
| December 2006 | 421 |
| July 2007 | 422 |
| September 2007 | 423 |
| July 2008 | 424 |

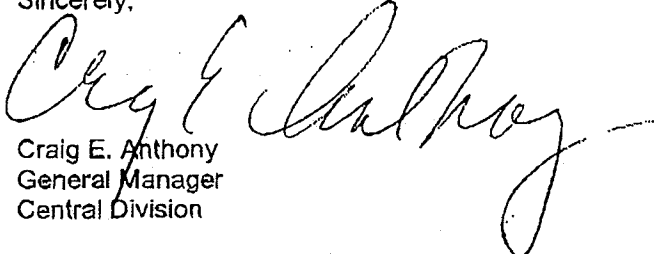
The following actions are in process to reduce customers' usage, address leaks and meter measurement issues:

1. **Customer Meters:** CAW is currently about half way complete in changing all customer meters. The meters in Hidden Hills were scheduled for replacement this year using the American Water 15 year replacement schedule (more aggressive than the CPUC 20 year replacement schedule). The entire system meter replacement program will be completed in 6 to 8 weeks. The meter replacement program insures that the water is being measured; a customer meter under registering overstates unaccounted for water. Also, the meter replacement program allows the visible inspection of all connections to insure the meters are not bypassed.
2. **Water Main Replacement:** The recent CPUC decision allows CAW to spend \$546,000 on Hidden Hills main replacement. CAW is aggressively moving forward with this main replacement program targeting the existing electrical conduit that is used for water mains in a portion of Hidden Hills. In the recent month, two main breaks occurred on electrical conduit mains.
3. **Acoustic Leak Detection (MLOG):** CAW has installed an MLOG on every tenth meter in the main and satellite systems. While the MLOG is installed the activation of the MLOG is being phased in. Recently a main leak occurred on Boots Road in Hidden Hills and a nearby MLOG helped indentified the leak which was running under ground, down a French drain, and into a culvert. The MLOG will continue to have a positive impact on reducing water loss system wide.
4. CAW has analyzed all customer water usage for the last 24 months. The result of this review has identified several customer leaks and individual excessive water use. The review also identified that the water use at the CAW Hidden Hills treatment plant was excessive with CAW being one of the top 10 annual water users in the system, which has been corrected. The analysis also clearly identified that landscape watering is a major contributor to excessive water use in Hidden Hills. CAW is working with individuals to reduce landscape water demands.
5. The recent approved rate structure and rate level will encourage conservation, especially impacting customers with large landscaping use. The new rates will have a significant impact on customer behavior as the cost of water will more than double over the three year CPUC rate decision.
6. Over the recent months the 12-month rolling per connection average has been trending down. We believe this is a function of increased attention on Hidden Hills water issues and the anticipation of new water rates. The actions identified above should accelerate the downward trend.

CAW appreciates the District staff "Solutions Matrix" provided in their July 7, 2009 letter on the Hidden Hills issue. We are working on the physical solutions to reduce unaccounted for water and insuring that customer and production meters are accurate. We do not support increasing the system production limit, as any increase of system production limits or modification of existing connection limits will negatively impact bringing the system into line with existing water supplies.

This action plan will reduce water use in Hidden Hills and accelerate the decreasing downward per connection use trend. CAW recommends that all pending connection applications be approved and the Board direct CAW and staff to update the Board quarterly on the progress to bring the system within the production limit.

Sincerely,



Craig E. Anthony
General Manager
Central Division

Cc: Stephanie Pintar

MONTEREY COUNTY



DEPARTMENT OF HEALTH LEN FOSTER, Director

ADMINISTRATION
ANIMAL SERVICES
BEHAVIORAL HEALTH

CLINIC SERVICES
COMMUNITY HEALTH
EMERGENCY MEDICAL SERVICES

ENVIRONMENTAL HEALTH
OFFICE OF THE HEALTH OFFICER
PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN

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July 14, 2009

JUL 16 2009

Ms. Regina Doyle, Director District 4
MPWMD
PO Box 85
Monterey, CA 93950

MPWMD

Re: Confirmation of your July 6, 2009 letter. /

Dear Ms. Doyle:

In your letter of July 6th, you state your understanding the County of Monterey does not require a permit, inspection, or registration for use of sub/non potable water for irrigation purposes. Also, setback requirements for potable water (e.g., 50 feet from sewer lines), do not apply. Environmental Health concurs with this statement.

It is important to remember that a water storage tank of over 5,000 gallons may require a building permit for the tank pad from the local building department. The Environmental Health Division also agrees with the four bulleted items.

Users must be notified of the following:

- **This water is NOT for human or animal consumption, bathing or washing and is restricted to irrigation only**
- **This water is NOT for indoor use (e.g., flushing toilets, washing, bathing, cooking, etc)**
- **This water is Not connected in any manner to pipes, hoses or storage tanks used for potable water**
- **This water is not mixed with stormwater runoff.**
- **Cal-AM must be notified of sub potable use on site.**

Please feel free to call me if you have any questions. I can be reached at 831-755-4557.

Sincerely,

Mary Anne Dennis

Mary Anne Dennis, REHS
Supervising Environmental Health Specialist

cc:

1270 Natividad Road, Salinas CA 93906 PH: (831) 755-4500 FAX: (831) 755-4880
www.co.monterey/health/EnvironmentalHealth

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JUL 08 2009

DWP/EHR

Ms Regina Doyle, Director District 4
Monterey Peninsula Water Management District
PO Box 85
Monterey CA 93950
(831) 375-4496
ReginaDoyle@aol.com

Ms Mary Anne Dennis
Supervising Environmental Health Specialist
Monterey County Health Department
Environmental Health Division
Environmental Health Review Services
855 East Laurel Drive, Bldg. H
Salinas CA 93906

6 July 2009

Dear Ms Dennis:

This is to confirm permitting requirements by Monterey County Environmental Health regarding use of sub-potable water per my telephone queries and discussions with you in late June.

To summarize the background: I am currently on the Monterey Peninsula Water Management District Board of Directors (District 4, representing Pacific Grove, Pebble Beach and Carmel Woods), and am also a Member of the City of Pacific Grove Ad Hoc Alternative Water Source Committee. Both bodies are interested in reducing water drawn from the Carmel River and in augmenting our water supply.

I have been tasked with determining whether we can encourage people to develop and use sub-surface water gathered from their own property for outdoor irrigation purposes. This is particularly of interest in Pacific Grove where underground water can be found in abundance in many locations, and where it is known that some homeowners are already using it to water their gardens.

From conversation and e-mail with you, documents at www.co.monterey.ca.us/health/EnvironmentalHealth, and in further discussing the matter with MPWMD and PG City staff, my understanding is that the County does **not** require a permit, inspection, or registration for use of sub/non-potable water for irrigation purposes. Further, setback regulations for potable water (e.g., 50 feet from sewer lines), **do not** apply.

I would appreciate your confirming this as soon as possible. If this is correct, it would mean that property owners can legitimately develop a "water gathering facility" on their property (or regularize such systems already in use), as long as they register it with the MPWMD (which requires registration for monitoring purposes and voluntary annual yield reports for facilities which provide 5 acre feet/year or less of sub/non-potable

water). My understanding regarding City of PG requirements is that they defer all such regulatory matters to the County.

It is clear from all conversations with all agencies that we need to make it clear to users of such sources that the water is:

- NOT for human or animal consumption, bathing or washing (e.g., restricted to irrigation only)
- NOT for indoor use (e.g., flushing toilets, washing, bathing, cooking, etc.)
- NOT connected in any manner to pipes, hoses or storage tanks used for potable water
- NOT extracted from storm water runoff

I would appreciate any further advice on this matter. It is my hope that with your office's clarification we can move in a very small way towards solving our critical water needs.

Sincerely yours,



Regina Doyle

PS Please feel free to call
me at your convenience.

Item 17
Submitted at 7/20/09
Board Meeting

July 20, 2009

Chair Markey and Members of the MPWMD
Board of Directors
5 Harris Court, Building G
P.O. Box 85
Monterey, CA 93942-0085

**RE: Water Credits Associated with Mandatory District Conservation Requirements
Resulting From Proposed Updates to Regulation XIV, Water Conservation**

Dear Chairperson Markey and members of the Monterey Peninsula Water Management District ("MPWMD") Board of Directors:

On behalf of the Monterey County Association of REALTORS® ("MCAR"), I would like to take this opportunity to voice our collective opinion as it relates to the direction of the proposed Conservation Regulation amendment.

The MPWMD Water Demand Committee has been reviewing and providing input on the development of a Conservation Regulation amendment ordinance. In so doing, an issue relating to credits granted for the installation of water saving devices has arisen, requiring further input and direction from the entire Board.

As you are well aware, Monterey Peninsula residents have led the way in water conservation efforts. Through proactive measures and collaboration with regulatory entities, Monterey Peninsula residents have effectively reduced the amount of water needed for their communities.

It's within this spirit of community conservation and involvement that we respectfully request that the Board consider providing direction in the form of continued dialogue and collaboration with community stakeholders as opposed to pursuing additional reductions in the availability of water use credits.

We appreciate the level of input and interaction MPWMD staff has allowed MCAR members on the development of this ordinance, and submit that additional constructive discussions could produce an appropriate response to this policy concern, (*Ref. Rule 25.5-B: Disallowing water use credits for water savings resulting from the fixtures required by the District's New Construction, Remodel/Addition, Change of Ownership and Change of Use retrofit requirements*) resulting in an environment of potential support from all interested parties.

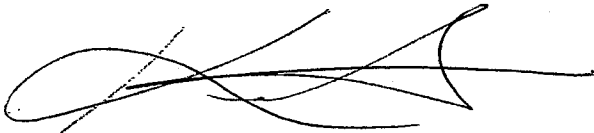


Thank you again for the opportunity to weigh in on this issue. We look forward to continued efforts with the Monterey Peninsula Water Management District as we cooperatively pursue appropriate water management practices.

Sincerely,



Arleen Hardenstein
2009 Local Government Relations Chair
Monterey County Association of REALTORS®



Kevin Stone
Government & Community Affairs Director
Monterey County Association of REALTORS®

Item 16
Submitted at 7/20/09 Board Meeting

GARY & MARINA KOIFMAN

D/B/A Magarich primo LLC

25493 Paseo De Cumbre

Monterey, CA 93940

TEL: 831-643 9797

FAX: 831-643-0398

July 20, 2009

Board of Directors
Monterey Peninsula Water Management District
5 Harris Court, Bld #G
Monterey, CA 93942

RE: The Appeal Process Participation, APN # 416-132 010-000
PLN 50671, New Single Family Home
25836 Paseo Real, Bay Ridge, Hidden Hills, Monterey, CA

Dear Board of Directors,

Please allow us to pay the \$250 fee and become participants of the appeal process. As per our letter to you dated May 22, 2009, we informed you that our building plans have been in the final stages for approval by the Monterey County Building and Safety Department.

Our project is one of the 15 "on-going" projects that the county informed your Water Management District about, prior to moratorium on new water service.

Our home has been in the "approval preparation process" for over 36 months. It has been approved by the Monterey County Board of Supervisors and Planning Department and now is ready to be finalized.

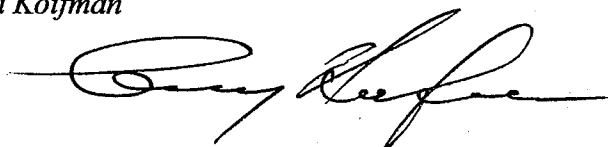
We did not have a chance to find out about the public notice in the local newspapers. Nobody notified us or the 14 other homeowners on the "county list". We already invested most of our retirement funds in to this home, knowing that the water had been allocated.

We are hoping that you can restore fair water distribution between the Hidden Hills and Pasadera communities across the highway.

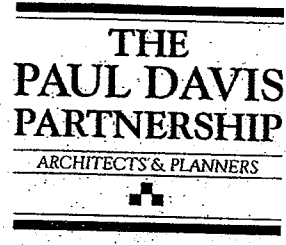
Looking forward for your anticipated cooperation.

Sincerely Yours

Gary & Marina Koifman



**HAND
DELIVERED**



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July 21, 2009

JUL 22 2009

MPWMD

Darby Fuerst
General Manager
Monterey Peninsula Water Management District

RE: Forest Hill Manor, 551 Gibson Ave., Pacific Grove
Subj: Special Circumstances

Dear Darby,

In 2001, MPWMD approved Special Circumstances for retrofitting Forest Hill Manor. The project is complete with the retrofit and new construction.

Part of the retrofit was to modify the landscaping and substitute gray water from the laundry and other sources to replace Cal-Am water for landscaping, except water required for periodic flushing of salts from the lines, which was considered in the District's approval.

As the design/construction process progressed and we learned more about the operation of the ozone treated laundry recycling system, we became concerned about the amount of gray water that could be efficiently generated from the laundry recycle system. We found that we could save more potable water by using the maximum amount of the ozone-treated water for laundry washing rather than diverting the ozone treated water for irrigation system use, particularly when we further considered the additional potable water required to periodically flush the irrigation lines for salts.

As originally approved by the City of Pacific Grove, the project had proposed a cistern system. We considered an on-site well for irrigation but were encouraged to go to a cistern system since the subterranean garage along Gibson Ave., which is 15 feet below the street and 230 feet long, was already planned. Since the initial excavation in October 2006 to present, ground water has continued to flow freely through the cut bank. To relieve anticipated hydrostatic pressure on the foundation walls, the project was designed with a subterranean collection system that diverts the collected ground water to a sump within the building from where it is pumped to a nearby underground storm sewer line.

We interpreted the provision of our deed restriction that calls for the irrigation water to be from gray water from the laundry and other sources to allow for the use of ground water and rain water runoff. As a result, we designed our irrigation water storage system to harvest both the ground water being collected in the subterranean drains and diverted to the storm sewer and the rainwater from the roofs of the new south wing building, the main building, the cottages, and from site area drains. The area of rainwater runoff being diverted to the system totals approximately 40,000 SF. That yields enough water throughout the year to fill the tanks several times. This is all water that otherwise will be directed to the City's storm sewer system.

286 Eldorado Street
Monterey, California 93940
(831) 373-2784 / fax: (831) 373-7459

To comply with the deed restriction to use non-potable water for irrigation, whether the water is from the laundry system or other sources, a storage system of some type is required. The storage system as designed consists of five tanks totaling 24,000 gallons in capacity. The landscape architect has estimated that the landscaping will require approximately 60,000 gallons of water during the traditionally dry season months. In addition to more than filling the tanks with rainwater during the winter months, the demonstrated groundwater flow will likely keep the tanks replenished during the dry season months.

Since the tank system was completed on approximately March 19, 2009, the tanks have been pumped twice of an estimated 24,000 gallons and are currently completely filled. That equates to a total of about 48,000 gallons or 12,000 gal/month, not including what has overflowed, which has not been measured.

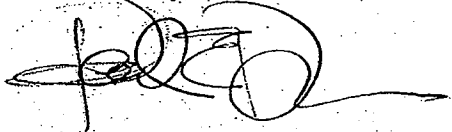
The irrigation system as designed and installed can be used for distributing gray water. In addition, piping from the ozone treatment laundry water has been stubbed out as a possible back-up water source, if additional irrigation water were ever to be required.

Not having to use the ozone-treated water will probably save more than 20% of the laundry water for additional recycling from the 55% assumed efficiency factor.

We believe that this system of rainwater and groundwater collection meets the spirit and letter of the conditions as discussed in the staff report assumptions and included in the deed restriction.

I am enclosing a copy of the deed restriction and would like to meet with you as soon as possible to discuss the interpretation of this condition and approval of the system. It seems clear to us that this is a better system and should save more Cal-Am water.

Sincerely,



Paul E. Davis, AIA
Architect

PED/cpm

cc: Stephanie Pintar, MWPM
Bill Camille, Forest Hill Manor
Bob Hubbard, Forest Hill Manor

Enclosure



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5601
FAX (831) 644-9560 • <http://www.mpwmd.dst.co.us>

Recording Requested by:
Monterey Peninsula Water Management District

And When Recorded Mail To:
Monterey Peninsula Water Management District
Post Office Box 85
Monterey, California 93942-0085

Stephen L. Vagnini
Monterey County Recorder
Recorded at the request of
Filer

CRMARIA
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Titles: 1/ Pages: 4

Fees ... 17 00
Taxes...
Other... 2 00
AMT PAID \$19.00

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JUL 22 2009

MPWMD

**NOTICE AND DEED RESTRICTION
REGARDING LIMITATION ON USE
WITH SPECIAL CIRCUMSTANCES**

NOTICE IS GIVEN that the Monterey Peninsula Water Management District (hereinafter referred to as the Water Management District), duly formed as a water district and public entity pursuant to the provisions of law found at Statutes of 1977, Chapter 527, as amended (found at West's California Water Code Appendix, Chapters 118-1 to 118-901), has approved water service to the real property referenced below as "Subject Property."

NOTICE IS FURTHER GIVEN that the real property affected by this agreement is situated in the City of Pacific Grove:

551 GIBSON AVE, PACIFIC GROVE CA 93950-4330
(PACIFIC GROVE ADD 5 ALL OF BLK 168 INC 18 FT ALLEY)
ASSESSOR'S PARCEL NUMBER 006-546-001-000

This real property is hereinafter referred to as the "Subject Property." The Subject Property is located within the jurisdiction of the Water Management District. California-Nevada Methodist Homes, a California Nonprofit Public Benefit Corporation, hereinafter referred to as Owner(s), is record owner(s) of the Subject Property.

Owner(s) and the Water Management District each acknowledge and agree that the Subject Property shall be considered as meeting Special Circumstance requirements as defined in this document and the specific Conditions of Approval dated November 19, 2001, consistent with the District's Rules and Regulations. This is a permanent requirement of the Subject Property.

Special circumstances shall be deemed to exist in the retirement facility. Owner(s) and the Water Management District each acknowledge and agree that the installation and maintenance of all one-gallon maximum ultra-low flow toilets, one Hobart AM14F dishwasher, retrofit of laundry system to use ozone-treated recycled water, retrofit outdoor irrigation to use gray water from laundry and other sources to irrigate replacement landscaping consisting of low water use, drought/salt tolerant landscaping are permanent requirements of the Subject Property. Owners and Water Management District further agree that the maximum permitted water use at the Subject Property is limited to supply the potable water requirements for a retirement facility consisting of:

C. Proposed Reductions by Conservation (Board Approval of Special Circumstances Required per Rule 24-G)

| <u>ASSUMPTIONS</u> | <u>CALCULATION</u> | <u>PROJECTED SAVINGS IN AF</u> |
|---|--|--------------------------------|
| 1. Retrofit of laundry system to use ozone-treated recycled water ⁶ . | 14.692 AF (10% of total projected use) - 55% savings | (0.808) |
| 2. Retrofit outdoor irrigation to use gray water from laundry and other sources to irrigate replacement landscaping consisting of low water use, drought/salt-tolerant landscaping. | | (2.300) ⁷ |
| 3. Potable water needed to periodically flush irrigation system to remove salts | | 0.126 ⁸ |
| TOTAL APPROVED SAVINGS | | (2.982) |

D. Additional Contingency Conservation Measures

| <u>ASSUMPTIONS</u> | <u>CALCULATION</u> | <u>PROJECTED SAVINGS IN AF</u> |
|---|---|--------------------------------|
| 1. There are excess savings from ozone and gray water measures listed above | {4.316 AF - [2.982 + 1.498]} | (0.164) |
| 2. Savings from installing low-water use washing machines (18-gallon-per-cycle maximum) in independent living units. | -0.01 AF/Machine currently allowed for residential fixtures | (0.930) |
| 3. Showerheads to be installed are 1.5 gallons-per-minute rather than 2.5 gallons-per-minute as required by District. | 10% x 11.754 x 0.4 ⁹ | (0.470) |
| 4. Faucet aerators to be installed are 1.0 gallons-per-minute rather than 2.2 gallons-per-minute as required by District. | 10% x 11.754 x 0.545 ⁹ | (0.641) |
| CONSERVATION CONTINGENCY TOTAL | | (2.205) |

U:\demco\Work\Water Demand\Demand\Report\Full\Water Demand analysis_01.spd

Handwritten notes and calculations:

2.205 / 18 = 21%

14.692 - 2.982 - 1.498 = 10.212

⁶ District telephone survey indicates as much as 18 percent of total water use is associated with laundry washing. Fifty-five percent savings is based on conservative estimate of ozone system with reclaim loop.

⁷ Current demand estimated using Landscape Water Manager software from Irrigation Training and Research Center, Cal-Poly, San Luis Obispo.

⁸ Fifteen percent of landscape budget for proposed new drought/salt-tolerant landscaping. Water efficient landscaping will replace existing high-water use landscaping. Percentage needed for flushing provided by Steve Foster of Bollinger, Foster, Steinmetz Landscape Architecture.

⁹ City of Santa Barbara Water Demand Factor and Conservation Study, Interface Planning and Counseling Corporation, Santa Barbara, 1989

HACIENDA CARMEL COMMUNITY ASSOCIATION

1000 Hacienda Carmel

Carmel, California • 93923-7949

Telephone (831) 624 - 8261 • Fax (831) 625 - 7805

www.haciendacarmel.us

July 29, 2009

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JUL 31 2009

MPWMD

David A. Berger, General Manager
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, CA 93942

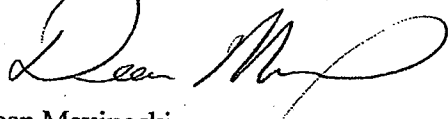
Re: Marotta/Woods River Intrusion

Dear Mr. Berger,

I am writing in regards to the ongoing problem that Hacienda Carmel is facing, due to the protruding build-out of the north bank along the Marotta and Woods properties. This protrusion has and will continue to cause erosion to the south river bank, along Hacienda Carmel's property. I understand that the plans to correct this problem have been approved by the Water Management District, however, we have yet to see signs that the project is underway.

Both the management and Board of Directors of Hacienda Carmel feel a sense of urgency where this project is concerned. We would like to see the work completed before the next rainy season produces a water flow that will once again do damage to the riverbank on our side. Please contact me at your earliest convenience regarding the status of this project. I will look forward to hearing from you.

Respectfully,



Dean Maxinoski
General Manager

DM:jpm

cc: Myron Etienne, Counsel
Donna Rico, President, Hacienda Carmel Board of Directors



California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
<http://www.dfg.ca.gov>
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005

ARNOLD SCHWARZENEGGER, Governor
DONALD KOCH, Director



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AUG - 6 2009

MPWMD

August 3, 2009

Craig Anthony
General Manager
California American Water Company
Post Office Box 951
Monterey, California 93942-0951

Subject: Los Padres Fish Passage

Dear Mr. Anthony:

We are writing this letter to support continuing the collaborative process for resolving steelhead passage problems at Los Padres Dam and to support moving forward simultaneously with the two parts of the passage resolution, preferred interim alternative design and analysis of long-term alternatives.

California Department of Fish and Game (Department) biological and engineering staff have been engaged with representatives from your company California American Water Company (CalAm), Monterey Peninsula Water Management District (MPWMD), National Marine Fisheries Service (NMFS), and the Carmel River Steelhead Association (CRSA) in on-going meetings to analyze alternatives to interim and long-term solutions to steelhead passage over Los Padres Dam. You have been supportive of the current process to address the long standing steelhead passage problems at Los Padres Dam. Various stakeholders have provided data, steelhead passage criteria and other pertinent information to CalAm for your consultants, HDR Engineering, Inc., to use in developing and analyzing alternatives for improving steelhead fish passage. Subsequent work by the consultants has been reviewed in record time by the Department, demonstrating our commitment to resolving the Los Padres Dam fish passage problems, a high priority project for us.

Since the initial meeting in November 2008, CalAm is to be credited with taking the lead to hold nearly weekly conference calls with stakeholders to keep the passage resolution effort on schedule and progressing. The goal of this effort has been to move forward with two discrete parts to improving fish passage. One part is to identify and analyze alternatives and select a preferred interim alternative to improve downstream passage of juvenile steelhead and kelts that could be implemented in advance of a long-term solution. The other part is to identify and analyze alternatives and select a preferred alternative to long-term passage to improve migration both upstream and downstream for all life history stages of steelhead. In the last month and a half, the process has been delayed due to the need for CalAm to go through the funding approval process for the consultants to design the preferred interim alternative. Questions have been posed regarding how the interim solution will or will not factor into the long-term solution in terms of cost and timing. These are valid questions, but ones that cannot be immediately answered until the consultant has completed the long-term alternative analysis for stakeholder review.

Conserving California's Wildlife Since 1870

Craig Anthony
August 3, 2009
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Since the initial meetings on this passage problem, data have been presented at the June 8, 2009 Water Budget Meeting, documenting that from 2001 to present, there is an overall declining trend in the number of returning adults to the Carmel River. On a broad scale these data indicate that maintaining the 'status quo' in addressing steelhead limiting factors is not benefiting the steelhead population. The limiting factor of inadequate passage, both upstream and downstream, at Los Padres Dam cannot continue to remain unaddressed. A design for the interim downstream passage solution can be completed relatively soon. Permitting would take a few months after the design to complete. With the recent design cost approval delay, it is unlikely that the interim solution could be implemented this year. However, with design and permitting being completed in the next few months, the interim solution could be implemented in 2010.

The long-term solution alternatives have yet to be analyzed and, at present, the list of considered alternatives is incomplete. The cost and timing of design, permitting, and implementation could vary by orders of magnitude between alternatives. Depending on the complexity of the preferred alternative, it may take many years to implement. Therefore, delaying the design and implementation of the interim alternative until all the questions are able to be answered about a long-term preferred alternative is not the best approach when considering the need for effective steelhead passage is long overdue and needs our continued attention to resolve constructively.

We appreciate your efforts in moving this process forward and making this a priority. We appreciate the cooperation and collaboration that this process has fostered between the stakeholders and we are interested in continuing in the same vein. However, we need to continue making progress with both the interim alternative design and the long-term steelhead passage preferred alternative analysis if we are going to address effective passage to and from the perennial and wild habitat available to steelhead upstream of Los Padres Dam.

If you have any questions, you may contact Margaret Paul, Senior Biologist Supervisor, at (805) 594-6175.

Sincerely,

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for Jeffrey R. Single, Ph.D.
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