



Media Release

State Water Board Approves New Deadline to End Illegal Water Diversions from the Carmel River

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SACRAMENTO -- The State Water Resources Control Board today approved an extension of time for California American Water (Cal-Am) to comply with a Cease and Desist Order to stop the illegal diversion of water from the Carmel River.

The State Water Board in 1995 ordered Cal-Am, which supplies water to the Monterey Peninsula, to pursue alternate water sources after finding it was illegally diverting more than 10,000 acre feet per year from the river. The State Water Board issued a Cease and Desist Order against Cal-Am in 2009, after finding that the water company was still illegally diverting 7,602 acre-feet a year.

The 2009 order set a deadline of Dec. 31, 2016 to fully stop the illegal diversion. Cal-Am and Monterey Peninsula agencies have tried to develop alternate water sources, including new dams, a reservoir and desalination plants, all of which failed to materialize. Today's action gives Cal-Am and Monterey Peninsula stakeholders until Dec. 31, 2021 to stop the unauthorized diversions.

"This action recognizes significant progress in collaborative projects to augment river flows and gives Cal-Am and the community organizations working on other large-scale alternative water projects time, while assuring that the illegal diversions from the Carmel River will stop by the end of 2021," said State Water Board Chair Felicia Marcus. "The milestone structure incentivizes continued cooperation in completing proposed new water supplies, and provides a measured, stair-step reduction in diversions should the projects encounter significant delays or fail. We understand the political difficulty of putting together large-scale water projects across multiple jurisdictions, but this problem was identified more than 20 years ago. It's time to move forward and get it done."

Cal-Am and the Monterey Peninsula stakeholders are working on new sources of water to reduce dependency on the river, including a new desalination plant and the Pure Water Monterey Project that will recycle water for reuse. Completion of these will not meet the 2016 deadline.



The State Water Board extension of the deadline for compliance with the Cease and Desist Order includes changes to the 2009 order to further reduce unauthorized diversions from the river and to assure that alternative water sources come to fruition in a timely manner.

Details of the time extension approved today follow the structure, with some changes, of a recent proposal made by Cal-Am and co-applicants Monterey Peninsula Regional Water Authority, Monterey Peninsula Water Management District, the Pebble Beach Company, and the City of Pacific Grove.

The order adopting the time extension sets an annual effective diversion limit from the Carmel River of 8,310 acre feet per year. The diversion limit is higher than actual Cal-Am diversions of recent years – including some drought and some non-drought years. But the resolution reduces the limit if sufficient progress is not made on the desalination and recycling projects.

The order includes a series of development milestones for new water sources. If met, the milestones result in sufficient, reliable water supplies to end unlawful diversions from the Carmel River. Missed milestones, on the other hand, will lead to stair-step reductions in the amount of water Cal-Am can take from the river.

The milestones and diversion reduction are designed so that Cal-Am's unauthorized diversions from the Carmel River will end by Dec. 31, 2021, whether the alternative projects get built or not.

Details of the Cal-Am proposal and the State Water Board staff recommendation can be viewed [here](#) and [here](#).

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