
State Water Resources Control Board

TO: Nicole Kuenzi
Presiding Hearing Officer
Administrative Hearings Office

FROM: Eric Oppenheimer
Executive Director
STATE WATER RESOURCES CONTROL BOARD



DATE: July 9, 2026

SUBJECT: CONFIRMATION OF ASSIGNMENT TO THE ADMINISTRATIVE
HEARINGS OFFICE OF HEARING TO CONSIDER MODIFICATION OF
ORDER WR 2016-0016 & ORDER WR 2009-0060

In October 2025, the State Water Board's Division of Water Rights (Division) received an application from Monterey Peninsula Water Management District (MPWMD) to modify State Water Board Orders WR 2009-0060 and WR 2016-0016. Order WR 2009-0060, as modified by Order WR 2016-0016, imposes a cease and desist order (CDO) on California-American Water Company (Cal-Am) for unlawful diversions from the Carmel River.

The CDO in part prohibits Cal-Am from adding new water service connections or expanding use at existing service connections (Condition 2). MPWMD requests that the Board issue an amended order that rescinds Condition 2, updates reporting requirements, and includes supply and demand triggers that would allow the Deputy Director for the Division to reinstate Condition 2 if necessary.

Water Code section 1832 provides that the Board may, after notice and opportunity for a hearing, modify, revoke, or stay in whole or in part, any CDO issued under Chapter 12 of the Water Code. (See Wat. Code, §§ 1825–1851.) Addressing MPWMD's application would be aided by the expertise of the Administrative Hearings Office (AHO) expertise in conducting adjudicative hearings and in facilitating efficient receipt of public comment and policy statements.

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

Therefore, by issuance of this memorandum, I confirm the assignment of MPWMD's application to the AHO under Water Code section 1112, subdivision (c)(2), for an AHO hearing officer to conduct and preside over a hearing including receiving public comment and policy statements relevant to the issues identified in the hearing notice and issuing any procedural rulings necessary for the orderly conduct of this proceeding.

cc: Erik Ekdahl, Chief Deputy Director, Water Rights

Juliet Christian-Smith, Deputy Director, Water Rights