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**BEFORE THE STATE WATER
RESOURCES CONTROL BOARD**

In the Matter of the State Water Resources)
Control Board (State Water Board))
Hearing to Determine whether to Adopt a)
Draft Cease & Desist Order against)
California American Water Regarding its)
Diversion of Water from the Carmel River)
in Monterey County under Order WR 95-10)

Hearing Date: July 23 - 25, 2008

Carmel River in Monterey County

EXHIBIT MPWMD-HS7

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

Permitting and Regulatory Agency Involvement Questionnaire

Agency: US Army Corps of Engineers
 Date Prepared: 26-Aug-04

Contacts:

Sources: MPWMD Water Supply Admin. Draft EIR (2004)
 Navigation hazards; discharge of fill to waters of the US

Key Concerns:

County/Cal Am CWP Paljar/Sunny Mesa MPWMD Desal. MPWMD ASR MRWPCA Reclam.

Questions

Property

1. How is price determined?
2. Rough cost, if available.
3. Type of transaction?
4. Time frame?

Regulatory

4. What permits?	CWA Section 404, Rivers and Harbors Act Section 10	Same as County/Cal Am	Same as County/Cal Am but no Section 10	N/A
5. At what stage of project?	Following NEPA, ESA, CZMA, NHPA and CWA Section 401	Same as County/Cal Am	Same as County/Cal Am	
6. What applicant info needed?	NEPA document, BO, coastal consistency determination, 401 certification, SHPO MOA, 404 and 10 permit applications	Same as County/Cal Am	Same as County/Cal Am but no Section 10	
7. What is process/milestones?	NEPA - ROD; supporting federal permits, approvals prior to ROD	Same as County/Cal Am	Same as County/Cal Am	
8. What is process timeline?	Permit issued following posting of ROD In Fed. Register	Same as County/Cal Am	Same as County/Cal Am	
9. CEQA/NEPA involvement?	Possible NEPA lead agency	Same as County/Cal Am	Same as County/Cal Am	

Permitting and Regulatory Agency Involvement Questionnaire

Agency: US Fish and Wildlife Service
 Date Prepared: 26-Aug-04
 Contacts:
 Sources: MPWMD Water Supply Project Admin, Draft EIR (2004)
 Key Concerns: T&E species and critical habitat

Questions	County/Cal Am	CWP	Pajaro/Sunny Mesa	MPWMD Desal.	MPWMD ASR	MRWPCA Reclam.
Property						
1. How is price determined?						
2. Rough cost, if available.						
3. Type of transaction?						
4. Time frame?						
Regulatory						
4. What permits?	ESA Sec. 7; non-jeopardy opin.; incidental take authorization	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am
5. At what stage of project?	Following preparation of BA, prior to NEPA ROD	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am
6. What applicant info needed?	NEPA document, BA	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am
7. What is process/milestones?	ESA consultation, BA and BO	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am
8. What is process timeline?	BO within 135 days of BA submittal; time extension may occur	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am
9. CEQA/NEPA involvement?	Cooperating agency under NEPA	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am	Same as County/Cal Am

Permitting and Regulatory Agency Involvement Questionnaire

Agency: NOAA Fisheries*
 Date Prepared: 26-Aug-04
 Contacts: MPWMD Admin, Draft EIR (2004)
 Key Concerns: * Impacts to Monterey Bay and Carmel River T&E species

County/CalAm: CWP Palero/Sunny Mesa MPWMD_Desal MPWMD_ASR MRWPCA_Regem.
 Property: N/A N/A N/A N/A N/A

1. How is price determined?
2. Rough cost, if available.
3. Type of transaction?
4. Time frame?

Regulatory

4. What permits/approvals?
 ESA Sec. 7; non-jeopardy opinion: ESA Sec. 7; non-jeopardy opinion: ESA Sec. 7; non-jeopardy opinion: incidental take authorization
 incidental take authorization
 incidental take authorization
5. At what stage of project?
 Following NEPA completion; prior to other federal permits
 Following NEPA completion; prior to other federal permits
 Following NEPA completion; prior to other federal permits
6. What applicant info needed?
 NEPA document and BA
 NEPA document and BA
 NEPA document and BA
7. What is process/milestones?
 NEPA/ESA - ROD and BO
 NEPA/ESA - ROD and BO
 NEPA/ESA - ROD and BO
8. What is process timeline?
 BO within 135 days of BA submittal; time extension may occur
 BO within 135 days of BA submittal; time extension may occur
 BO within 135 days of BA submittal; time extension may occur
9. CEQA/NEPA involvement?
 Cooperating agency - NEPA
 Cooperating agency - NEPA
 Cooperating agency - NEPA

Permitting and Regulatory Agency Involvement Questionnaire

Agency: NOAA Monterey Bay National Marine Sanctuary*
 Date Prepared: 26-Aug-04
 Contacts:

Sources: MPWMD Water Supply Project Admin. Draft EIR (2004); 15 CFR Chapter IX, Subchapters A and B and Part 944
 Key Concerns: Habitat degradation in the National Marine Sanctuary

County/Cal. Am. CWP	Palermo/Sunny Mesa	MPWMD Desal	MPWMD ASR	MRWPCA Reclam.
N/A	N/A	N/A	N/A	N/A

Questions

Property

1. How is price determined?
2. Rough cost, if available.
3. Type of transaction?
4. Time frame?

Regulatory

4. What permits? NMSA authorization; permit NMSA authorization; permit
5. At what stage of project? Following NEPA completion; Prior to RWQCB, CCC approvals Following NEPA completion; Prior to RWQCB, CCC approvals
6. What applicant info needed? NEPA document; notification of filings; request for findings NEPA document; notification of filings; request for findings
7. What is process/milestones? NEPA - ROD; issuance of terms and conditions or approval prior to third party permit approval NEPA - ROD; issuance of terms and conditions or approval prior to third party permit approval
8. What is process timeline? Not specified; tied to third party permit processes Not specified; tied to third party permit processes
9. CEQA/NEPA involvement? Cooperating agency - NEPA Cooperating agency - NEPA

Permitting and Regulatory Agency Involvement Questionnaire

Agency: US Bureau of Land Management
 Date Prepared: 26-Aug-04
 Contacts:
 Sources:

Key Concern: Construction of facilities and establishment of rights-of-way on future BLM-managed lands

Questions	<u>County/Cal Arn CWP</u>	<u>Pajaro/Sunny Mesa</u>	<u>MPWMD Desal.</u>	<u>MPWMD ASR</u>	<u>MRWPCA Reclam.</u>
Property					
1. How is price determined?					
2. Rough cost, if available.					
3. Type of transaction?					
4. Time frame?					
Regulatory					
4. What permits?	Easements and rights-of-way	N/A	N/A	Easements and rights-of-way	N/A
5. At what stage of project?	Following NEPA, ESA, NHPA, CZMA, CWA compliance			Following NEPA, ESA, NHPA, CZMA, CWA compliance	
6. What applicant info needed?	NEPA document, BO, coastal consistency determination, 404 permit, SHPO MOA, application for easement and right-of-way			NEPA document, BO, coastal consistency determination, 404 permit, SHPO MOA, application for easement and right-of-way	
7. What is process/milestones?	NEPA - ROD; supporting federal permits, approvals prior to ROD			NEPA - ROD; supporting federal permits, approvals prior to ROD	
8. What is process timeline?	Easements and ROW issued following listing of ROD in Fed. R			Easements and ROW issued following listing of ROD in Fed. R	
9. CEQA/NEPA involvement?	Cooperating agency under NEPA			Cooperating agency under NEPA	