



The Otter Project

www.otterproject.org

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The Otter Project Wins Water Pollution Case

(Monterey) Today, the Monterey County Superior Court ruled the Monterey County Water Resources Agency is a polluter and is required to obtain permits for waste discharge from the Regional Water Quality Control Board. The Monterey County Water Resources Agency has denied they have any responsibility for protecting water quality despite the fact their stated mission is: "Monterey County Water Resources Agency Manages, Protects, and Enhances the Quantity and Quality of Water and Provides Specified Flood Control Services for Present and Future Generations of Monterey County."

In 2010, Monterey Coastkeeper (the water quality program of The Otter Project) sued the Monterey County Water Resources Agency for failing to file a "report of waste discharge"; a report of waste discharge is the first step in a process leading to a permit and ultimate cleanup of the heavily polluted waters in the Lower Salinas Valley. The Otter Project did not sue for damages, only to stop the ongoing pollution.

After the polluter files a report of waste discharge, the State is required to follow up with a permit, known as "waste discharge requirements," that specifies acceptable levels of waste discharge and creates a plan for clean-up.

The Monterey County Water Resources Agency maintains and operates a vast network of ditches, pipes, pumps, levees, and tide gates in the lower Salinas Valley that drain wastewater. The Otter Project claims the Water Resources Agency infrastructure amounts to a rural sewer system that the Water Agency then pumps, untreated, into the Salinas River and Elkhorn Slough.

Sea otters are dying from toxic algal blooms triggered by nutrient pollution. "Much of the heavily polluted agricultural runoff would not reach the Salinas River and ocean without the constant pumping of a witch's brew of wastewater by the Water Resources Agency," said Steve Shimek, executive director of The Otter Project.

"Monterey County Water Resources Agency can no longer dodge its responsibilities to protect water quality, public health, and the environment," said Steve Shimek. "Today, The Otter Project, sea otters, and the people of Monterey County clearly won and the Monterey County Water Resources Agency clearly lost. Unfortunately, the other winners are the County's Sacramento and LA based lawyers who have already raked in a fortune delaying the inevitable and are now poised to pocket even more as they will likely appeal a ruling in favor of clean water."