

From: [H](#)
To: [Downstream Distribution Group](#)
Cc: [Barbara Buikema](#)
Subject: Letter for the CAWD Board
Date: Tuesday, November 19, 2024 4:09:26 PM
Attachments: [ADU Policy Change Request.pdf](#)

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Hi CAWD,

Can you please send the attached PDF letter to the CAWD board members? I am requesting an elimination of the ADU policy as it relates to charging ADUs a separate user fee.

I will also look to attend a board meeting to read this if I don't see this topic come up on the agenda.

Kind regards,

Hunter

11/19/2024

To Carmel Area Wastewater District board,

I am writing to urge you to remove CAWD's current policy regarding Accessory Dwelling Units (ADUs) and the inconsistent application of user fees. Specifically, I believe that charging a second user fee for only some ADUs is not supported by accurate data, and the current policy is not equitable or defensible. Let me outline the key points:

1. **Lack of Accurate ADU Data:** CAWD does not maintain an accurate or complete accounting of ADUs within the district, and there is no legal mechanism in place to gather this information comprehensively. As a result, the district may be unaware of many ADUs that should be subject to user fees.
2. **Unreliable Building Permit Data:** CAWD's knowledge of whether an attached ADU adds square footage or not is based solely on the description in building permits, which is often inaccurate or insufficient for determining the actual impact on utility services.
3. **Absence of a Central ADU Database:** Neither the County of Monterey nor the City of Carmel maintains a comprehensive database of properties with ADUs. This lack of centralization further complicates the accurate identification of ADUs and the consistent application of fees.
4. **Inconsistent Application of User Fees:** I have identified several ADUs that are not being charged the user fee in accordance with CAWD policy, despite being in clear need of it. The district's current documentation and fee enforcement are therefore inconsistent and unreliable.
5. **Equity and Fairness in Fee Structure:** Attached ADUs are not charged a user fee, despite the fact that they contribute the same potential costs to the sewer system as detached ADUs. While you are not governed by the California Public Utilities Commission (CPUC), their recommendations for sewer districts with fixed rates are that all similar customers should be charged the same rate unless there are clear differences in costs to the utility. In my case, my detached ADU generates the same demands on the system as an attached ADU, (I don't have a separate connection into CAWD sewer lines, either) yet I am being charged a user fee while others are not.

This issue is not about achieving perfect equality in rates—fixed rates inherently introduce some level of disparity—but about ensuring fairness. If CAWD is to charge user fees, it must have a legitimate, defensible basis for applying those fees uniformly across all ADUs, which, as it stands, is not the case.

Given the points above, I ask that you consider reevaluating CAWD's ADU policy to ensure a more consistent, equitable, and legally defensible approach to user fee assessments. Please consider this matter at your next meeting.

Kind regards,

Hunter Leighton