

**Bringing you HOPE -
Helping Our Peninsula's Environment**

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MPWMD

Board of Directors
MPWMD

November 19, 2007

Sand City Desal Ordinance EIR Fails

Dear Directors.

HOPE objects to the EIR and the addendum as not adequately or clearly describing the potential harms from this newly changed project; Ordinance 132.

Some of those impacts not made clear are how **this project appears to propose illegal uses for water and creates more water entitlements out of thin air** - where no physical water exists.

Illegal Uses Proposed

Order 95-10 says all new water used by Cal-Am in our District must offset the overpumping of the Carmel River.

The Judge in the Seaside adjudication seemed to exempt water from the Seaside Basin from Order 95-10.

The Judge did not and could not exempt water from the ocean from the 95-10 offset mandate.

Clearly some water will be pumped that contains water from the ocean. The EIR and Feeny Tech reports suggest as much as 40 percent of the water pumped to this project comes from the Ocean.

We believe that the percentage of water that comes from the ocean, some 40 percent, must go directly to offset Cal-Am's overpumping of the Carmel River and cannot be used for new projects inside or outside Sand City.

We also believe that this new change of project must get SWRCB approval before it is approved. It is alarming to read **SWRCB has not signed off on this since 2005 - long before this change to having Cal-Am have all the water.**

With all due respect,

D. Dilworth

David Dilworth, Executive Director

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