MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT

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SUPPLEMENT TO 10/19/09 MPWMD BOARD PACKET

Attached are copies of letters received between September 11, 2009 and October 9, 2009. These letters are also listed in the October 19, 2009 Board packet under item 15, Letters Received.

Author	Addressee	Date	Topic
William W. Monning	Robert MacLean	9/11/09	San Clemente Dam Removal and Reroute Project
Michael V. Brady	David C. Laredo	9/11/09	Notice of Intent to File CEQA Petition
Tim Miller	Victoria Whitney	9/29/09	Application 11674B – Withdrawal of Protest to Petition for Change
Tim Miller	Victoria Whitney	9/29/09	Applications 11674B (Permit 7130B) and 27614 (Permit 20808) –Withdrawal of Protest to Petition for Extension of Time
Craig Anthony	Darby Fuerst	10/5/09	Los Padres Dam Modifications
Dewey Evans	Darby Fuerst	10/7/09	Coastal Water Project Draft Environmental Impact Report (CWP DEIR)

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ENVIRONMENTAL SAFETY & TOXIC MATERIALS
JOINT LEGISLATIVE AUDIT COMMITTEE
JUDICIARY

WEBSITE
www.assembly.ca.gov/monning

Assembly
California Legislature

WILLIAM W. MONNING
ASSEMBLYMEMBER, TWENTY-SEVENTH DISTRICT

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SANTA CLARA COUNTY DIRECT LINE
(408) 782-0647

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SEP 17 2009
MPWMD

September 11, 2009

Robert G. MacLean, President
California American Water Company
1033 B Avenue, Suite 200
Coronado, CA 92118

Michael Chrisman, Secretary
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Dear Mr. MacLean and Secretary Chrisman:

This letter is to express my support for the San Clemente Dam Removal and Reroute Project (Project) located on the Carmel River. The Project is being undertaken jointly by the California American Water Company (Cal Am), state departments within the California Natural Resources Agency, and various federal agencies.

Since the issue of safety about the San Clemente Dam was raised by the California Department of Water Resources' Division of Safety of Dams, discussions have focused on whether to buttress the dam or remove the dam altogether. I am pleased and encouraged to see that all interested parties are working together to implement the San Clemente Dam Removal and Reroute Project.

I understand Cal Am, along with the participating state and federal agencies are committed to devoting their time and available resources to develop an implementation strategy for the Project that meets the needs of all interested parties. Once implemented, this Project will improve the environmental ecosystem of the Carmel River.

Printed on Recycled Paper

Again, I would like to express my support the San Clemente Dam Removal and Reroute Project and hope that all those involved in the discussions continue to work together to ensure that the Project comes to fruition.

Sincerely,

WILLIAM W. MONNING
Assemblymember, 27th District

WWM:bw

Cc: Congressman Sam Farr
Monterey County Supervisor Dave Potter
Public Utilities Commissioner John Bohn
Dave Guiterriez, Division of Safety of Dams, Department of Water Resources
Rodney McInnis, Regional Administrator, National Marine Fisheries Service
Sam Schuchat, Executive Officer, California State Coastal Conservancy
Curtis Weeks, General Manager, Monterey County Water Resources Agency
Darby Fuerst, General Manager, Monterey Peninsula Water Management District

SCHARFF, BRADY & VINDING
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September 11, 2009

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VIA UPS DELIVERY
David C. Laredo
De Lay and Laredo
606 Forest Avenue
Pacific Grove, CA 93950

Re: NOTICE OF INTENT TO FILE CEQA PETITION

Dear Mr. Laredo:

This office represents California-American Water Company ("Petitioner"). Please take notice that, under Public Resources Code section 21167.5, Petitioner intends to file a Petition for Writ of Mandate in Monterey County Superior Court under the provisions of the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 *et seq.*, against Monterey Peninsula Water Management District and Darby Fuerst, as General Manger of the Monterey Peninsula Water Management District ("District") challenging the June 15, 2009 decision of the District in the matter entitled "In the Matter of the California-American Water Company Ryan Ranch Unit, Hearing On Insufficient Physical Supplies In Accord with District Rule 40-B."

The Petition for Writ of Mandate will request, among other things, that the court direct the District to vacate and rescind the District's modification of the water distribution system permit and the findings made in support thereof and direct District to comply with CEQA. Additionally, the Petition will seek Petitioner's costs and attorney's fees associated with this action. A copy of the Petition to be filed by Petitioner is attached to this notice.

Very truly yours,

SCHARFF, BRADY & VINDING

Michael V. Brady

MVB/lcb
Enclosure
cc: Timothy J. Miller

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OCT - 6 2009
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CALIFORNIA
AMERICAN WATER

Tim Miller, Corporate Counsel
1033 B Avenue, Suite 200
Coronado, CA 92118
tim.miller@amwater.com

P 619.435.7411
F 619.435.7434

September 29, 2009

Victoria Whitney
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Re: Application 11674B – Withdrawal of Protest to Petition for Change

Dear Ms. Whitney:

California-American Water Company hereby withdraws its protest to the Monterey Peninsula Water Management District's Petition to Change application 11674B. This protest was dated February 13, 2009.

If you have any questions, please contact the undersigned.

Best regards,

Tim Miller

cc: Andrew Bell
Robert MacLean
Tom Bunosky
Craig Anthony
Carrie L. Gleeson, Esq.

CALIFORNIA
AMERICAN WATER

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OCT - 6 2009
MPWMD

Tim Miller, Corporate Counsel
1033 B Avenue, Suite 200
Coronado, CA 92118
tim.miller@amwater.com

P 619.435.7411
F 619.435.7434

September 29, 2009

Victoria Whitney
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

re: Applications 11674B (Permit 7130B) and 27614 (Permit 20808) – Withdrawal of Protest to Petition for Extension of Time

Dear Ms. Whitney:

California-American Water Company hereby withdraws its protest to the Monterey Peninsula Water Management District's Petition For Extension of Time for Applications 11674B and 20808. This protest was hand delivered to the State Water Resources Control Board on November 20, 2006.

If you have any questions, please contact the undersigned.

Best regards,

Tim Miller

cc: Andrew Bell
Robert MacLean
Tom Bunosky
Craig Anthony
Carrie L. Gleeson, Esq.

HAND DELIVERED

CALIFORNIA
AMERICAN WATER

California American Water – Monterey
511 Forest Lodge Rd, Suite 100
Pacific Grove, CA 93950
amwater.com

October 5, 2009

Mr. Darby Fuerst
General Manager
Monterey Peninsula Water Management District
5 Harris Court, Bldg G.
Post Office Box 85
Monterey, CA 93940

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OCT - 5 2009
MPWMD

Subject: Los Padres Dam Modifications

Dear Mr. Fuerst,

On June 19, 2009, California American Water (CAW) received a letter from the Monterey Peninsula Water Management District (District), asking if CAW is willing to increase the storage capacity of the Los Padres Reservoir, at the District's expense.

CAW's main interest at the Los Padres Reservoir and other segments of the Carmel River, is improving fish passage. CAW is currently working to provide a temporary fish ladder at the Los Padres Reservoir. Also, CAW is examining long-term solutions for fish passage in the Los Padres Reservoir area, including a permanent fish ladder or the removal of the Los Padres Dam.

Currently, CAW has no interest in increasing the dam height or making other Los Padres Reservoir modifications.

I can be contacted at 831-646-3214, if you have any questions.

Sincerely,

Craig E. Anthony
General Manager
Central Division

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MPWMD

Seaside Groundwater Basin Watermaster
2600 Garden Road, Suite 228
Monterey, CA 93940
(831) 641-0113

October 7, 2009

Mr. Darby Fuerst
General Manager
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940

Subject: Coastal Water Project Draft Environmental Impact Report (CWP DEIR)

Dear Mr. Fuerst,

At its March 18, 2009 meeting the Watermaster Board approved sending the attached comment letter on the California American Water (CAW) CWP DEIR.

We recently learned (informally) that the Final Environmental Impact Report (FEIR), which will contain the responses to comments that the PUC received on the DEIR, is likely to not recommend that additional water, beyond the 2,600 AFY needed to offset the current level of overpumping of the Basin, be provided for the Seaside Groundwater Basin (SGWB) in any of the projects being considered in the DEIR.

Our comment in this regard pertained to page 2-1, and also to pages 2-6, 2-7(Table 2), and 5-3 of the DEIR. Our comment, taken directly from the attached comment letter, reads as follows:

> *The amount of water that will be needed to satisfy the Seaside Basin Adjudication Decision will be significantly more than the roughly 2,600 AFY of water that would be needed to enable producers to reduce their production down to the 3,000 AFY Natural Safe Yield established by the Decision. This is because the water levels in the Basin have dropped below levels high enough to protect the wells against sea water intrusion. The annual quantity of water that will be needed to replenish the Basin so as to bring the water levels up to protective levels, and the time period over which that quantity of water will be required, is being determined through studies currently being performed by the SBW's consultants. The results are expected to be available in late 2009. Until the Modeling work now being undertaken by the SBW is completed and results are available, it is not possible to estimate how much additional water should be provided each year for a specified number of years in order to restore protective ground water levels in the SGWB. Any amount in addition to the 2,600 AFY mentioned above would be helpful, and the larger the additional amount the sooner protective levels will be restored. The SBW*

recommends that any project which is implemented include initially at least 2,000 AFY of additional water supply to the SGWB (for a total of 4,600 AFY) for an initial period of at least 5 to 10 years, in order to help restore the SGWB. A more refined number and time frame will be available toward the end of 2009, when the Modeling work has been completed. At that time the results of the modeling work could be used to update this initial 2,000AFY quantity. The water demands that each of the Projects is designed to meet should include this additional amount of replenishment water. Therefore, the demand figures shown in several of the tables in Section 2 of the DEIR should be revised accordingly.

We were informed that the reason for not recommending providing any additional water beyond the 2,600 AFY was because the objective of whatever project is selected is only to "protect" not to "restore" the SGWB.

At its Special Meeting of August 25, 2009, the Watermaster Board discussed this matter. In the course of those discussions, Mr. David Laredo, your District's legal counsel, suggested that an additional means of raising the Watermaster's concerns on this matter to the PUC would be through the presentation of documents and/or testimony to the Administrative Law Judge at one or more of the upcoming hearings the Judge will be holding on matters related to the CWP.

The Watermaster Board directed staff to send this letter-of-request that MPWMD, as a Party to the PUC process, raise this concern to the PUC in conjunction with the presentation of other documents and/or testimony that your District intends to present at those hearings.

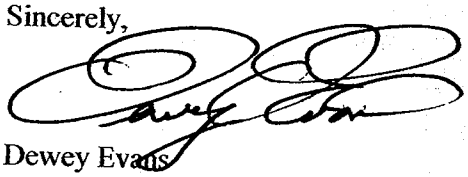
Concisely stated, the Watermaster feels strongly that the additional water requested in our comments is important to the continuing long-term protection of the SGWB. Providing the 2,600 AFY amount proposed in the DEIR will provide some stabilization of current water levels within the basin, but will likely not improve conditions in the basin nor reverse the effects of over pumping that occurred before the adjudication. To avoid the prospect of seawater intrusion into the SGWB, groundwater levels must be sufficient to ensure a positive offshore gradient. To accomplish this result either groundwater levels within the SGWB's Coastal subarea must be universally raised above sea level or groundwater levels along the coast must be maintained above sea level through artificial methods (e,g, seawater intrusion barrier injection wells). Either strategy would require additional supplies beyond the 2,600 AFY, which amount is necessary simply to offset the anticipated long-term amount of groundwater production from the SGWB in excess of natural replenishment.

The exact amount of additional water was estimated by staff to be on the order of 2,000 AFY, for a period of five to ten years. This estimate will be refined when the Groundwater Modeling currently being prepared for the Watermaster by HydroMetrics is completed later this year.

The Watermaster would greatly appreciate MPWMD's assistance in raising this matter to the PUC, as described above. If you have any questions regarding our comments, please contact the Watermaster's Technical Program Manager, Mr. Robert Jaques, by telephone to his home office (831) 375-0517 or by email at bobj@redshift.com.

Thank you for the opportunity to provide these comments.

Sincerely,



Dewey Evans
Chief Executive Officer

Attachment

Seaside Basin Watermaster
2600 Garden Road, Suite 228
Monterey, CA 93940
(831) 641-0113

March 24, 2009

Mr. Andrew Barnsdale
C/O Coastal Water Project
Environmental Science Associates
225 Bush Street, Suite 1700
San Francisco, CA 94104

Subject: Comments on Coastal Water Project Draft Environmental Impact Report

Dear Mr. Barnsdale:

Through a legal process that is referred to as an "Adjudication" the Seaside Basin Watermaster was created on March 26, 2006 by entry of Judgment in California Superior Court, Monterey County, under Case No. M66343. The purpose of the Watermaster is to assist the Court in the administration and enforcement of the provisions of the Judgment, which pertains to overseeing and managing the groundwater resources of the Seaside Groundwater Basin. The Watermaster's objective is to help resolve the problems of lowered groundwater levels and the threat of seawater intrusion which are the result of overpumping of the Basin.

The Seaside Basin Watermaster submits the attached comments pertaining to the Draft Environmental Impact Report for California American Water's Coastal Water Project. For the most part our comments pertain to project components which would directly or indirectly affect the volume and/or quality of water that the Coastal Water Project, and the alternatives to it, is proposing for use in replenishing the Seaside Basin.

If you have any questions regarding our comments, please contact the Watermaster's Technical Program Manager, Mr. Robert Jaques, by telephone to his home office (831) 375-0517 or by email at bobj@mrwpca.com.

Thank you for the opportunity to provide these comments.

Sincerely,

Dewey Evans

Chief Executive Officer

SEASIDE GROUNDWATER BASIN WATERMASTER
COMMENTS ON DEIR FOR THE CAW COASTAL WATER PROJECT

Abbreviations Used in This Table:
CWP = Coastal Water Project
GWRP = Ground Water Replenishment Project
RUWAP = Regional Urban Water Augmentation Project
SGWB = Seaside Ground Water Basin
SBW = Seaside Basin Watermaster
WTP = Water Treatment Plant

DEIR PAGE NO.	PERTAINS TO PROJECT NOs.	COMMENTS
ES-3 (Table ES-1)	1,2,3,4	The 2 to 7 additional injection wells proposed for the SGWB will require approval by the SBW before they can be constructed
ES-7 & Fig. 3-22b	1,2	SBW approval and a storage agreement between CAW and the SBW should be added under the "Facility Permits" section of the CWP Schedule.
Exec. Summary	3,4	A Schedule should also be included for both Phases 1 and 2 of the Regional Project, so these can be evaluated alongside the CWP Schedule.
ES-13	4	As explained in Section ES.4.2.2 under the subheading titled "Surface Water," the Phase 4 Regional Project would use the same RUWAP pipeline for both tertiary recycled water and for advanced treated water. This could result in a degradation of quality of the advanced treated water, which would be used to replenish the SGWB, and therefore appears to be in conflict with the State Department of Public Health's Title-22 regulations pertaining to recycled water, as wells as its Ground Water Recharge Regulations. This apparent conflict should be formally resolved with concurrence from the Department of Public Health, and this aspect of this Project redesigned if necessary.

DEIR PAGE NO.	PERTAINS TO PROJECT NOs.	COMMENTS
ES-14	3,4	As described in Section ES 6.1, the Regional Project has numerous interagency institutional issues that would need to be worked out in order for implementation to proceed. Time is of the essence in developing a solution to the water problems which all of the 4 proposed Projects are intended to address. A firm time schedule to complete the development of these interagency agreements should be required from the Regional Project Sponsors, and this should be included in a Schedule for the Regional Project (both Phases 1 and 2). This Schedule should be included in the response to comments, so the public and the PUC can determine whether or not the proposed schedule is realistic.
ES-14	1	There are many things about which there is future uncertainty, and each of the 4 Projects has their own sets of uncertainties. The uncertainty regarding the Moss Landing desalination plant's issues with once-through cooling should be resolved now, if that is possible. If that is not possible, then the Project should include in its design the flexibility to adapt to changing requirements as best they can be anticipated. This uncertainty should not be used as an obstacle to implementing the Project, if it is otherwise the best choice.
ES-18	1,2	Impact 4.2-3 states that the storage of Carmel River or desalinated water in the ASR program would increase groundwater storage and water levels in the SGWB. The current MPWMD ASR program can only divert relatively small amounts of excess winter flows from the Carmel River on a seasonal basis, and as such is rainfall dependent and thus not a reliable means of raising the water level in the SGWB. Further, it does not increase storage in the SGWB, since all of the ASR water is subsequently pumped back out to reduce CAW's pumping from the Carmel River Basin. The CWP ASR wells that use desalination plant source water would increase the amount of water stored in the SGWB for use in reducing pumping from the SGWB, and therefore would increase the stored groundwater in the Basin, as well as reliably raising water levels through storage. This distinction should be made clear in the EIR.
ES-34	4	For Impact 6.1-13, as commented above for page ES-13, the issue of contamination resulting from the blending of tertiary treated wastewater with advanced treated wastewater should be resolved by the Project Sponsors for the GWRP component of the Regional Phase 2 Project before the EIR is certified, so that it does not receive an "SU" for this impact.
1-4	All	Section 1.4.2 states that during the process of finalizing the EIR, the Administrative Law Judge will take into account, among other things, testimony and briefs from parties who have formally intervened in A.04-09-019. If the opportunity to do so still exists, the SBW intends to file the necessary documents to formally intervene in these proceedings, for the purposes of being allow to submit testimony and briefs if it so desires.

DEIR PAGE NO.	PERTAINS TO PROJECT NOs.	COMMENTS
1-7, 2-4 , and 2-5 (Table 2-1)	All	The Court Decision that created the SBW is a complex document. The "Quantity" numbers contained in Table 2-1 are accurate, except for those listed as being "CalAm's Eventual Allocations" for both the Coastal Subarea (which includes the Northern and Southern Subareas and the Northern Inland Subarea) and the Laguna Seca Subarea. Although the Decision does contain the ranges in values for the Natural Safe Yield of the Coastal and Laguna Seca Subareas as listed in Table 2-1, the Decision established a total-Basin Natural Safe Yield figure of 3,000 AFY, and did not break down this value between the two Subareas. Consequently, the SBW is interpreting the 10% mandatory reductions in pumping to be imposed triennially as being applied on the Basin as a whole, not separately by Subareas, against the 3,000 AFY value established in the Decision. Hence, Cal Am's "Eventual Allocation" if the 10% reductions were carried out until the total Standard Production allocations were reduced such that the 3,000 AFY Natural Safe Yield is not exceeded, would be 1,474 AFY for the Basin as a whole, with no distinction made between the two Subareas. The 1,474 AFY figure is arrived at by subtracting from 3,000 AFY the total of all of the Alternative Producer allocations, and then distributing the remaining amount between the Standard Producers in proportion to their share of their total base water rights. Prior to any reductions, the total base water right available to CalAm is 3,849 AFY and the total base water right available to all of the Standard Producers is 4,213 AFY. Thus, CalAm has 91.4% of the total base water rights allocated to Standard Producers. If a series of 10% reductions was imposed to the point that the 3,000 AFY Natural Safe Yield would not be exceeded, the total quantity the Standard Producers would be allowed to pump would be 1,613 AFY. CalAm would be entitled to 91.4% of this amount, or 1,474 AFY. Table 2-1 should be revised to clarify this.
1-13	3,4	In Subsection 1.8.3 reference is made to a Table 5.1-1, but there is no such table in the DEIR. The table reference appears to be for Table 5-2.

DEIR PAGE NO.	PERTAINS TO PROJECT NOs.	COMMENTS
2-1	All	The amount of water that will be needed to satisfy the Seaside Basin Adjudication Decision will be significantly more than the roughly 2,600 AFY of water that would be needed to enable producers to reduce their production down to the 3,000 AFY Natural Safe Yield established by the Decision. This is because the water levels in the Basin have dropped below levels high enough to protect the wells against sea water intrusion. The annual quantity of water that will be needed to replenish the Basin so as to bring the water levels up to protective levels, and the time period over which that quantity of water will be required, is being determined through studies currently being performed by the SBW's consultants. The results are expected to be available in late 2009. Until the Modeling work now being undertaken by the SBW is completed and results are available, it is not possible to estimate how much additional water should be provided each year for a specified number of years in order to restore protective ground water levels in the SGWB. Any amount in addition to the 2,600 AFY mentioned above would be helpful, and the larger the additional amount the sooner protective levels will be restored. The SBW recommends that any project which is implemented include initially at least 2,000 AFY of additional water supply to the SGWB (for a total of 4,600 AFY) for an initial period of at least 5 to 10 years, in order to help restore the SGWB. A more refined number and time frame will be available toward the end of 2009, when the Modeling work has been completed. At that time the results of the modeling work could be used to update this initial 2,000AFY quantity. The water demands that each of the Projects is designed to meet should include this additional amount of replenishment water. Therefore, the demand figures shown in several of the tables in Section 2 of the DEIR should be revised accordingly.
2-3	All	The boundary of the SGWB should be re-described to say that the northern boundary is a dynamic hydrologic divide, the location of which is dependent, among other things, on rainfall patterns and pumping rates in the Salinas Valley Basin and the SGWB. The current location of the boundary passes through the former Fort Ord south of the City of Marina. It should also be noted that the northern boundaries of the shallow and the deep aquifers in the SGWB are at different locations.
2-4	All	See comment above pertaining to pages 1-7, 2-4, and 2-5 regarding the CalAm 1,494 AFY figure on page 2-4. The Cal Am figure should be 1,474 AFY.
2-6 & 2-7 (Table 2-2)	All	See comment above pertaining to page 2-1 with regard to the amount of water that will be needed to restore the SGWB. The 1,000 AFY stated on pages 2-6 and 2-7 will not be sufficient in the initial years.

DEIR PAGE NO.	PERTAINS TO PROJECT NOs.	COMMENTS
2-7 (Table 2-2)	All	See comment above pertaining to pages 1-7, 2-4, and 2-5 regarding the CalAm 1,494 AFY figure in Table 2-2. The Cal Am figure should be 1,474 AFY.
2-7 (Table 2-2)	All	Footnote "c" to Table 2-2 should state that the allocations are for the first three, not four, years, after which if certain conditions are not met, there will be 10% pumping reductions triennially.
2-7 (Table 2-2)	All	It is not clear where the figure of 272 AFY of needed replacement water for "Non-CalAm" production was derived. This should be clarified.
2-14 (Table 2-5)	All	Footnotes "f" and "g" in this Table are transposed.
2-14 (Table 2-5)	All	See comment above pertaining to pages 1-7, 2-4, and 2-5 regarding the CalAm 1,494 AFY figure in Table 2-5, and in footnote "c". The Cal Am figure should be 1,474 AFY.
3-4	1,2	See comment above pertaining to pages 1-7, 2-4, and 2-5 regarding the CalAm 1,494 AFY figure in Table 2-5, and in footnote "c". The Cal Am figure should be 1,474 AFY.
3-4 & 3-5	1,2	The volumes of water that are available from the Carmel River ASR project(s) are rainfall dependent, i.e. depend on there being excess flows in the Carmel River so that they can be diverted to the SGWB for ASR purposes, and thus should not be considered to be reliable sources of supply on an individual-year basis.
Figures 3-2.b and 3-4.d	All	Why is the ASR Well Siting Area limited to only the area shown in these Figures?
3-49 (Table 3-14)	1,2	Table 3-14 should include the SBW as an entity which must give its approval to those components of these Projects that impact the SGWB.
4.1-23 (Table 4.1-5)	1,2	Table 4.1-5 should include the SBW as an entity which has applicable regulations regarding any activities or projects that impact the SGWB. Specifically, the SBW is charged with administering and enforcing the provisions of the Adjudication Decision, which includes implementing the physical solution described in the

DEIR PAGE NO.	PERTAINS TO PROJECT NOs.	COMMENTS
		Decision to maximize the reasonable and beneficial use of water from the Basin, and in providing perpetual management of the Basin as a water supply for the Monterey Peninsula.
4.2-4 & Figure 4.2-2	1,2	The discussion regarding the northern boundary of the SGWB, and the location of this boundary as shown in Figure 4.2-2, should be corrected as noted in the comment above pertaining to page 2-3. Based on more recent hydrogeologic data than was available when the Kennedy/Jenks 2004 map shown in Figure 4.2-2 was prepared, this northern boundary is located differently than as shown in that figure. The recently completed Basin Management Action Plan, which is accessible on the SBW's website or from HydroMetrics, LLC shows the most recent plot of the location of the northern boundaries of the upper and lower aquifers in the SGWB.
4.2-6	1,2	The Purisima Formation is also found in the SGWB.
Figures 4.2-6 & 4.2-7	1,2	See comment above pertaining to page 4.2-4 and Figure 4.2-2 regarding the location of the flow divides. The updated information in the Basin Management Action Plan should be used to update these figures.
4.2-15	1,2	As noted in the comment above pertaining to pages 1-7, 2-4, and 2-5 (Figure 2-1), the Decision does contain a ranges in values for the Natural Safe Yield of the Coastal and Laguna Seca Subareas, but established a total-Basin Natural Safe Yield figure of 3,000 AFY. This 3,000 AFY Natural Safe Yield is used by the SBW in its management of the Basin.
4.2-18	1,2	The SGWB Model is in the process of being updated for the SBW by HydroMetrics, LLC, and will be used in the management of the SGWB. By late summer of 2009, the updated Model is expected to be ready to use for running various scenarios to provide information on how best to utilize water from the various Projects being considered in the DEIR to benefit the SGWB.
4.2-33	1,2	As noted in the comments pertaining to page 4.1-23 (Table 4.1-5), Table 4.2-4should include the SBW as an entity which has applicable authority regarding any activities or projects that impact the SGWB.
5-3	3,4	The City of Sand City's desalination plant is scheduled to be completed and to start up by June 2009.
5-3	3	The demand figures referred to should be increased, as noted in the comment above pertaining to page 2-1, to account for the need to provide additional replenishment water to the SGWB for sufficient period of time to raise water levels to protective elevations.
5-6	3	The 12,500 AFY figure cited as replacement water to meet existing demands needs to be increased as noted in the comment above pertaining to page 5-3 regarding demand figures.

DEIR PAGE NO.	PERTAINS TO PROJECT NOs.	COMMENTS
5-11 & 5-12	3	The RUWAP should be able to provide more recycled water than the 1,000 AFY stated on this page. Previous MRWPCA plans were for approximately 1,427 AFY to be provided to the former Fort Ord.
5-12	3	Subsection 5.1.6.3 discusses the Seaside Basin ASR project. All water from that project is dedicated to reducing water withdrawals from the Carmel River Basin, and thus does not provide long-term increased storage to the SGWB. This should be clarified in this Subsection.
5-34	4	The updated ground water Model discussed above in the comment pertaining to page 4.2-18 will provide refined information that will be helpful in siting the recharge areas for the GWRP, and in selecting the best means of accomplishing that recharge.
5-41	3,4	As noted in the comments pertaining to page 4.1-23 (Table 4.1-5), Table 5-6 should include the SBW as an entity which must grant approval regarding any activities or projects that impact the SGWB.
6.1-21	4	See comment above pertaining to page ES-13 regarding use of the RUWAP pipeline for both tertiary recycled water and advanced treated water.
6.2-5	4	The discussion regarding the GWRP on this page mentions a total of 5,785 AFY of water being provided to help replenish the SGWB. However, elsewhere in the DEIR the figure cited is 6,700 AFY. This should either be corrected or explained.
6.2-6	4	What facilities are being proposed as part of the GWRP in order to provide the "...alternate source of domestic water supply..." required under the Groundwater Recharge Reuse Project regulations that are cited on this page?
6.2-8	4	The discussion of the Replenishment project Injection wells states that "...they would potentially be screened in an area that does not produce water..." This does not make sense, since the purpose of the replenishment is to provide water that can be pumped (i.e. produced) to meet water demands.
6.2-9	4	See comment above pertaining to page 6.2-5, except on this page the figure 6,037 AFY rather than 6,700 AFY is cited.
6.2-9 to 6.2-12	4	See comment above pertaining to page 5-34.
6.11-9	4	The subheading titled "Salinas Basin Groundwater Project" appears to refer to the Seaside Basin Groundwater Project.
6.12-3	4	See comment above pertaining to page 5-34. Use of the SBW's updated Modeling results to design the GWRP may be a condition of the SBW's approval of the GWRP.

DEIR PAGE NO.	PERTAINS TO PROJECT NOs.	COMMENTS
6.13-13	4	Cultural resources in the two sites proposed for recharge of the SGWB by the GWRP should be evaluated now (i.e. as part of the DEIR), in order to determine if there will be environmental impacts. While the pipelines could be rerouted to avoid such impacts, it does not appear that either of the two proposed recharge sites could be relocated. If there are unavoidable cultural resource impacts in the proposed recharge sites, it might not be possible to implement the GWRP.
7-3	All	Time is of the essence in selecting the Project that will be implemented to help solve the water problems of this area. The PUC is strongly urged to reach its decision regarding which Project to implement based on the FEIR and its associated documents, rather than directing CAW to return to the Commission at a later date for approval.
7-5	All	It is unreasonable for the DEIR to conclude that all of the Projects have components with significant unavoidable noise impacts. Neither the construction of the slant wells nor the ASR wells would cause such levels of impact, if reasonable measures to reduce noise, and to schedule the work during times of minimal impact, were required by the construction documents. These impacts should be reexamined and mitigation measures proposed to reduce these impacts to less than significant.
7-22	2	Section 7.5.2.3 states that the proposed location for the slant wells would be "...inland of the approximate 2050 beach bluff erosion zone..." Anyone familiar with beach erosion along the shoreline of central Monterey Bay knows that it is very difficult to accurately predict erosion rates, and that there is no solution in hand to stop, or perhaps even slow, the erosion rate that is occurring. The PUC should seek a solution to local water problems that has an infinite lifetime, not one that can already be predicted to fail in less than 40 years after it is constructed due to coastal erosion. This would be very poor planning, and would result in significant relocation costs when erosion reaches these wells. Graphic examples of erosion impacts include the bluffs at Stilwell Hall in the former Fort Ord, the seawalls being required to protect the Monterey Beach Hotel and the condominium project located in the Del Monte Beach area of Monterey. This Project should be redesigned such that the wells are further inland, or otherwise protected against failure from beach erosion for a much longer time than 40 years.
7-57	3	Absent from the DEIR is a comparison of the Phase 1 Regional Project (Project 3) to the Moss Landing CWP (Project 1). Such a comparison should be included in order for the DEIR to truly compare all of the alternatives.