



Supplement to 11/19/18 MPWMD Board Packet

Attached are copies of letters received between October 10, 2018 and November 12, 2018. These letters are listed in the November 19, 2018 Board packet under Letters Received.

Author	Addressee	Date	Topic
Paul D. Jones II, P.E.	David Stoldt	10/8/18	AB 2050 (Caballero): The Small system Water Authority Act of 2018 – Thank You for Your Support
Michael Baer	MPWMD Board	10/15/18	Support for MPWMD efforts to find new source water
Michelle Neubert	MPWMD	10/17/18	Information on American Water Works & Guarantee Company
Nina Beety	David Stoldt	11/12/18	Request for agenda, 11/19/MPWMD meeting

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15 2018

MPWMD



October 8, 2018

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

Subject: AB 2050 (Caballero): The Small System Water Authority Act of 2018 – Thank You for Your Support

Dear Mr. Stoldt:

On behalf of Eastern Municipal Water District (EMWD), co-sponsor of AB 2050 (Caballero): *The Small System Water Authority Act of 2018*, I would like to thank you and extend our sincerest appreciation for your support of this legislation. Water accessibility continues to be an important issue for this state, and we firmly believe that addressing the foundational governance concerns related to small failing water systems is a critical element to ensuring safe and reliable drinking water for all Californians.

Although AB 2050 was vetoed by Governor Brown, we believe there is broad consensus that governance reforms must be an integral part of a sustainable solution for failing water systems. In 2019, water suppliers will once again need to proactively develop workable solutions for failing water systems. EMWD remains committed to actively engaging on this important issue and looks forward to working with a broad coalition in 2019 to formulate and move the best solutions forward.

With all the high priority water policy issues in the California Legislature this session, we are truly grateful to you and your staff for committing the time to support this important effort. AB 2050 would have never advanced to the Governor's desk without your support. If we can be of service to you or provide assistance in any way, please contact me at (951) 928-6130 or by email at jonesp@emwd.org.

Best regards,

Paul D. Jones II, P.E.
 General Manager

Board of Directors

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2270 Trumble Road • P.O. Box 8300 • Perris, CA 92572-8300

T 951.928.3777 • F 951.928.6177 | www.emwd.org

Y'all, I support MPWMD in your efforts to find new source water, protect the habitat, and manage a sustainable solution

Page 10 • CEDAR STREET *Times* • October 5, 2018

Your letters

Opinion

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OCT 15 2018

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Rebuttal to 'Outside the Box'

Dear Editor,

This is in rebuttal to Alec Murdock's misleading commentary, "We've Been Misled." I don't know Mr. Murdock, and the paper didn't describe his background, but I suspect he is affiliated with the larger commercial interests on the Peninsula. They are the ones aligned against Public Water Now and the YES ON J campaign. They are comprised of the hospitality industry, the realtor coalition, the taxpayer association and the local chambers of commerce. They have deep pockets, and will outspend the grassroots efforts for the YES ON J campaign by millions of dollars this campaign season. That is already abundantly clear by the more than a dozen mailers from CalAm in September, while Public Water Now (PWN) mailed one brochure in September and the next one due out in the coming week of October.

> The favored strategies employed by Cal Am and its allies in this campaign are half-truths and exaggeration. Half-truths are particularly insidious, because they are not false per se, but they leave out important contextual or historical information to misrepresent the situation.

> Let's look at Mr Murdock's claim that the Water Management District (MPWMD) "ignored Monterey's 66 percent vote for MPWMD to disband in 2002." It is a true statement but not the whole story. Essentially, the same coalition currently aligned against YES ON J, put forth a non-binding referendum before the voters of the City of Monterey to poll their stance on eliminating MPWMD. They outspent their opponents by a wide margin, and they obtained 66 percent of the vote. But here are salient facts; it was non-binding and it was only put forth to the voters within Monterey city limits, which make up only about 25 percent of the ratepayers within the district boundaries of MPWMD. Sixty six percent of 25 percent is about 17 percent. So only 17 percent of the voters who would be affected by the referendum decided to boot the Water District, and 75 percent of those who would be affected did not get to vote. Is it any wonder that the MPWMD essentially ignored the non-binding referendum?

In the same paragraph, Mr Murdock refers to a 2012 signature gathering campaign to overturn an assessment fee which The District also ignored. The taxpayers association sued, they lost in Superior Court, they lost on Appeal, and then the State Supreme Court refused to take it up. They lost. End of story.

Mr Murdock mentions the failed public acquisition attempt in Claremont, California. The city of Claremont attempted a public acquisition, and got to eminent domain where the court ruled it was not in the public interest which is the first step in an eminent domain proceeding. Claremont is a rare exception in these sorts of cases and the prevailing wisdom is that they had few details and a cavalier attitude about how they would run the company. Claremont position boiled down to "we are a city, we can figure it out." The eminent domain process protected the ratepayers against a public agency unwilling to perform due diligence. In contrast, YES ON J requires a feasibility study from MPWMD which will spend \$400,000 to \$700,000 from their account reserves. This will be a comprehensive report and highlight the requirements for competency necessitated by acquisition. The Water District will not be cavalier in its approach if this process gets to eminent domain.

Let's look at one more issue from Mr Murdock: the billion dollar price tag for the company. To get to that number, Cal Am assumes that the \$300 million dollar desal plant has already been built. It is important to acknowledge that the project achieved a major milestone in September when the California Public Utilities Commission issued the CPCN order which is essentially the go-ahead from the lead agency to have a building permit. But the desal plant still needs other approvals from the California Coastal Commission and the regional arm of the State Water Board, and the prevailing opinion is that the CPCN decision will be litigated which may tie up the project for years. The 2021 completion date for desal is far from certain. It is possible that Cal Am will be waving about a building permit and over a \$100 million dollars of stranded costs from yet another failed water project as a \$300 million dollar asset to be repaid. No court would accept that valuation.

Corporate water companies facing public take-over attempts work from the same playbook as Mr. Murdock and local commercial interests: half-truths, exaggeration and fear. Typically in these cases, the corporate water utility offers an initial valuation of their company at two to five times the ultimate settlement "fair market value" price. CalAm set a price of \$46 million in Felton and settled for \$13 million. In Ojai, California the corporate starting price was \$150 million and the settlement price \$41 million. In Missoula, Montana the starting price was over \$200 million and the Court set the fair market price in eminent domain at \$81 million. It is unclear what the fair market value for CalAm's Monterey District actually is, but it is a safe bet to be way below what they say, and the feasibility study will give an in-depth estimate before the MPWMD decides to proceed or not with acquisition, based on the reports results

> With the information presented above, I would like to challenge Mr. Murdock's assertion that citizens who understand the facts will vote no, and to raise the question about who is offering the misleading narrative, who is being deceptive, who has the community well-being at heart: Mr Murdock and his ilk, or the grass roots, ratepayer-led binding referendum, YES ON J, and the tireless work of the all-volunteer advocates from Public Water Now?

Michael Bae
cc Alec Murdock, David Stoldt, George Riley

Lets finish the task and escort Cal Am out of the county!

Michael BAE

Michelle Neubert
1060 Ortega Rd.
Pebble Beach, CA 93953

SAN JOSE CA 950
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OCT 17 2018

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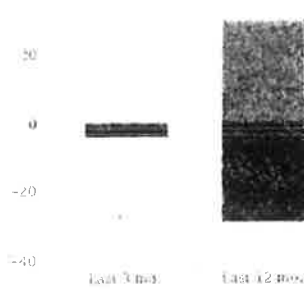
MPWMD
5 Harris Ct - ~~Box 6~~
Monterey CA 93940

93940-575678



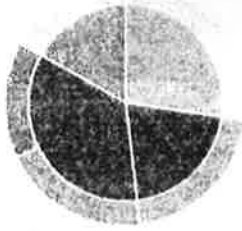
At time - for Campaign
add - LOCAL, not global
Cal Am is a Global Corporation
& nothing to do w/ Calif. or Amer.
Cal Am owned by German Co,
2001 to 2008. After Resold rates
higher. - See Wikipedia and IT

6



	3 MO	12 MO
Number of Sells	4	29
Total Insider Trades	4	59
Net Activity	(21,634)	12,052

Top 5 Insider Trades



STORY SUSAN N	21,169
SGRO MICHAEL A	16,026
LYNCH WALTER	15,169
STRAUSS MARK F.	13,011
LYNCH WALTER	11,907



Hover over columns for trade information / Sell

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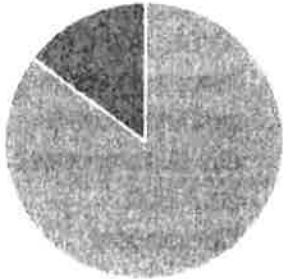
American Water Works Ownership Summary

AWK \$89.49* 0.25 0.28%

*Delayed - data as of Sep 17, 2018 - Find a broker to begin trading AWK now

Institutional Ownership [View AWK Ownership](#)

Institutional Summary as reported in the most recent 13F filings



Institutional Holdings **85.24%**

Total Number of Holders	767
Total Shares Held	153,849,368
Total Value of Holdings	13,729,517,600
Net Activity	237,334

Top 5 Holders of Institutional Holdings



1.	VANGUARD GROUP INC	18,784,525
2.	BLACKROCK INC	13,605,841
3.	PRICE T ROWE ASSOCIATES INC /MD/	9,010,034
4.	STATE STREET CORP	8,269,485
5.	PICTET ASSET MANAGEMENT LTD	4,396,739

AWK Ownership Overview

American Water Works (AWK) Ownership Summary provides a snapshot of institutional holdings and activity for a particular stock. The institutional holdings summary data encompasses the holdings and change from most recent 13F filings. The insider filer data counts the number of monthly positions over 3 month and 12 month time spans. Summary data is calculated daily, using the most up to date information available. **Please Note:** An FPI is exempt of filing insider holdings with the SEC. Therefore, it is recommended to visit the company's website for up to date information.

[Learn more about the Ownership Summary Page](#)

Insider Trades [View AWK Insider Trades](#)

Insider Trades Summary as filed in the Forms 3 and 4 filings

American Water (company) *Ownership*

American Water is an American public utility company operating in the United States and Canada. It was founded in 1886 as the **American Water Works & Guarantee Company**.^[2] In 1914, American Water Works and Guarantee Company became American Water Works and Electric Company.^[2] In 1947 it was reorganized as **American Water Works Company, Inc.**^[3] The company was a subsidiary of the German-based RWE Group from 2001 to 2008,^[4] but the company was divested on April 23, 2008 in an IPO on the NYSE.^[5]

Most of American Water's services are locally managed utility subsidiaries that are regulated by the U.S. state in which each operates. American Water also owns subsidiaries that manage municipal drinking water and wastewater systems under contract and others that supply businesses and residential communities with water management products and services. In 2003, American Water established the American Water Military Services Group, which serves as contracted water utility for several military bases in the United States. Military Services Group works with the United States Military to treat and supply water and to collect and treat wastewater for military installations all over the country. Most recently American Water Military Services Group provides services to 11 military bases.

American Water Works Company provides services such as water line protection, sewer line protection, an in-home plumbing emergency program, electric line protection, heating system protection, cooling system protection, power surge protection and water heater protection.^[6]

With headquarters in Voorhees, New Jersey, American Water has about 6,800 employees and provides services to approximately 15 million people in 47 U.S. states and Ontario, Canada.^[7]

As of 2017 American Water shares are mainly held by institutional investors (Vanguard group, BlackRock, State Street Corporation and others^[8])

Water quality for citizens' health is protected with American Water Company through the United States Environmental Protection Agency (USEPA). USEPA has protected citizens since 1974 and has set the station all standards for safe drinking water. Though USEPA enforces safe drinking standards, private and public water suppliers are still responsible for the water quality that flows from the tap.^[9]

American Water Works Company, Inc.



AMERICAN WATER

Type	Public
Traded as	NYSE: AWK (https://www.nyse.com/quote/XNYS:AWK) DJUA component S&P 500 Component
Industry	Utilities Water and Wastewater
Founded	1886
Founder	James S. Kuhn, W.S Kuhn
Headquarters	Voorhees, New Jersey, United States
Key people	Susan Story, CEO and President
Products	Water
Revenue	▲US\$3.3 billion (2016) ^[1]
Operating income	▲US\$1.0 billion (2016)
Net income	▼US\$468 million (2016)
Total assets	▲US\$18.4 billion (2016)
Total equity	▲US\$5.2 billion (2016)
Number of employees	6,800 (2016)
Divisions	California American Water

Arlene Tavani

From: nbeety@netzero.net
Sent: Monday, November 12, 2018 10:50 AM
To: lewis4water@gmail.com; andympwmd@gmail.com; water@mollyevans.org; jcbarchfaia@att.net; rbrower136@gmail.com; rrubio@ci.seaside.ca.us; district5@co.monterey.ca.us
Cc: Dave Stoldt; Arlene Tavani; nbeety@netzero.net
Subject: Request for agenda, 11/19 MPWMD meeting

To the MPWMD Board:

I request that you agendize for the Nov. 19 board meeting consideration of a moratorium to halt California American Water Company's installation of new Neptune Smart Meters and exercise your police powers as a local agency under the California Public Utilities Code. I further request as part of this action that the Board require Cal-Am to notify the public of the smart meter installation to date with full disclosure and remove meter wireless components for all customers who request it.

Cal-Am is in the midst of installing Neptune next generation wireless AMI/Smart Meters – 5000 this year and 5000 next year. The microwave pulses are constant, transmitting every 14 seconds at 100 mW, and sending “high-power” (Neptune's term) 1-watt pulses every 7 ½ minutes for cell tower communication. This radiation is 24/7, impacting humans, trees, and wildlife.

These microwave-emitting meters are a health and environmental hazard, and with significant ADA access and discrimination issues. Cal-Am began installing wireless meters a number of years ago that are read with a drive-by or hand-held device. The company did not inform the public of the change from traditional mechanical meters despite health and accuracy problems with the wireless meters and their close proximity to public access areas. Since they are embedded in sidewalks or near public access areas, people, pets, and children are regularly in contact with these meters, with no notice or warning labels.

The radiation can cause disabling, severe, and even life-threatening health effects for those with electromagnetic sensitivity – a condition recognized in 2002 by the U.S. Access Board and that can qualify under the Americans with Disabilities Act as a disability.

These new, more powerful Neptune meters raise the level of hazard and liability. I have personally experienced the “punch” from the emissions – headaches, sleeplessness, nausea, heart arrhythmia. I called Cal-Am, and over a week later, personnel finally removed the microwave transmitter from the meter, but gave no guarantees they'd keep it off. Though I wrote Cal-Am on October 30 asking for clarification and ADA accommodation, they have not replied.

These Smart Meters will “talk” directly to future cell towers in the neighborhoods. Will these be forced on residents as well?

As the Board of the Monterey Peninsula Water Management District, you can stop this health and environmental hazard. Under California Public Utilities Code Section 761.3d, local agencies may adopt a “deadline, standard, rule, or regulation ... for the purposes of protecting public health or the environment”.

Section 761.3d:

(d) Nothing in this section shall result in the modification,

delay, or abrogation of any deadline, standard, rule, or regulation adopted by a federal, state, or local agency for the purposes of protecting public health or the environment, including, but not limited to, any requirements imposed by the State Air Resources Board or by an air pollution control district or an air quality management district pursuant to Division 26 (commencing with Section 39000) of the Health and Safety Code.

MPWMD may also be responsible for ensuring that Cal-Am complies with ADA Title II rules.

The water district, not Cal-Am, will be stuck with these meters and future liability if the purchase of Cal-Am assets takes place. Cal-Am customers are unknowingly paying for this new roll-out now -- meters, labor, and the cost of capital surcharge. They have not given express consent for these meters or its infrastructure, and I've heard two instances where Cal-Am threatened to disconnect the water from customers who refused wireless meters.

I urge you to take action now on this very time sensitive issue and protect public health and the environment by scheduling this for your November 19 board meeting.

Some background information is below as well as included in my report on Smart Meters. I would be happy to send additional information on this underreported issue.

Very sincerely,

Nina Beety
Monterey
831-655-9902

Member, California EMF Safety Coalition
Author, "Analysis: Smart Meter and Smart Grid Problems – Legislative Proposal, December 2012"
www.smartmeterharm.org

www.mdsafetech.org
Physicians for Safe Technology
www.saferemr.com
Electromagnetic Radiation Safety
www.ehtrust.org
Environmental Health Trust

<https://www.saferemr.com/2018/11/NTP-final-reports31.html>

-- NTP Cell Phone Radiation Study: Final Reports

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[mcms.org/Portals/19/Wireless%20Silent%20Spring%20%20SCCMA%20Oct%202018%20%20Final%20PDF%201.pdf](https://www.sccma-mcms.org/Portals/19/Wireless%20Silent%20Spring%20%20SCCMA%20Oct%202018%20%20Final%20PDF%201.pdf)

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<http://tinyurl.com/OregonReview>

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<http://sccounty01.co.santa->

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