



Supplement to 4/15/2019 MPWMD Board Packet

Attached are copies of letters received between March 12, 2019 and April 9, 2019. These letters are listed in the March 18, 2019 Board packet under Letters Received.

Author	Addressee	Date	Topic
John Moore	MPWMD	4/07/2019	Pure Water Monterey Project
John Moore	MPWMD	4/04/2019	Pure Water Monterey Project
John Moore	MPWMD	3/27/2019	Pure Water Monterey Project
John Moore	MPWMD	3/21/2019	Pure Water Monterey Project
John Moore	MPWMD	3/19/2019	Pure Water Monterey Project
Michael Baer	MPWMD	3/18/2019	Determination of Cost to Purchase California American Water Distribution System
Chuck Cech	MPWMD	3/18/19	Cal-Am Water Rates
Doug Wilhelm	MPWMD	3/18/19	Water Demand Estimates
Melodie Chrislock	MPWMD	3/18/19	Discuss Water Demand Estimates
John Moore	MPWMD	3/15/2019 through 3/18/2019	Pure Water Monterey Project
David Laredo	CPUC	3/17/2019	Cal-Am Advice Letter 1228 – Protest of MPWMD
David Beech	MPWMD	3/16/19	Criteria for Feasibility Study
Mary Ann Carbone	cc MPWMD	3/11/2019	Regional Water Supply Project

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From: [John Moore](#)
To: [Geoff Arnold](#)
Subject: Re: Cedar Street Times
Date: Sunday, April 7, 2019 12:51:32 PM
Attachments: [Scan_0243.pdf](#)

Attached is a copy of my Post on Pagrovia(2500 members). You will find it useful once the recycled water comes on line. John

On Sun, Apr 7, 2019 at 12:21 PM <jmoore052@gmail.com> wrote:

>

> On the Pagrovia Facebook page, I advise locals how to protect themselves. Per the Pine Cone, the project expansion will limit Ag wastewater, which is progress. I have two moles in the state Department of Drinking Water helping me get rid of the Ag component. John

>

> Sent from my iPhone

>

>> On Apr 7, 2019, at 11:39 AM, Geoff Arnold <Geoff@montereycoastrealty.com> wrote:

>>

>> Great letter to the editor! The long term ramifications of ag water not properly treated (carcinogens or toxins) could be devastating. Another Detroit water situation. You certainly put them on notice! Now, are they smart enough to act on it?

>>

>> -Geoff

From: [John Moore](mailto:John.Moore@waterboards.ca.gov)
To: [Barnard, Randy@Waterboards](mailto:Barnard.Randy@waterboards.ca.gov)
Cc: [Sweigert, Jan@Waterboards](mailto:Sweigert.Jan@waterboards.ca.gov); [Kelly Nix](mailto:Kelly.Nix@waterboards.ca.gov); [WB-DDW-RecycledWater](mailto:WB-DDW-RecycledWater@waterboards.ca.gov); [russell mcglathlin](mailto:russell.mcglathlin@waterboards.ca.gov); [Bob Jaques](mailto:Bob.Jaques@waterboards.ca.gov); Catherine.Stedman@amwater.com; [Dave Stoldt](mailto:Dave.Stoldt@waterboards.ca.gov); [Paul Sciuto](mailto:Paul.Sciuto@waterboards.ca.gov)
Subject: Re: DDW policy and proposed expansion of PWM
Date: Thursday, April 4, 2019 4:37:26 PM

PS: Re your reference to the model at the Marina plant. There could not be adequate tests of that water, because there is not another recycle of contaminated agriculture wastewaters on earth. By reference to the recent research of DPR at the State Water Resources Board, which shows exactly the painstaking bio=assay testing necessary just to identify the unknown toxins, acids and plastics in a sample water, it would take years and tens of millions of dollars just to identify the unknown poisons in the PWM water. Such tests are not even anticipated for DPR of just domestic wastewater until 2023; they are not even testing Agriculture wastewater.

When you and the other participants write about the PWM project you limit your discussion to how your liberal interpretation of Water law allowed you to permit the PWM project. You never site "anything" that pretends that the PWM water may be safe. It is a dangerous CYA approach. You and the rest of the group should immediately retract the agriculture sources from the project. As to the sewage source, because it is in fact an illegal DPR, you should divert it to the Carmel river, a barrier and then you will have a right to additional water from the river. John M. Moore

<https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=webmail&utm_term=icon>

Virus-free. www.avast.com

<https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=webmail&utm_term=link>

<#DAB4FAD8-2DD7-40BB-A1B8-4E2AA1F9FDF2>

On Thu, Apr 4, 2019 at 2:25 PM John Moore <jmoore052@gmail.com> wrote:

>

> The pure fact Mr. Barnard is that you have zero evidence that your
 > attempt to recycle the agriculture wastewater identified as a source
 > for the PWM project can be treated for health safety potable purposes.
 > Zero. You are not a medically trained wastewater recycle expert, not
 > close. Neither is Ms Nellor, not close. Nor, was any such medically
 > trained expert asked to give an opinion about the safety of such a
 > first-ever project

>

> Instead they let you hang out to dry. If you were wise you would
 > become a whistle-blower and a hero.

>

> You signed the construction permit for PWM asan Indirect Recycle
 > Project. In doing so, you assumed that if the WMP product spent two
 > months in the Seaside Basin, that was a "barrier" that qualified it as
 > an Indirect Recycle Project. But no one understands to the extent that
 > you do, that to qualify as an IDP, the barrier must traveled by the
 > water "before" it is injected in a public water facility like the
 > Seaside Basin. You are double counting the Basin, it is not a legal
 > barrier for IDP purposes.

>

> So it is an illegal Direct Recycle Reuse.

>

> I have requested (again and again) that DWW, PWM et al obtain an
> opinion from a medically trained expert about diseases and toxins
> related to recycled water, to assure us that based on the state of the
> science water from the PWM project will in fact be potable. Our lives
> are at stake (Jonestown, Flint, Orange, Fort Worth etc, etc.). Everyone
> knows that my request is both reasonable and necessary. John M. Moore

>

> <https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=webmail&utm_term=icon>

> Virus-free. www.avast.com

> <https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=webmail&utm_term=link>

> <#DAB4FAD8-2DD7-40BB-A1B8-4E2AA1F9FDF2>

>

> On Thu, Apr 4, 2019 at 12:58 PM Barnard, Randy@Waterboards

> <Randy.Barnard@waterboards.ca.gov> wrote:

>>

>> Mr. Moore,

>>

>> The Policy for Water Quality Control for Recycled Water (Recycled Water Policy) is intended to encourage the safe use of recycled water from wastewater sources that meet the definition in California Water Code (Water Code) section 13050(n), in a manner that implements state and federal water quality laws and protects public health and the environment. Water Code section 13050(n) defines recycled water as “water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur and is therefore considered a valuable resource.” The statutory definition is broad. For the purpose of the Recycled Water Policy, the recycled water definition is narrowed down to treated wastewater derived from municipal sources. Other types of sources for water reuse include greywater, agricultural return water, industrial wastewater, and water produced from oil field operations. These types of water reuse are regulated through Water Boards’ water quality programs.

>>

>> Section 2.1 of the Final Staff Report for the Amendment to the Recycled Water Policy is intended to provide background on the current recycled water production and use in California. The section acknowledges the broad recycled water definition afforded by the Water Code and clarifies that the Recycled Water Policy scope is limited to treated wastewater derived from municipal sources. “Many different sources of water are reused in California, such as graywater, oilfield produced water, agriculture return water, treated wastewater from non-domestic sources, and de facto or indirect reuse of treated wastewater; however, these types of water reuse are not covered by the Recycled Water Policy.”

>>

>> The limitation of the Recycled Water Policy does not limit other types of reuse projects using sources of water other than recycled municipal wastewater. Water Code section 13523(b) gives RWQCB the ability to issue water reclamation requirements necessary to protect public health, safety, or welfare, for water that is used or proposed to be used as recycled water after consulting with DDW and holding any necessary hearings. The requirements must be in conformance with the uniform statewide recycling criteria set out in chapter 3 of title 22 of the California Code of Regulations. For projects that propose a use of recycled water not addressed by the uniform statewide recycling criteria, DDW and the RWQCB may impose criteria on a case-by-case basis.

>>

>> The Pure Water Monterey Project’s discharge permit issued by the Central Coast Regional Water Board (R3-2017-0003) is subject to compliance with the Recycled Water Policy because the Pure Water Monterey Project is considered a groundwater recharge project as defined in Water Code section 13561(c). The permit currently includes the Recycled Water Policy’s requirements for constituents of emerging concern monitoring specified in the Recycled Water Policy’s revised Attachment A. The Central Coast Regional Water Board’s discharge permit was adopted at a public hearing on March 9, 2017, following a public comment period from December 15, 2016, to January 20, 2017.

>>

>> As we have previously shared with you, the surface water and agricultural tile drain from Blanco Drain and Reclamation Ditch used as wastewater sources for the Pure Water Monterey Project were considered and reviewed

by DDW in determining applicability for meeting the groundwater recharge project criteria. Title 22 section 60302 states that the requirement of the Water Recycling Criteria is applicable to recycled water from sources that contain domestic waste, in whole or in part. This does not limit a municipal wastewater treatment plant (such as Monterey One's Regional Treatment Plant) to propose accepting wastewater from sources other than domestic waste, such as surface water and agricultural tile drain from Blanco Drain and Reclamation Ditch. All source waters for the Pure Water Monterey Project are conveyed to the headworks of the Regional Treatment Plant (RTP) to undergo primary and secondary treatment processes, prior to entering the advanced water treatment facility process. DDW and the Regional Water Boards required the sources to be characterized prior to use for the groundwater recharge project. Water quality results presented to DDW were based on a temporary pilot plant installed in 2013, a permanent demonstration facility installed in 2015, and bench testing specifically to address removal of two pesticides of concern for Blanco Drain (dieldrin and DDE).

>>

>> Thank you for your concern of protecting public health,

>> Randy

>>

>> Randy Barnard, PE

>> Recycled Water Unit Chief

>>

>> Recycled Water Unit

>> Division of Drinking Water

>> State Water Resources Control Board

>> 1350 Front St., Rm. 2050

>> San Diego, CA 92101

>>

>> Phone: (619) 525-4022

>> Email: Randy.Barnard@waterboards.ca.gov

>> http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/RecycledWater.shtml

>>

>> -----Original Message-----

>> From: John Moore <jmoore052@gmail.com>

>> Sent: Wednesday, March 20, 2019 7:23 AM

>> To: Sweigert, Jan@Waterboards <Jan.Sweigert@waterboards.ca.gov>; Kelly Nix

<kelly@carmelpinecone.com>; WB-DDW-RecycledWater <ddwrecycledwater@Waterboards.ca.gov>; Barnard,

Randy@Waterboards <Randy.Barnard@waterboards.ca.gov>; russell mcglathlin <RMcGlothlin@bhfs.com>; Bob

Jaques <bobj83@comcast.net>; Catherine.Stedman@amwater.com; David J. Stoldt <dstoldt@mpwmd.net>; Paul

Sciuto <paul@my1water.org>

>> Subject: DDW policy and proposed expansion of PWM

>>

>> The written DDW policy that states that agriculture wastewater is not eligible for a recycling permit may weigh on PWM expansion plans. I don't know the source of the expansion wastewaters, but if it includes Ag wastewater, it should be rejected by DDW. JMM

From: [John Moore](#)
To: [russell.mcglathlin](#); [Randy.Barnard@waterboards.ca.gov](#); [DDWrecycledwater@waterboards.ca.gov](#); [Bob Jaques](#); [Jim Johnson](#); [Arlene Tavani](#); [Bill Peake](#); [erica.burton@noaa.gov](#); [George Riley](#); [editor@cedarstreettimes.com](#); [Paul Sciuto](#); [Dave Stoldt](#); [Carmel Pine Cone](#); [Joe Livernois](#); [Anthony Lombardo - LS Resort & Pasadera Country Club](#)
Subject: Fwd: Rudy Fisher's guest editorial
Date: Wednesday, March 27, 2019 1:24:09 PM

----- Forwarded message -----

From: John Moore <jmoore052@gmail.com>
 Date: Wed, Mar 27, 2019 at 1:18 PM
 Subject: Re: Rudy Fisher's guest editorial
 To: Rudy Fischer <rudyfischer@earthlink.net>
 Cc: Ron Weitzman <ronweitzman@redshift.com>

You aren't sure any dissolved solids remain. Monthly tests always show that many of the poisons tested for are in the water, but most are not in a density that is considered unsafe. Recently the CDC just sent out an alert for PFAs; previously 60 parts per trillion was ruled safe; they have now reduced it to ten parts per trillion.

A Wastewater monthly that I subscribe to, indicates that drug companies require water that has twenty million times less dissolved solids than drinking water.

As Ron noted, there are no tests for recycled agriculture wastewater. Sure some of the tests for recycled sewage may show up, but as to the toxins that are in AG waste that are not tested for, the only tests will be at local ER's. The two water sources could not be more diverse, with AG waste heavier in cumulative inorganic matter.

Hopefully this time PWM will hire a wastewater expert with a medical wastewater toxin discovery background. But they wouldn't dare and won't. They will roll the dice once again.

How did your group dare to foist this on us w/o a vote? You have quite possibly destroyed the water future of the Cal Am area.JMM

<https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=webmail&utm_term=icon>

Virus-free. www.avast.com

<https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=webmail&utm_term=link>

<#DAB4FAD8-2DD7-40BB-A1B8-4E2AA1F9FDF2>

On Wed, Mar 27, 2019 at 1:03 PM Rudy Fischer <rudyfischer@earthlink.net> wrote:

>

> Well OK John, now you are giving some specifics we can work with - dissolved solids are your concern; though the process is so thorough that I'm really not sure any dissolved solids will remain after processing. On Monday of this week the final vote was taken to update the EIR for Pure Water Monterey's potential expansion (which I hope for). During the process for that EIR you can bring up your concerns and they will have to be looked at - if not actually addressed.

>

> But it does give you a chance to enter your concerns into the record and have action taken on them. If no one knows how to test for something, maybe it isn't a problem. Maybe it is, but I don't think we can wait forever for people to develop every and any tests imaginable. Even now there are things in our water which don't affect you and I and most people, but which will cause problems for people with severely compromised immune systems. That was discovered when problems came up with those people, and researchers took action - as did the people who were affected.

>
 > But that is how science works. You can't anticipate every problem - though it is possible to anticipate problems that probably won't be there. I'm with you on wanting to make sure our water is safe, but I also want to see us develop the water projects we need to serve our areas needs. Please present your input and concerns to the company that does the next phase of the EIR - probably Denise Duffy & Associates, Inc.

>
 > Rudy

>
 >
 >
 > -----Original Message-----

>>From: John Moore
 >>Sent: Mar 26, 2019 8:52 PM
 >>To: Rudy Fischer
 >>Cc: Ron Weitzman
 >>Subject: Re: Rudy Fisher's guest editorial

>>
 >>I have supplied the judge in the Seaside Basin Watermaster case with
 >>>over 100 pages of scientific reports showing precisely the risks of
 >>>this project. Rudy, you don't seem to get that recycling AG wastewater
 >>>for potable use has never been researched or suggested by any project
 >>>in the world. Except, out of the blue, this one. An ounce of drinking
 >>>water has about 260 dissolved solid particles(that have passed the 100
 >>>or so tests.) But there are no tests for the dissolved solids that
 >>>will remain after AG wastewater is recycled. And no agency or
 >>>researcher is working on developing such tests. That is a very very
 >>>specific unanswered(not just by you, but also PWM and the State DDW)
 >>>charge that scares the hell out of me. Even more so where the
 >>>wastewater is sourced from Blanco Drain and Reclamation Ditch, both so
 >>>toxic that aquatic life cannot exist there. For you to assert that my
 >>>complaint is "general" is simply untrue. JMM

>>
 >>>On Tue, Mar 26, 2019 at 8:12 PM Rudy Fischer wrote:

>>>
 >>> Ron and John;

>>> I am sending this reply just to the two of you because I don't think we need to involve everyone in a long stream of stuff. John is right to ask the questions, but I think it would be better to have something specific as to why someone thinks there is a problem. Just saying "I think there is a problem here" doesn't do anything to focus on an actual problem that can be addressed. Everything I have seen is that M1W and the state are looking at this thoroughly and don't see any problems.

>>>
 >>> We can't say that there is not a test for something we don't know about (our former Vice President's unknown unknowns). John should identify what specifically he thinks are problems so that can be addressed.

>>>
 >>> That's all I'm saying.

>>>
 >>> Rudy

>>> -----Original Message-----
 >>>>From: Ron Weitzman
 >>>>Sent: Mar 26, 2019 1:54 PM
 >>>>To: jmoore052@gmail.com, 'Rudy Fischer'
 >>>>Cc: editor@cedarstreettimes.com, DDWrecycledwater@waterboards.ca.gov, "'David J. Stoldt"' , 'Paul Sciuto' , paul@carmelpinecone.com, erica.burton@noaa.gov, erickson@stamlaw.us, 'Royal Calkins' , 'russell mcglathlin' , Randy.Barnard@waterboards.ca.gov, 'Arlene Tavani' , 'Bob Jaques' , 'Jim Johnson' , 'Kelly Nix' , 'Bill Peake'
 >>>>Subject: RE: Rudy Fisher's guest editorial

>>>>

>>>> John and Rudy, I agree with both of you though you appear to disagree with each other. First, I want to thank John for his efforts to ensure the safety of our future water supply. Whether you agree or disagree with his particular concerns, we all should be happy that he is doing something about them. He could be right; science does not make absolute statements. I agree that it is unlikely that the highly toxic pesticides in the source water will get through the reverse-osmosis filter, but it is not unlikely that they will get through the tertiary treatment of the pesticide-laden water that goes to growers for irrigation. I also agree with John that the state has come up with no standards to evaluate the safety of recycled agricultural runoff. That is the state's fault, not the fault of Monterey One Water. As a staunch opponent of Cal Am's proposed desal project, I have every political reason to support the expansion of Pure Water Monterey, and I do, though with reservations which I am grateful to John for acting on more persistently than I believe it would be appropriate for me to do. --Ron

>>>>

>>>>-----Original Message-----

>>>>>From: jmoore052@gmail.com [<mailto:jmoore052@gmail.com>]

>>>>>Sent: Tuesday, March 26, 2019 11:56 AM

>>>>>To: Rudy Fischer

>>>>>Cc: editor@cedarstreettimes.com; DDWrecycledwater@waterboards.ca.gov; David J. Stoldt; Paul Sciuto; paul@carmelpinecone.com; erica.burton@noaa.gov; erickson@stamplaw.us; Royal Calkins; Ron Weitzman; russell mcglathlin; Randy.Barnard@waterboards.ca.gov; Arlene Tavani; Bob Jaques; Jim Johnson; Kelly Nix; Bill Peake
>>>>>Subject: Re: Rudy Fisher's guest editorial

>>>>>

>>>>>>What you do not understand is that none of the state tests are designed for recycled Ag waste. It has never been tried. Also, for the record PWM is a Direct Potable reuse because there is no barrier that allowed it an Indirect Permit, because a barrier must precede injection into a drinking water repository, not after. PWM treats the drinking water repository as a barrier.

>>>>>>Rudy, just as you were dead wrong about pension reform, you have zero understanding of this issue. You just don't get it. Ag waste does not qualify for recycle for any purpose. Read my DDW Policy attachment. That is one of my Facts. Another attachment states that a barrier must precede injection into a drinking water repository to qualify as a n Indirect reuse. Just another fact.JMM

>>>>>>Sent from my iPhone

>>>>>>

>>>>>>> On Mar 26, 2019, at 11:31 AM, Rudy Fischer wrote:

>>>>>>>>

>>>>>>>>> John

>>>>>>>>>>

>>>>>>>>>>> I know you have a continuing phobia about recycled water, but you shouldn't. As far back as the June 2017 meeting of M1W, it was reported that of the four water sources that go to the water filtration plant, only about 12-14 percent of it will be agricultural drainage water – and even that gets blended with all of the other sources waters. With an expansion I believe it will be an even smaller portion. It is then heavily filtered and treated. But remember – it IS water - and your assertion that that water will not be tested is incorrect.

>>>>>>>>>>>

>>>>>>>>>>>> Membrane treatment removes most of what is not actually water (about 99.98%). It is then further filtered and disinfected via UV light and the use of chlorine before it is injected underground. That water is monitored regularly before being injected and, if anything harmful is detected, the system is designed to reroute that water for further treatment before injection. In other words, if anything is detected at that point, they will clean it further. I am sure that – if something is still harmful in some way – they stop it from being injected. At one of the Public Water Now meetings a year or so back there was a physicist who told the group that the process would make the water just fine. There were others there who also seemed skeptical, but science does work (it's the law that is sometimes kind of iffy). But neither he nor I can make you believe something you don't want to believe.

>>>>>>>>>>>>

>>>>>>>>>>>>>> You seem to feel that your water springs from the tap pure, clean, and never polluted. That's not true. What you get from your tap is water that has been around for an eternity and, even just before it comes to you, fell from the sky and flowed down a river over decaying leaves and twigs, receiving fish, bird, and coyote poop before it sank into the ground to be later pumped from a well and filtered, treated, stored before delivery to your home.

>>>>>>>>>>>>>>>

>>>>>>>>>>>>>>>>>> Monterey One Water has been operating the pilot plant for about a year and a half (I believe), and they test for everything the State requires them to remove. If fact, it is my understanding the water is tested for over 400 different things. While pesticides may be detected when coming into the system, everything I have heard is that

nothing is above levels set by the state and federal government once it goes through treatment.

>>>>

>>>> The plant will be monitored by the state Division of Drinking Water, and the State Water Board updates safe drinking water levels constantly as new projects are developed. Please remember, I will be drinking the water also. If I knew anything was wrong with it, I would most certainly object, but I do not see that.

>>>>

>>>> I long ago realized that I cannot convince someone of something if they do not want to be convinced, however, and realize that people are entitled to their own opinions – just not their own facts.

>>>>

>>>> Rudy Fischer

>>>> (831) 236-3431

>>>>

>>>>

>>>> -----Original Message-----

>>>>> From: John Moore

>>>>> Sent: Mar 19, 2019 9:28 AM

>>>>> To: "editor@cedarstreettimes.com"

>>>>> Cc: DDWrecycledwater@waterboards.ca.gov, "David J. Stoldt" , Paul Sciuto , paul@carmelpinecone.com, erica.burton@noaa.gov, erickson@stamplaw.us, Rudy Fischer , Royal Calkins , Ron Weitzman , russell mcglathlin , Randy.Barnard@waterboards.ca.gov, Arlene Tavani , Bob Jaques , Jim Johnson , Kelly Nix , Bill Peake

>>>>> Subject: Fwd: Rudy Fisher's guest editorial

>>>>>

>>>>> ----- Forwarded message -----

>>>>> From: John Moore

>>>>> Date: Tue, Mar 19, 2019 at 9:21 AM

>>>>> Subject: Rudy Fisher's guest editorial

>>>>> To: mheditor@montereyherald.com

>>>>>

>>>>>

>>>>> Rudy Fischer's guest editorial on March 19, omitted a critical detail

>>>>> about the Pure Water Monterey recycled wastewater project.

>>>>> He compared it to the Orange County Water District recycled municipal

>>>>> sewage project as if the two were similar. They are not. The local

>>>>> project will mix domestic sewage with highly contaminated Salinas

>>>>> basin agriculture wastewater, recycle and treat the mix, and sell it

>>>>> to Cal Am, which will sell it to us.

>>>>> Such a mix was permitted politically, without opposition. Never before

>>>>> in the history of man has it attempted to recycle contaminated

>>>>> agriculture wastewater(specifically referencing the attempted

>>>>> treatment of Blanco Drain and Reclamation Ditch, both 303d sites which

>>>>> is the most contaminated rating).

>>>>>

>>>>> The Orange project will not recycle Ag. wastewater and it is planning

>>>>> a huge desalination project(at about 1/3 the cost of the local

>>>>> desalination project).

>>>>>

>>>>> The health safety tests for the local project will only apply the

>>>>> health safety tests that apply for the recycling of human sewage. Why?

>>>>> Because there has not been any experience or research to draw on to

>>>>> devise tests for recycled agriculture wastewater which contains many

>>>>> of the most severe poisons created by man.

>>>>> The recycled water may pass the tests that apply to recycled sewage,

>>>>> but as to the dissolved agriculture dissolved particles that will get

>>>>> through the treatment, there are no tests. The recycling of

>>>>> agriculture wastewater should be eliminated from the project. Imagine

>>>>> the damage from a disease outbreak related to the recycled water.

>>>>

>>>> According to the non political authorities, industrial wastewater like
>>>> agriculture wastewater should not be recycled for potable uses. In
>>>> fact a new policy just adopted by the Dept. of Drinking Water (after
>>>> the permit for the local project) expressly excludes such wastewater
>>>> from eligibility for recycling for both potable and non-potable
>>>> purposes. It can't even be recycled for use on crops, parks etc .
>>>> In summary, the Pure Water Monterey project has a permit to do that
>>>> which is now prohibited by DDW regulations.(I have attached a copy of
>>>> the prohibition so that the Editor can verify my assertion about it).
>>>> John M. Moore 836 2d st. Pacific Grove, Ca. 93950 831-655-4540
>>>>

From: [John Moore](#)
To: [Royal Calkins](#); [Paul Sciuto](#); [Dave Stoldt](#); [Jim Johnson](#); [erica.burton@noaa.gov](#); [editor@cedarstreettimes.com](#); [DDWrecycledwater@waterboards.ca.gov](#); [Randy.Barnard@waterboards.ca.gov](#); [Ron Weitzman](#); [Joe Livernois](#); [Bob Jaques](#); [Jenny McAdams](#); [Tom Rowley](#); [Kelly Nix](#)
Subject: Re: [Voices of Monterey Bay] Comment: "The Partisan: Transparency, a bridge and the water wars"
Date: Thursday, March 21, 2019 1:00:55 PM
Attachments: [Scan_0227.pdf](#)

If you go to the EIR, you will find the testimony of Margaret Nellor, the Sewage Engineer that gave her opinion that the PWM project was similar to several other existing projects. She was the PWM safety expert (zero disease training) She omitted to tell the Central Coast Water Board (and the CPUC) and the public, that never ever before has there been a recycle of agriculture wastewater for potable purposes (or even non-potable). PWM has admitted that fact in an e-mail to Ron Weitzman who asked the question at my prodding. So it was not similar, but radical compared to any existing project
 BTW, You failed mention the Dept of Drinking Water Policy set forth in Scan 227, wherein the Dept of Drinking Water stated that agriculture and oil field wastewaters are not eligible for recycle for any use (potable or non potable).

So how did PWM get a permit. At the time of the inception of the project, the Dept of Drinking Water issued a permit to proceed with the EIR. But under the law, the final Permit was authorized by the five board members of the Central Coast Water Resources Board, all lay people compared to the health safety issue. Now, with the new policy (Scan 227) the Dept. of Drinking Water will not issue a permit to proceed for an agriculture recycle project. Call them and ask. No one has legally challenged the illegality of the PWM project, which is unfortunate. Needless to say the project is highly controversial in the recycle world. No other entity has dared to emulate the ag. recycle aspect of the project.

I am surprised that you would risk your reputation by backing such a novel project. You rely on Sciuto and Stoldt, both trained in engineering. Unfortunately for them, the failure to inform about the risk of the ag. recycle component will IMO cause them to lose their immunity.

Ask them why they refuse to hire an expert with health safety credentials concerning the health safety of recycled water. Not in a million years. John

On Thu, Mar 21, 2019 at 12:13 PM Royal Calkins <calkinsroyal@gmail.com> wrote:

>

> Show me where they lied.

>

>

>> On Mar 21, 2019, at 12:07 PM, john Moore <wordpress@voicesofmontereybay.org> wrote:

>>

>>> New comment on your post "The Partisan: Transparency, a bridge and the water wars"

>>> Author : john Moore (IP: 107.205.201.41 , 107-205-201-41.lightspeed.mtryca.sbcglobal.net)

>>> E-mail : jmoore052@gmail.com

>>> URL :

>>> Whois : <https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fwhois.arin.net%2frest%2fip%2f107.205.201.41&c=E.1.GIC-EmeSZY18s0oZ6hFN5HLnsEjG2Qjymm365UNrn6ZewN3qsFCb0Q167i3vJdsBCo6vRjDOUVIJ8mu6fH2Iq3OwSxbzSArBCYWo6oXPn4a-irwQAuM&typo=1>

>>> Comment:

>>> Royal: Thank you for addressing this topic. It is true that there are tests for health safety for the recycling of municipal sewage, but in the history of man, no agency has ever before attempted to recycle agriculture wastewater. The permit allows PWM to recycle Salinas valley agriculture wastewater (including Blanco Drain and Resurrection Ditch, 303d sites, the most poison of all toxic water), but the tests to be applied are the tests devised and based on the history and tests for municipal waste recycling projects like the Orange Water District (which processes municipal sewage for potable purposes, but has safety mechanisms to prevent agriculture and industrial wastewater from the process).

>>>

>>> How did the local project obtain a permit from the Central Coast Regional Water Board? It informed the five lay -directors on that board, that there was ample precedent for such a project (See PWM EIR). They mis-represented the same lie to the CPUC (see PWM EIR). And they have just misrepresented to you Royal, that there are other like projects in existence and that there are protective health safety tests for the recycled agriculture wastewater, There are None.

>>>

>>> Think about it. The history of recycled domestic sewage recycled water for potable purposes revealed the toxins that are a threat to the safety of the system, which allowed scientists to develop tests for the specific toxin and then take steps to eliminate the identified toxin from the water supply. There is no similar history for testing recycled agriculture wastewater. Ag. waste has toxic compounds from fertilizers, fungicides,

pesticides and plastics. To identify toxins in such recycled water requires an expensive bio-assay process which breaks up the cells in unidentified dissolved particles, injects the item into an animal and observes when a disease or poisoning occurs. This is done by the State water Board, but only on domestic sewer wastewater; agriculture waste is specifically eliminated from the test mix(See research at the Water Board on Direct Potable Recycle). There is no toxin identification process for our recycled agriculture wastewater. It is a one-off and the permit was obtained by defrauding the Central Coast Water Resources Board and the Ca. Public Utilities Commission. Since then the Dept of Drinking Water policy and interpretation of the law specifically bans the use of recycled agriculture and /or oilfield water from reuse for any purpose(This Dec. 2018 Rule should certainly prohibit any expansion of the current project, but it should also require the project to reject the recycling of agriculture wastewater)

>>

>> Royal, you were copied by me on a recent Dept of Drinking Water Policy rule. It specifies that Agriculture wastewater and oil wastewater are not eligible for a recycled use, not even for non-potable use. See Scan 227 to my recent e-mail.

>>

>> It is true that I am not a scientist, but as a licensed Stanford Law trained lawyer, I have hired, fired, examined hundreds of experts. I Know expertise, when I see it. There was and is not a single medically trained waste-water disease expert who has given the project a health safety ok. I have requested that PWM, the project entity obtain such an opinion, but it smartly refuses. I say smartly, because from my 300 plus hours of research about the health safety of the project, I know that there is not such a highly trained expert in the country that would endorse the safety of this project.

>>

>> If this project goes forward in its present use of AG wastewater, which I doubt, then the health safety of the project will be revealed by the human and animal diseases that arise. Of course those of you in Salinas, outside the Cal Am district will not be forced to buy this high risk mix. Again, than you for providing me this forum.

>>

>> You can see all comments on this post here:

>> https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fvoicesofmontereybay.org%2f2019%2f03%2f21%2fthe-partisan-transparency-a-bridge-and-the-water-wars%2f%23comments&c=E,1,j5nkDF9D03wRz8TaHdiRyV1_UfeAFf-tQh4I8wyMJrHIDhpf3faxR-VgexGheb2a_AOkv2_TBZ_BjY_19Q0p2wDYU7rv1Ww3e8pOvYDxtbYIhOc,&typo=1

>>

>> Permalink: https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fvoicesofmontereybay.org%2f2019%2f03%2f21%2fthe-partisan-transparency-a-bridge-and-the-water-wars%2f%23comment-2314&c=E,1,XY6lcDQmQ_GUR8ziLM94NLpcv1DXuk_dMW5Kzll4u6hC8GGIOY2o4XYN4ZBBPMkxvsq3ynqyVqK1jsweu7ISPtgV9s368zsV-dDjjkh4JdgulGhdOKeA2RFAMQ,,&typo=1

>>

>> Trash it: https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fvoicesofmontereybay.org%2fwp-admin%2fcomment.php%3faction%3dtrash%26c%3d2314&c=E,1,IOG9Aehvy2P6qKal1IFMm8hR0P-PgFdQ8_bvF89dEB0i87DOcU7cyd6_xlOceqUM7Gh_uF6YkwG5RFhYCI6i3O7_P3WeoulGvtLqtmivyfRA.&typo=1

>>

>> Spam it: https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fvoicesofmontereybay.org%2fwp-admin%2fcomment.php%3faction%3dspam%26c%3d2314&c=E,1,dKI9KM_2i8bvIIS520RmokUham6pfs2w0wPIIm03vwb9wtgso9-m97h9CfyEnf9HJOooh32lh2m8414L3kFqxjz5UfJN-H-DsoHVssR2Zmwl8QW_51_IYw6o,&typo=1

>>

>

From: [John Moore](mailto:John.Moore@cedarstreettimes.com)
To: editor@cedarstreettimes.com
Cc: DDWrecycledwater@waterboards.ca.gov; [Dave Stoldt](mailto:Dave.Stoldt@cedarstreettimes.com); [Paul Sciuto](mailto:Paul.Sciuto@cedarstreettimes.com); paul@carmelpinecone.com; erica.burton@noaa.gov; erickson@stamlaw.us; [Rudy Fischer](mailto:Rudy.Fischer@cedarstreettimes.com); [Royal Calkins](mailto:Royal.Calkins@cedarstreettimes.com); [Ron Weitzman](mailto:Ron.Weitzman@cedarstreettimes.com); [russell mcglathlin](mailto:russell.mcglathlin@cedarstreettimes.com); Randy.Barnard@waterboards.ca.gov; [Arlene Tavani](mailto:Arlene.Tavani@cedarstreettimes.com); [Bob Jaques](mailto:Bob.Jaques@cedarstreettimes.com); [Jim Johnson](mailto:Jim.Johnson@cedarstreettimes.com); [Kelly Nix](mailto:Kelly.Nix@cedarstreettimes.com); [Bill Peake](mailto:Bill.Peake@cedarstreettimes.com)
Subject: Fwd: Rudy Fisher's guest editorial
Date: Tuesday, March 19, 2019 9:28:56 AM
Attachments: [Scan_0227.pdf](#)

----- Forwarded message -----

From: John Moore <jmoore052@gmail.com>
 Date: Tue, Mar 19, 2019 at 9:21 AM
 Subject: Rudy Fisher's guest editorial
 To: mheditor@montereyherald.com <mheditor@montereyherald.com>

Rudy Fischer's guest editorial on March 19, omitted a critical detail about the Pure Water Monterey recycled wastewater project. He compared it to the Orange County Water District recycled municipal sewage project as if the two were similar. They are not. The local project will mix domestic sewage with highly contaminated Salinas basin agriculture wastewater, recycle and treat the mix, and sell it to Cal Am, which will sell it to us. Such a mix was permitted politically, without opposition. Never before in the history of man has it attempted to recycle contaminated agriculture wastewater (specifically referencing the attempted treatment of Blanco Drain and Reclamation Ditch, both 303d sites which is the most contaminated rating).

The Orange project will not recycle Ag. wastewater and it is planning a huge desalination project (at about 1/3 the cost of the local desalination project).

The health safety tests for the local project will only apply the health safety tests that apply for the recycling of human sewage. Why? Because there has not been any experience or research to draw on to devise tests for recycled agriculture wastewater which contains many of the most severe poisons created by man. The recycled water may pass the tests that apply to recycled sewage, but as to the dissolved agriculture dissolved particles that will get through the treatment, there are no tests. The recycling of agriculture wastewater should be eliminated from the project. Imagine the damage from a disease outbreak related to the recycled water.

According to the non political authorities, industrial wastewater like agriculture wastewater should not be recycled for potable uses. In fact a new policy just adopted by the Dept. of Drinking Water (after the permit for the local project) expressly excludes such wastewater from eligibility for recycling for both potable and non-potable purposes. It can't even be recycled for use on crops, parks etc. In summary, the Pure Water Monterey project has a permit to do that which is now prohibited by DDW regulations. (I have attached a copy of the prohibition so that the Editor can verify my assertion about it).
 John M. Moore 836 2d st. Pacific Grove, Ca. 93950 831-655-4540

Commentary by Doug Wilhelm and Michael Baer

On February 21st at the Monterey Peninsula Water Management District's monthly board meeting David Stoldt, the general manager, reported that the District's eminent domain (ED) consultant recommended that in order to make victory likely, the District would have to show early savings to the ratepayers in acquiring Cal Am. The Herald ran a lengthy feature article about the topic on March 2nd. We question this finding.

During the two years leading up to the November 2018 election, Public Water Now hosted numerous forums to educate the public around the complex circumstances surrounding our water supply issues. Several of the forums were presented by community leaders from places that had successfully acquired their water company from corporate for-profit utilities. Missoula, Montana, and Ojai, Felton, and Montara from California came to tell their stories. Missoula, Ojai and Felton each came back a second time. Missoula went through the entire legal process, whereas the California communities all reached satisfactory settlement agreements.

As presented at the forums, ED is a two-step process. Mr. Stoldt confirmed this explanation during the District's "listening tour" in January 2019. "Tennessee" Joe Connor is a corporate lawyer in ED cases who consults for Cal Am. He corroborates the same point.

Step One is convened before a judge and examines the necessity and public benefit for the take-over. During this phase, governance and water delivery competencies will be compared and analyzed; the advantages of public financing will be examined. The long list of anecdotal complaints about bill spikes, and the customer service nightmares provided by non-local representatives can be placed before the judge.

Phase One is very winnable if, and only if, the water district prepares a solid plan to run the water company. Note: Claremont lost its ED case in Phase One because of its cavalier approach to this last point which could be summarized as, "We are a City. We pick up garbage and we manage sewer. Don't worry, we can manage water too." The judge was not impressed. The case ended then and there. Claremont had to pay legal bills for the defendant as well as for itself.

We expect the District to be far more diligent than Claremont was in creating a competent water service plan. Given the excellence of staff at MPWMD, we anticipate a thorough and competent service plan presented to replace Cal Am.

If the judge finds in favor of the District on Phase One, then Phase Two will be by jury trial to determine the fair market value and sales price.

Consider this: The judge from Phase One will be looking at the value of the company as a range between the buyer's and seller's assertions about the company, for it is the jury in Phase Two that will determine the actual final price. If the District can demonstrate a reasonable valuation that won't raise costs to the ratepayers, then cost should not be a barrier to success in Phase One.

In Phase Two, Cal Am has a huge problem. It is called "discovery." Cal Am's accounting and maintenance is generally proprietary; the company is not required to reveal this information now, nor during the feasibility study, nor during Phase One of ED proceedings. They have no incentive to do so. Yet using discovery during Phase Two gives the District's lawyers the opportunity to substantially review Cal Am's books. They can examine any excess charges by Cal Am management, deferred maintenance records as well as the physical infrastructure of the pipes and the pumps.

Obviously, we would celebrate early savings in the buy-out as a boon for all ratepayers. The District can calculate the price at which those savings occur but determining the actual cost of acquisition will not be resolved until the very end of the process.

Cal Am is using a California regulation to justify charging Monterey District customers for water never delivered. Here it how it works. The California Code of Regulations Title 22 Section 64554 tries to guaranty that private water suppliers will always be able to meet their customers highest water volume requirements. It requires that water suppliers meet a Maximum Daily Demand (MDD), and a Peak Hourly Demand (PHD). These two requirements are based on the maximum amount of water delivered on the highest use day in the previous 10 years, and peak hourly demand on that day. That MDD quantity is multiplied by 1.5 to set the PHD requirement. This then establishes the annual amount of water Cal Am should be able to provide. (PHD X 8,760 hrs./yr.)

The MDD computation allows Cal Am to take advantage of those days when excessive water is used by the 50,000 special event visitors on the peninsula, increasing water consumption by 35% - 50% on that MDD day. It also ignores the fact that consumption in the Monterey Water District has been reduced by 30% for the past 5 years. The total annual water consumption on the peninsula is now less than 10,000 acre feet per year. The Title 22 calculations explain how Cal Am is able to set a 14 thousand acre foot annual water production requirement.

The major impact on Cal Am customers occurs when Cal Am is unable to reach the Title 22 set production requirement. Cal Am then requests a WRAM adjustment from the CPUC. There are presently 2 WRAM surcharges being collected from Cal Am customers totaling more than \$50 million for water never produced, stored or delivered by Cal Am. It also ignores the effect of the steeply tiered residential water price structure that charges the highest water users 11 times more for their water. It is common to hear of residential customers paying thousands of dollars per month for Cal Am water.

Chuck_Cech@hotmail.com

DOUG WILHELM, PUBLIC WATER NOW

THE WORST THING THAT CAN HAPPEN TO LOCAL WATER USERS IS THAT RATES COULD DOUBLE OR TRIPLE AS A RESULT OF AN UNNECESSARY DESAL PLANT. THE WORST THING THAT COULD HAPPEN TO THE WATER DISTRICT IS A MOTHBALLED DESAL PLANT. THAT'S WHAT HAPPENED IN SANTA BARBARA, AUSTRALIA AND ELSEWHERE. IT MAKES NO MATTER TO CAL AM, AS THE MORE CAPITAL THEY SPEND THE MORE PROFIT THEY MAKE; AND IF (WHEN) THEY ARE FORCED TO SELL UNDER IMMEDIATE DOMAIN YOU CAN BET THE PRICE WILL BE IN THE SELLING PRICE.

THE MOST RECENT CAL AM WATER USAGE ESTIMATE PREPARED IN 2012 IS CLEARLY OUTDATED. THE DISTRICT NEEDS TO UNDERTAKE ITS OWN ESTIMATE.

WHAT MAKES IT OUTDATED?

- RESIDENTIAL USAGE IS DOWN FROM THE BASE PERIOD UNLIKE CAL AM'S PROJECTION.
- LOTS OF RECORD WILL USE LESS WATER DUE TO STATEWIDE REDUCTIONS OF WATER USAGE.
- THE TOURIST BOUNCE BACK HAS EITHER OCCURRED OR IT WILL NOT OCCUR.
- PEBBLE BEACH WILL NEED LESS NEW WATER DUE TO THEIR CHANGES.
- FINALLY, AS MY UNDERGRADUATE DEGREE IS IN ECONOMICS, I WOULD BE REMISS IF I DIDN'T POINT OUT THAT WATER CONSUMPTION WILL DECLINE WITH HIGHER PRICES. IT'S FUNDAMENTAL, AS MY PROFESSOR SAID "AS PRICES OF ANYTHING GO UP, VOLUME GOES DOWN, EXCEPT PERHAPS FOR DIAMONDS". UNFORTUNATELY CAL AM HAS NOT CONSIDERED THIS IN THEIR VOLUME ANALYSIS, NOR DO THEY HAVE ANY EXPERIENCE WITH THIS LARGE AN INCREASE.

From: [MWChrislock](#)
To: [Arlene Tavani](#)
Subject: NEW for tonight
Date: Monday, March 18, 2019 12:50:43 PM
Importance: High

Arlene,

Would you distribute this copy instead. I was asked for more numbers.

Melodie

March 18, 2019

MPWMD Chair, Directors and Staff:

How much water does the Peninsula actually need? The public is confused on this issue. Cal Am claims we need 14,000 AFY, but what's the truth?

Public Water Now would like to see a public discussion of the District's demand numbers. While the Board may be familiar with these numbers, the public is not.

It's truly baffling to hear that we need 4000 AFY beyond the 10,000 AFY we use currently, but this is what Cal Am and their supporters tell us again and again.

According to the District's demand numbers, the Peninsula only used a total of 126 AF for all new development in the 10 years before 2006. That demand was before the moratorium and before the recession. Are we to believe that this number has escalated significantly? If so, we would like to understand why?

Cal Am's claim that we need 14,000 AFY is not supported by history or current demand. But this claim is both the justification for Cal Am's desal plant and the basis of claiming the PWM expansion cannot meet the Peninsula's needs.

These are the District's production numbers, 3,500 AF Carmel River, 1,300 AF ASR, 774 AF Seaside Basin, 190 AF Sand City Desal, 3,500 AF Pure Water Monterey, making a total of 9,264 AF. Adding 2,250 AF from the PWM expansion would give us approximately 11,500 AF, leaving 1,500 AF for growth. How many decades of growth would the District expect 1,500 AF to support?

Would Chair Evans please consider scheduling a discussion on this issue at the April Board meeting? We would appreciate your leadership on this. Our community needs the facts.

Melodie Chrislock
Managing Director Public Water Now
mwchrislock@redshift.com <mwchrislock@redshift.com>

On 3/18/19, 11:20 AM, "MWChrislock" <mwchrislock@redshift.com> wrote:

Thanks Arlene,

Melodie

On 3/18/19, 10:22 AM, "Arlene Tavani" <Arlene@mpwmd.net> wrote:

Melodie: Thank you for the communication. Copies will be provided to the Board at the meeting this evening.

Arlene Tavani
Executive Assistant
Monterey Peninsula Water
Management District
Phone: 831-658-5652

From: John Moore
To: DDWrecycledwater@waterboards.ca.gov; Randy.Barnard@waterboards.ca.gov; Bob.Jaques@waterboards.ca.gov; russell_moglothlin@waterboards.ca.gov; Ariene.Tavani@waterboards.ca.gov; Catherine.Stedman@amwater.com; Royal.Calkins@waterboards.ca.gov; Jan.Sweigert@waterboards.ca.gov; Jim.Johnson@waterboards.ca.gov; john.moore@cedarstreettimes.com; paul@carmelpinecone.com; Ron.Weltzman@waterboards.ca.gov; Paul.Sciuto@waterboards.ca.gov; Dave.Stoldt@waterboards.ca.gov; Kelly.Nix@waterboards.ca.gov; Dan.Davis@waterboards.ca.gov; mheditor@montereyherald.com; Mary.Duan@waterboards.ca.gov; Lisa.Bennett@waterboards.ca.gov; Greg.Northcraft@waterboards.ca.gov; Luke.Coletti@waterboards.ca.gov; Larry.Landwatch@mdw.org; Erica.Burton@noaa.gov; erickson@stampolaw.us; Rudy.Fischer@stampolaw.us; anettadiol@hotmail.com; Anthony.Lombardo@waterboards.ca.gov - LS Resort & Pasadera Country Club; Georgia.Booth@waterboards.ca.gov; Dan.Miller@waterboards.ca.gov; Carmelita.Garcia@waterboards.ca.gov; George.Riley@waterboards.ca.gov; Jane.Halnes@waterboards.ca.gov; info@icbarchitects.com; Israel.Zubieta@waterboards.ca.gov; Jenny.McAdams@waterboards.ca.gov; Prescott.J.Kendall@waterboards.ca.gov; nkane@envirolaw.org; Nicholas.Smith@waterboards.ca.gov; Bruce.Obbink@waterboards.ca.gov; Bill.Peake@waterboards.ca.gov; ramburke@yahoo.com; sjuilmeler@aol.com; Vince.Tuminello@waterboards.ca.gov; Saouls.Violette@waterboards.ca.gov; Walt.Classen@waterboards.ca.gov; fran@waterboards.ca.gov
Subject: Re: Recycling Contaminated Agriculture Wastewater is Illegal
Date: Monday, March 18, 2019 1:43:43 PM
Attachments: [Scan_0227.pdf](#)

Just to clarify. A fair interpretation of the DDW "Recycled Water Policy"(0227 attached) is that the Pure Water Monterey project water did not even qualify and cannot qualify, to be recycled for any legal purpose, let alone potable purposes. The agriculture wastewater run off(and worse) cannot be recycled for industrial uses, irrigation of any kind(certainly not for crops, not for watering parks, not even car wash use. "These types of reuses are NOT covered by the Recycled Water Policy. " Any questions?

https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=webmail&utm_term=icon

Virus-free. www.avast.com

https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=webmail&utm_term=link

<#DAB4FAD8-2DD7-40BB-A1B8-4E2AA1F9FDF2>

On Sat, Mar 16, 2019 at 9:54 AM John Moore <jmoore052@gmail.com> wrote:

- >
- > Mr. Barnard: I apologize for the additions, but I believe they are important.
- > Scan 0227 is a copy of the DDW Staff Report-Recycled Water Policy
- > Amendment 12/11/2018. First, the staff report cites Wat. Code sec.
- > 13050(n) as the statutory basis for the Recycled Water Policy. It went
- > on to say:
- > "Many different sources of water are used in California, such as
- > graywater, oilfield produced water, AGRICULTURE RETURN Water, treated
- > wastewater from non-domestic sources, and de facto or indirect reuse
- > of treated wastewater; however, these types of water reuse are NOT
- > covered by the Recycled Water Policy."
- >
- > The PWM project prominently declares that "Agriculture Return Water"
- > is a primary source for the project, specifically identifying Blanco
- > Drain and Reclamation Ditch two 303d sites that are among the most
- > highly contaminated agriculture waste sites in the world.
- >
- > I am not a scientist, but as a highly trained lawyer, I dealt in the
- > world of science experts. I can identify science based projects as
- > opposed to ego-driven projects like PWM. I have repeatedly requested
- > that PWM obtain an opinion from medically trained experts schooled in
- > the science of recycled wastewater diseases. No such expert was hired
- > to give an opinion in the permit process, only engineers like you. The
- > engineers position and that of PWM is that it obtained a permit, so it
- > must be safe. None of the permit process engineers ever claimed that
- > the PWM project was health-safe, even you. And of course there is not

> even a research project inquiring into the health safety of recycling
> highly contaminated agriculture wastewater.

>

> Please do not tell me that I am too uninformed to understand. The
> recycling of agriculture wastewater is illegal. Remove the agriculture
> wastewater from the project. John M. Moore

>

>

>

>

> On Fri, Mar 15, 2019 at 3:14 PM John Moore <jmoore052@gmail.com> wrote:

>>

>> Mr. Barnard:

>> I can understand how two months in the Seaside Basin might help PWM
>> discover contaminants, if the injected water was recycled domestic
>> wastewater; but there are no tests for toxins et al that would be
>> derived from recycled agriculture wastewater. So the two months in the
>> basin is a sick joke for the PWM mix. JMM

>>

>> On Fri, Mar 15, 2019 at 2:22 PM John Moore <jmoore052@gmail.com> wrote:

>>>

>>> DDW: Please forward a copy of this to your current Director and
>>> Executive Director, and also to E.Joaquin Esquivel(Chair of State
>>> Water resources Bd.)

>>>

>>> Attn. Randy Barndard, Wastewater Engineer:

>>> Mr. Barndard: I have written you several times about the illegality of
>>> the Pure Water Monterey recycled wastewater project. This is a brief
>>> update proving beyond all doubt that your permit for the project is in
>>> violation of the law and of your own doctrines.

>>>

>>> See Scan221, a copy of a document from the recent "Expert Panel
>>> Feasibility Report" that defines an "Indirect potable reuse" as
>>> follows: "Treated wastewater is introduced into an ENVIRONMENTAL
>>> BUFFER before the blended water is introduced into a water supply
>>> system(i.e. a groundwater system). The PWM project injects the treated
>>> water directly into the Seaside Basin, NOT before it has endured an
>>> environmental buffer, but DIRECTLY, and then tries to represent that
>>> the basin is a buffer.

>>>

>>> See scan 222, it is a copy of section 5.1.2 of the feasibility report.
>>> it defines IPR in Ca.: "IPR is the planned augmentation of surface or
>>> groundwater supply with treated municipal wastewater. The last line of
>>> the page says "Engineered treatment, and the accompanying monitoring
>>> and controls, must be sufficient to consistently make safe drinking
>>> water out of municipal wastewater." Studies and reports at the state
>>> Dept. of Water Resources, and at DWW are devoid of any literature
>>> about recycling contaminated agriculture wastewater for potable
>>> purposes(In the case of PWM, two 303d sites, Reclamation Ditch and
>>> Blanco Drain). There are numerous other reports and studies related
>>> to IPR and DPR that make it clear that the contributors are only
>>> discussing the treatment of "Municipal Wastewater." Please prove me
>>> wrong: show us actual scientific inquiry into the feasibility of
>>> recycling contaminated agriculture wastewater for potable
>>> purposes(good luck!)

>>>

>>> Scan 226 is the face page and pp1 and 2 of the State Water Resources

>>> Control Board "Report to the Legislature December 2016." At the bottom
>>> of page 2 and the top of page 3, it said: "Recycled water is obtained
>>> from municipal wastewater (sewage) treatment plants and is treated
>>> prior to reuse." There is not a word in the report about even the
>>> "idea" of recycling contaminated agriculture wastewater for potable
>>> purposes. In fact, all of the studies by experts on file with the
>>> State Water Resources Control Board expressly state that commercial
>>> and industrial waste must be kept out of the treated source waters and
>>> the opinions of the experts condition there opinions upon the
>>> assumption that they are discussing only the recycling (whether IPRor
>>> DPR) of municipal wastewater.
>>>
>>> Mr. Barnard, it is time for you to man-up: Pull the trigger and expose
>>> how you were pressured into issuing a construction permit for the PWM
>>> project. John M. Moore

referring to sections within the Staff Report with SED. References to sections of the Amendment or Policy will reference "section ... of the Amendment" or, "section ... of the Policy."

2 Background

This section provides background information on current recycled water production and use in California, regulations related to water recycling, and the environmental setting where water recycling occurs.

2.1 Summary of Current Recycled Water Production and Use in California

The use of recycled water in California is part of an integrated water management approach that includes water conservation, capture and use of stormwater, aquifer storage and recovery, and other strategies to achieve a sustainable and reliable long-term water supply.

Recycled water is defined in the Water Code as "water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur and is therefore considered a valuable resource." (Wat. Code § 13050(n)). The Recycled Water Policy specifically applies to recycled water from wastewater sources that meets the Water Code definition. Many different sources of water are reused in California, such as graywater, oilfield produced water, a culture return water, treated wastewater from non-domestic sources, and *de facto* or indirect reuse of treated wastewater; however, these types of water reuse are not covered by the Recycled Water Policy.

The Recycled Water Policy applies to the following non-potable and potable recycled water uses, which are defined as follows:

Non-potable recycled water is wastewater which, as a result of treatment, is suitable for uses other than potable use.

Indirect potable reuse for groundwater recharge is the planned use of recycled water for replenishment of a groundwater basin or an aquifer that has been designated as a source of water supply for a public water system, as defined in section 116275 of the Health and Safety Code (Wat. Code § 13561(c)). In 2014, the California Department of Public Health (now the State Water Board Division of Drinking Water) adopted requirements for groundwater replenishment using recycled water pursuant to Water Code section 13562.5. These requirements are enumerated in California Code of Regulations, title 22, division 4, chapter 3.

Reservoir water augmentation, also known as surface water augmentation, is the planned placement of recycled water into a raw surface water reservoir used as a source of domestic drinking water supply for a public water system or into a constructed system conveying water to such a reservoir. Assembly Bill 574, signed into law in 2017, amended Water Code section 13561 to change the term "surface water augmentation" to "reservoir water augmentation." Concurrently and in accordance with Water Code section 13562, the State Water Board adopted uniform water recycling criteria for surface water augmentation on March 6, 2018. The regulations became effective October 1, 2018. Several recycled water projects are in development to use recycled water for reservoir water augmentation once the regulations are in effect.

From: [John Moore](mailto:John.Moore@waterboards.ca.gov)
To: DDWrecycledwater@waterboards.ca.gov; [Randy Barnard@waterboards.ca.gov](mailto:Randy.Barnard@waterboards.ca.gov); [Bob Jaques](mailto:Bob.Jagues@waterboards.ca.gov); [russell mcglathlin](mailto:russell.mcglathlin@waterboards.ca.gov); [Arlene Tavani](mailto:Arlene.Tavani@waterboards.ca.gov); [Catherine Stedman@amwater.com](mailto:Catherine.Stedman@amwater.com); [Royal Calkins](mailto:Royal.Calkins@waterboards.ca.gov); [Jan Sweigert@waterboards.ca.gov](mailto:Jan.Sweigert@waterboards.ca.gov); [Jim Johnson](mailto:Jim.Johnson@waterboards.ca.gov); [john.moore: editor@cedarstreettimes.com](mailto:john.moore@cedarstreettimes.com); paul@carmelpinecone.com; [Ron Weitzman](mailto:Ron.Weitzman@waterboards.ca.gov)
Subject: Re: Recycling Contaminated Agriculture Wastewater is Illegal
Date: Saturday, March 16, 2019 9:54:41 AM
Attachments: [Scan_0227.pdf](#)

Mr. Barnard: I apologize for the additions, but I believe they are important. Scan 0227 is a copy of the DDW Staff Report-Recycled Water Policy Amendment 12/11/2018. First, the staff report cites Wat. Code sec. 13050(n) as the statutory basis for the Recycled Water Policy. It went on to say:

"Many different sources of water are used in California, such as graywater, oilfield produced water, AGRICULTURE RETURN Water, treated wastewater from non-domestic sources, and de facto or indirect reuse of treated wastewater; however, these types of water reuse are NOT covered by the Recycled Water Policy."

The PWM project prominently declares that "Agriculture Return Water" is a primary source for the project, specifically identifying Blanco Drain and Reclamation Ditch two 303d sites that are among the most highly contaminated agriculture waste sites in the world.

I am not a scientist, but as a highly trained lawyer, I dealt in the world of science experts. I can identify science based projects as opposed to ego-driven projects like PWM. I have repeatedly requested that PWM obtain an opinion from medically trained experts schooled in the science of recycled wastewater diseases. No such expert was hired to give an opinion in the permit process, only engineers like you. The engineers position and that of PWM is that it obtained a permit, so it must be safe. None of the permit process engineers ever claimed that the PWM project was health-safe, even you. And of course there is not even a research project inquiring into the health safety of recycling highly contaminated agriculture wastewater.

Please do not tell me that I am too uninformed to understand. The recycling of agriculture wastewater is illegal. Remove the agriculture wastewater from the project. John M. Moore

On Fri, Mar 15, 2019 at 3:14 PM John Moore <jmoore052@gmail.com> wrote:

>

> Mr. Barnard:

> I can understand how two months in the Seaside Basin might help PWM
 > discover contaminants, if the injected water was recycled domestic
 > wastewater; but there are no tests for toxins et al that would be
 > derived from recycled agriculture wastewater. So the two months in the
 > basin is a sick joke for the PWM mix. JMM

>

> On Fri, Mar 15, 2019 at 2:22 PM John Moore <jmoore052@gmail.com> wrote:

>>

>> DDW: Please forward a copy of this to your current Director and
 >> Executive Director, and also to E.Joaquin Esquivel(Chair of State

>> Water resources Bd.)
>>
>> Attn. Randy Barnard, Wastewater Engineer:
>> Mr. Barnard: I have written you several times about the illegality of
>> the Pure Water Monterey recycled wastewater project. This is a brief
>> update proving beyond all doubt that your permit for the project is in
>> violation of the law and of your own doctrines.
>>
>> Sec Scan221, a copy of a document from the recent "Expert Panel
>> Feasibility Report" that defines an "Indirect potable reuse" as
>> follows: "Treated wastewater is introduced into an ENVIRONMENTAL
>> BUFFER before the blended water is introduced into a water supply
>> system(i.e. a groundwater system). The PWM project injects the treated
>> water directly into the Seaside Basin, NOT before it has endured an
>> environmental buffer, but DIRECTLY, and then tries to represent that
>> the basin is a buffer.
>>
>> See scan 222, it is a copy of section 5.1.2 of the feasibility report.
>> it defines IPR in Ca.: "IPR is the planned augmentation of surface or
>> groundwater supply with treated municipal wastewater. The last line of
>> the page says "Engineered treatment, and the accompanying monitoring
>> and controls, must be sufficient to consistently make safe drinking
>> water out of municipal wastewater." Studies and reports at the state
>> Dept. of Water Resources, and at DWW are devoid of any literature
>> about recycling contaminated agriculture wastewater for potable
>> purposes(In the case of PWM, two 303d sites, Reclamation Ditch and
>> Blanco Drain). There are numerous other reports and studies related
>> to IPR and DPR that make it clear that the contributors are only
>> discussing the treatment of "Municipal Wastewater." Please prove me
>> wrong: show us actual scientific inquiry into the feasibility of
>> recycling contaminated agriculture wastewater for potable
>> purposes(good luck!)
>>
>> Scan 226 is the face page and pp1 and 2 of the State Water Resources
>> Control Board "Report to the Legislature December 2016." At the bottom
>> of page 2 and the top of page 3, it said: "Recycled water is obtained
>> from municipal wastewater (sewage) treatment plants and is treated
>> prior to reuse." There is not a word in the report about even the
>> "idea" of recycling contaminated agriculture wastewater for potable
>> purposes. In fact, all of the studies by experts on file with the
>> State Water Resources Control Board expressly state that commercial
>> and industrial waste must be kept out of the treated source waters and
>> the opinions of the experts condition there opinions upon the
>> assumption that they are discussing only the recycling (whether IPR or
>> DPR) of municipal wastewater.
>>
>> Mr. Barnard, it is time for you to man-up: Pull the trigger and expose
>> how you were pressured into issuing a construction permit for the PWM
>> project. John M. Moore

referring to sections within the Staff Report with SED. References to sections of the Amendment or Policy will reference "section ... of the Amendment" or, "section ... of the Policy."

2 Background

This section provides background information on current recycled water production and use in California, regulations related to water recycling, and the environmental setting where water recycling occurs.

2.1 Summary of Current Recycled Water Production and Use in California

The use of recycled water in California is part of an integrated water management approach that includes water conservation, capture and use of stormwater, aquifer storage and recovery, and other strategies to achieve a sustainable and reliable long-term water supply.

Recycled water is defined in the Water Code as "water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur and is therefore considered a valuable resource." (Wat. Code § 13050(n)). The Recycled Water Policy specifically applies to recycled water from wastewater sources that meets the Water Code definition. Many different sources of water are reused in California, such as graywater, oilfield produced water, agriculture return water, treated wastewater from non-domestic sources, and *de facto* or indirect reuse of treated wastewater; however, these types of water reuse are not covered by the Recycled Water Policy.

The Recycled Water Policy applies to the following non-potable and potable recycled water uses, which are defined as follows:

Non-potable recycled water is wastewater which, as a result of treatment, is suitable for uses other than potable use.

Indirect potable reuse for groundwater recharge is the planned use of recycled water for replenishment of a groundwater basin or an aquifer that has been designated as a source of water supply for a public water system, as defined in section 116275 of the Health and Safety Code (Wat. Code § 13561(c)). In 2014, the California Department of Public Health (now the State Water Board Division of Drinking Water) adopted requirements for groundwater replenishment using recycled water pursuant to Water Code section 13562.5. These requirements are enumerated in California Code of Regulations, title 22, division 4, chapter 3.

Reservoir water augmentation, also known as surface water augmentation, is the planned placement of recycled water into a raw surface water reservoir used as a source of domestic drinking water supply for a public water system or into a constructed system conveying water to such a reservoir. Assembly Bill 574, signed into law in 2017, amended Water Code section 13561 to change the term "surface water augmentation" to "reservoir water augmentation." Concurrently and in accordance with Water Code section 13562, the State Water Board adopted uniform water recycling criteria for surface water augmentation on March 6, 2018. The regulations became effective October 1, 2018. Several recycled water projects are in development to use recycled water for reservoir water augmentation once the regulations are in effect.

Arlene Tavani

From: John Moore <jmoore052@gmail.com>
Sent: Friday, March 15, 2019 9:26 AM
To: Tom Rowley
Cc: Rick Heuer; Kevin DAYTON; dbellem@att.net; Richard Donnegan; Richard RUCCELLO; Paul BRUNO; Norman GROOT; GoBears1960@gmail.com; Bob McKENZIE; Joy Anderson; Christine KEMP; Douglas Roberts AIA
Subject: Re: Fw: MPWMD Board Meeting - March 18, 2019
4 yr: -1

Thanks:

Recycling contaminated agriculture wastewater has never before been attempted anywhere in the world. There are tons of studies about direct potable reuse, but those studies relate only to the treatment of municipal wastewaters to the exclusion of industrial waste.

There are health related tests for toxins in recycled human waste projects. There are no additional tests for the poison agriculture wastewater. So it is a crap shoot. Without precedent, no one (Randy Barnhardt) could know and w/o tests toxins that get through will be free to infect us. John M. Moore

 Virus-free. www.avast.com

On Thu, Mar 14, 2019 at 4:29 PM Tom Rowley <tomr2004@hotmail.com> wrote:

To: MPTA Directors -- Here attached below is the Agenda and packet of staff reports for next Monday's MPWMD meeting.

I note that many of the items listed in correspondence received do not include an indication of whether answers or responses to the originators of the letters will ever be forthcoming????

NOTE: I watched the re-broadcast of the Feb 21st WMD meeting on the AMP TV channel -- including the report given by M1W GM Paul Sciuto to update the status of the Pure Water Mtry project (GWR project). No mention or response to the letters of concern raised by John Moore were included in his presentation -- especially of interest were the questions about additional testing of injection water from the PWM project to detect possible concentrations of dangerous chemicals and contaminants.

"Aloha" V-P Tom

From: Sara Reyes <Sara@mpwmd.net>

Sent: Thursday, March 14, 2019 2:17 PM

Cc: alison4dro@gmail.com; alnan356@verizon.net; amacbell@redshift.com; ancr@me.com; anheterosa@hotmail.com; arapa5@comcast.net; Arleen.hardenstein@sothebyshornes.com; bdmoore100@aol.com; billbuffalo@me.com; bjevansflamenca@sbcglobal.net; brian@brianleneve.com; burkedkj@aol.com; burlybob4@gmail.com; chardy824@gmail.com; communityenthusiastwes@gmail.com; daniels.kate@gmail.com; daroldandjudy@gmail.com; dave.cook@crumilitary.org; daverxmanatt.net@gmail.com; David Armanasco; dchardavoyne@ymail.com; ddl2012mry@gmail.com; dean@shanklerealestate.com; deannarossi2002@yahoo.com; dennisallion@sbcglobal.net; dhepburn@sbcglobal.net; dmurphy32@icloud.com; egoldencvalley@gmail.com; erik@mcweekly.com; fran.foote@gmail.com; gelffmack@gmail.com; gravityfive@gmail.com; hanshaselbach@comcast.net; hestrud59@gmail.com; holly1@gmail.com; ilwd50@gmail.com; jablondeau@msn.com; janehaines80@gmail.com;

yannasch@mac.com; jayrbartow@gmail.com; jeff.davi@mphtre.com; jettssystem@sbcglobal.net;
jgaglioti@delreyoaks.org; jhparise@aol.com; jim_bober@yahoo.com; jlehman@redshift.com; jmpamy@hotmail.com;
jmurphy992@yahoo.com; jntdahle@yahoo.com; jody@montereychamber.com; john.tilley@pinnacle.bank;
joseph.lucido@sbcglobal.net; jotojp@gmail.com; jswendse@sah.com; jzs@caltech.edu; kathy.gombas@verizon.net;
 Kim Adamson; kingjek@att.net; korper@sbcglobal.net; krislindstrom@gmail.com; lawsam1951@hotmail.com;
letendre@sbcglobal.net; lisa.ciani@gmail.com; lisa@carmelrealtycompany.com; ljhans@hotmail.com;
lonimccallum@gmail.com; lparrish@toast.net; marlimelton@gmail.com; maryann@sandcityca.org;
michaelfitzsimmons@gmail.com; michaelipson@yahoo.com; mjelpiero@aol.com; mlwaxer@sbcglobal.net;
mmbonetti@att.net; mnxb831@gmail.com; mwchrislock@redshift.com; myrfisher@comcast.net;
nancysoule@yahoo.com; nickie117@sbcglobal.net; pbbmtry@aol.com; penn.shorks@yahoo.com;
pjlmph65@gmail.com; proverbs3-56@sbcglobal.net; rachelmcurry@gmail.com; rdelafuente@csumb.edu;
rene.boskoff@marriott.com; rick@hmamarketing.com; ritax95@yahoo.com; rlsgman@aol.com;
ronweitzman@redshift.com; rudyfischer@earthlink.net; s.schiavone@sbcglobal.net; seacarmel@att.net;
self48@icloud.com; shirmaine@shirmainejones.com; shivani108@comcast.net; ssemschatz@aol.com;
stansmith1@sbcglobal.net; Suzanne.worcester@gmail.com; tom@rivelli.com; tomr2004@hotmail.com;
vpearse@gmail.com; wbdpad@sbcglobal.net; wiskoff@aol.com; wsabo@att.net; wshood37@gmail.com

Subject: MPWMD Board Meeting - March 18, 2019

The next regular meeting of the MPWMD Board is scheduled for Monday, March 18, 2019 at 7 pm in the District conference room. The agenda and staff reports are available for review at <https://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/>. Please contact me if you wish to be removed from this distribution list.

Sara Reyes

Senior Office Specialist

Tel. 831-658-5610



Virus-free. www.avast.com

From: [John Moore](mailto:John.Moore@waterboards.ca.gov)
To: DDWrecycledwater@waterboards.ca.gov; [Randy Barnard@waterboards.ca.gov](mailto:Randy.Barnard@waterboards.ca.gov); [Bob Jaques](mailto:Bob.Jaqués@waterboards.ca.gov); [russell mcoothlin](mailto:russell.mcoothlin@waterboards.ca.gov); [Arlene Tavani](mailto:Arlene.Tavani@amwater.com); [Catherine Stedman@amwater.com](mailto:Catherine.Stedman@amwater.com); [Royal Calkins](mailto:Royal.Calkins@waterboards.ca.gov); [Jan Sweigert@waterboards.ca.gov](mailto:Jan.Sweigert@waterboards.ca.gov); [Jim Johnson](mailto:Jim.Johnson@cedarstreettimes.com); [john.moore](mailto:john.moore@cedarstreettimes.com); editor@cedarstreettimes.com; paul@carmeloinecone.com; [Ron Weltzman](mailto:Ron.Weltzman@waterboards.ca.gov)
Subject: Recycling Contaminated Agriculture Wastewater is Illegal
Date: Friday, March 15, 2019 2:23:11 PM
Attachments: [Scan_0221.pdf](#)
[Scan_0223.pdf](#)
[Scan_0226.pdf](#)

DDW: Please forward a copy of this to your current Director and Executive Director, and also to E.Joaquin Esquivel(Chair of State Water resources Bd.)

Attn. Randy Barnard, Wastewater Engineer:

Mr. Barnard: I have written you several times about the illegality of the Pure Water Monterey recycled wastewater project. This is a brief update proving beyond all doubt that your permit for the project is in violation of the law and of your own doctrines.

See Scan221, a copy of a document from the recent "Expert Panel Feasibility Report" that defines an "Indirect potable reuse" as follows: "Treated wastewater is introduced into an ENVIRONMENTAL BUFFER before the blended water is introduced into a water supply system(i.e. a groundwater system). The PWM project injects the treated water directly into the Seaside Basin, NOT before it has endured an environmental buffer, but DIRECTLY, and then tries to represent that the basin is a buffer.

See scan 222, it is a copy of section 5.1.2 of the feasibility report. it defines IPR in Ca.: "IPR is the planned augmentation of surface or groundwater supply with treated municipal wastewater. The last line of the page says "Engineered treatment, and the accompanying monitoring and controls, must be sufficient to consistently make safe drinking water out of municipal wastewater." Studies and reports at the state Dept. of Water Resources, and at DWW are devoid of any literature about recycling contaminated agriculture wastewater for potable purposes(In the case of PWM, two 303d sites, Reclamation Ditch and Blanco Drain). There are numerous other reports and studies related to IPR and DPR that make it clear that the contributors are only discussing the treatment of "Municipal Wastewater." Please prove me wrong: show us actual scientific inquiry into the feasibility of recycling contaminated agriculture wastewater for potable purposes(good luck!)

Scan 226 is the face page and pp1 and 2 Of the State Water Resources Control Board "Report to the Legislature December 2016." At the bottom of page 2 and the top of page 3, it said: "Recycled water is obtained from municipal wastewater (sewage) treatment plants and is treated prior to reuse." There is not a word in the report about even the "idea" of recycling contaminated agriculture wastewater for potable purposes. In fact, all of the studies by experts on file with the State Water Resources Control Board expressly state that commercial and industrial waste must be kept out of the treated source waters and the opinions of the experts condition there opinions upon the assumption that they are discussing only the recycling (whether IPR or

DPR) of municipal wastewater.

Mr. Barnard, it is time for you to man-up: Pull the trigger and expose how you were pressured into issuing a construction permit for the PWM project. John M. Moore

INVESTIGATION ON THE FEASIBILITY OF
DEVELOPING UNIFORM WATER RECYCLING CRITERIA
FOR DIRECT POTABLE REUSE

STATE WATER RESOURCES CONTROL BOARD

Report to the Legislature
December 2016

In Compliance with Water Code Section 13563



STATE OF CALIFORNIA
Edmund G. Brown, Jr., Governor

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
Matthew Rodriguez, Secretary

STATE WATER RESOURCES CONTROL BOARD
P.O. Box 100 Sacramento, CA 95812
Homepage: <http://www.waterboards.ca.gov>

Feasibility of Developing Uniform Water Recycling Criteria for DPR

- (5) Monitoring needed to ensure protection of public health, including, but not limited to, the identification of appropriate indicator and surrogate constituents;
- (6) Any other scientific or technical issues that may be necessary, including, but not limited to, the need for additional research.

1.2. Regulation of Recycled Water for Potable Reuse

The regulation of recycled water for potable reuse is the responsibility of the State, since there are no federal regulations for water recycling or recycled water reuse. The Porter-Cologne Water Quality Control Act, Division 7 of the California Water Code provides that CDPH shall establish uniform criteria for each varying type of use of recycled water where the use involves the protection of public health. The Drinking Water Program (DWP) within CDPH carried out the responsibility of developing uniform criteria for the use of recycled water, and continues that authority as the Division of Drinking Water (DDW) within the State Water Board when the DWP was transferred to the State Water Board on July 1, 2014.

The Regional Water Quality Control Boards (RWQCBs) are responsible for the protection of the quality of ambient surface water and groundwater (i.e., lakes, rivers, and groundwater basins) up to the point where the water enters a drinking water well or surface water intake. DDW and the RWQCBs work cooperatively on regulating potable reuse projects such as those that are designed to replenish groundwater supplies or augment surface water supplies using reservoirs. The RWQCBs incorporate the DDW criteria in Water Reclamation Permits or Waste Discharge Requirements that define the requirements that a water recycling project must meet.

The State Water Board is also responsible for regulating public water systems pursuant to the federal Safe Drinking Water Act (SDWA) and the California SDWA² and establishing regulations that carry out the California SDWA (Titles 17 and 22 of the California Code of Regulations). DDW carries out those responsibilities including ensuring the delivery of safe drinking water from drinking water supplies such as groundwater or surface water sources that are replenished or augmented by recycled water. DDW's drinking water regulatory responsibilities include the issuance of water supply permits covering the approval of the drinking water supply, water system design and operation procedures, inspection of water systems, the enforcement of laws and regulations to assure that all public water systems routinely monitor water quality and meet current standards, and assuring notification is provided to consumers when standards are not being met. Additional information on the regulation of the water supply and water quality to promote safe drinking water by DDW and other State and local agencies can be found in the "Safe Drinking Water Plan for California" (SWRCB, 2015).

1.3. History of Potable Reuse in California

There has been considerable development in the planned use of recycled water to supplement drinking water supplies in California. Recycled water is obtained from

² Health and Safety Code, div. 104, pt. 12, ch. 4, §116270 et seq.

Feasibility of Developing Uniform Water Recycling Criteria for DPR

municipal wastewater (sewage) treatment plants and is treated prior to its reuse. Recycled water may be used as an indirect source of drinking water (called indirect potable reuse, IPR), wherein recycled water is used to augment groundwater basins or surface water reservoirs that are used as sources of drinking water. The highly treated recycled water is introduced into those sources and remains within these natural bodies for some period of time, sometimes provided with additional treatment, until drawn out for use by public drinking water systems and other public and private entities that depend on these sources to meet water needs.

The planned replenishment of groundwater basins with recycled water has been practiced in California for over 50 years. The Montebello Forebay Spreading Grounds has been operated since the 1930's to replenish the groundwater basins underlying the greater Los Angeles metropolitan area with imported water and local storm water; recycled water produced by the Los Angeles County Sanitation Districts was used as an additional source of recharge water starting in 1962. Recycled water use for groundwater recharge at the Montebello Forebay has expanded from about 12,000 acre-foot per year (AFY) in 1962 to about 50,000 AFY today. The Orange County Water District, which has operated a system of groundwater injection wells at the Talbert Gap to keep seawater out of the groundwater basin underlying Orange County since 1965 using local and imported water, started using recycled water produced by Water Factory 21 in 1976 as an additional source of injection water. Less than 5,000 AFY was injected at the beginning of this potable reuse project; currently the project injects about 35,000 AFY of recycled water. Potable reuse for groundwater replenishment has expanded to 8 approved projects, mostly in southern California, that have the capacity to reuse 200,000 AFY of recycled water, with more than a dozen planned by local groundwater management agencies and water utilities throughout the State.

The planned augmentation of a surface water reservoir (that is used as a source of drinking water supply) with recycled water has not been implemented in California to date. The concept was first proposed by the City of San Diego as part of its Total Resource Recovery Project in the 1990's, and conceptually approved by the Department of Health Services in 1994. The City had conducted studies over a decade to evaluate an advanced water treatment system to produce recycled water quality suitable for discharge to the City's San Vicente Reservoir, a raw surface water reservoir, for storage and subsequent withdrawal and treatment at its Alvarado surface water treatment plant. The City Council canceled the project in May 1999 due to public opposition. In 2009, the City of San Diego revisited surface water augmentation by initiating a demonstration project at its North City Water Reclamation Plant (WRP). The City made a renewed proposal to CDPH to use advanced treated water from the North City WRP to augment the City's San Vicente Reservoir. CDPH conceptually approved the project in 2012. In 2016, the City of San Diego revised its project proposal to instead augment the City's Miramar Reservoir, a much smaller reservoir than the San Vicente Reservoir. The State Water Board is reviewing the revised project proposal.

In February 2009, the State Water Board adopted Resolution 2009-0011, Policy for Water Quality Control for Recycled Water (Recycled Water Policy), which set a mandate of increasing the use of recycled water by 200,000 AFY by 2020 and an additional 300,000 AFY by 2030 over 2009 recycled water use levels, with a goal of replacing the use of potable water with recycled water for appropriate non-potable water

Individual treatment processes, both natural and engineered, are validated for a specific LRV in a manner that assures they will be achieving the credited LRV reliably. A treatment train LRV is the sum of the individual process LRVs for the train.

5.1.2 Potable Reuse Form Influences Pathogen Control Regulation Structure

Differences among the various forms of potable reuse require criteria customized to the threats and health protective features of each.

IPR is the planned augmentation of a surface or groundwater supply with treated municipal wastewater. Recycled water treatment is required to reduce contaminants to the acceptable levels for a similar conventional source. A significant fraction of the pathogen LRV may occur through natural treatment in the environmental buffer. Critical circumstances of the recycled water passage through the environment are specified in regulation to assure that significant contaminant attenuation is provided and/or that there is time to identify and react to a pre-discharge treatment failure. A groundwater replenishment IPR project must meet 2014's groundwater replenishment regulations to ensure protection of public health, as well as any additional permit requirements and applicable Waste Discharge Requirements necessary to protect the groundwater basin. A surface water augmentation project must meet the recently adopted surface water augmentation regulations to ensure protection of public health, as well as any additional permit requirements and applicable Waste Discharge Requirements necessary to protect the lake (i.e., reservoir).

DPR is the use of recycled water as a source of drinking water where the influence of an environmental buffer is small, minimal, or absent. Engineered treatment, and the accompanying monitoring and controls, must be sufficient to consistently make safe drinking water out of municipal wastewater. DPR projects might be regulated with both Waste Discharge

1.1.2 Planned Potable Reuse

Planned potable reuse involves the use of recycled water to augment drinking water supplies. Two forms of planned potable reuse exist:

- **Indirect potable reuse (IPR):** Treated wastewater is introduced into an **ENVIRONMENTAL BUFFER** (i.e., a groundwater system or surface water system) before the blended water is introduced into a water supply system. The **CALIFORNIA WATER CODE** provides regulatory defined definitions for the environmental buffer.
- **Direct potable reuse (DPR):** Highly treated wastewater is introduced either directly into a public water system or into the raw water supply immediately upstream of a DWTF.

ll Before⁷¹

Environmental Buffer

A surface water system (e.g., reservoir, lake, or river) or groundwater system (i.e., aquifer) that receives treated recycled water and serves as a source of potable raw water.

In California, the practice of planned potable reuse has occurred in the form of IPR for over 50 years (Crook, 2010; Drewes and Khan, 2011; Drewes and Horstmeyer, 2016). Longstanding experience in California (and worldwide) has demonstrated that planned potable reuse using IPR can be practiced without having any apparent detrimental effects on public health (NRC, 1998; USEPA, 2012; NRC, 2012; Khan, 2013). A key element of an IPR system is its reliance on an environmental buffer. While some environmental buffers might offer opportunities for further treatment, **the main functions of the environmental buffer** are to provide – through storage – some level of water quality equalization and time to respond to any process failures or out-of-compliance water quality monitoring results (Drewes and Khan, 2011).

The schematics of indirect potable reuse in California (as defined by the California Water Code) are shown in **Figure 1-1**, which depicts advanced treated water being introduced into an environmental buffer as part of the raw water supply upstream of a DWTF. In **Figure 1-1 (a,b)**, the environmental

State of California Terminology for Potable Reuse

Per Chapter 7, Section 13561(b-d), of the California Water Code:

INDIRECT POTABLE REUSE FOR GROUNDWATER REPLENISHMENT means the planned use of recycled water for replenishment of a groundwater basin or an aquifer that has been designated as a source of water supply for a public water system, as defined in Section 116275 of the Health and Safety Code.

SURFACE WATER AUGMENTATION means the planned placement of recycled water into a surface water reservoir used as a source of domestic drinking water supply.

DIRECT POTABLE REUSE means the planned introduction of recycled water either directly into a public water system, as defined in Section 116275 of the Health and Safety Code, or into a raw water supply immediately upstream of a water treatment plant.

De LAY & LAREDO

ATTORNEYS AT LAW

David C. Laredo
Heidi A. Quinn
Michael D. Laredo
Frances M. Farina, Of Counsel

Telephone: 831.646.1502
Facsimile: 831.646.0377

Paul R. De Lay (1919 - 2018)

March 7, 2019

RECEIVED**MAR 12 2019****MPWMD**

California Public Utilities Commission
Division of Water and Audits
505 Van Ness Avenue
San Francisco, CA 94102

Email: Water.Division@cpuc.ca.gov

RE: California-American Water Company Advice Letter 1228
Protest of Monterey Peninsula Water Management District

To Whom It May Concern:

The undersigned, De Lay & Laredo, is General Counsel for the Monterey Peninsula Water Management District (MPWMD).

MPWMD files this protest to California-American Water Company's (Cal-Am) Advice Letter (AL) 1228 requesting establishment of a Memorandum Account for costs associated with the Sustainable Groundwater Management Act¹ (SGMA) compliance. Cal-Am ratepayers within MPWMD's boundary should be exempt from these costs as explained below.

Background

Cal-Am filed AL 1228 on February 19, 2019 to comply with Decision (D.) 18-12-021, Ordering Paragraph 25, to create a SGMA Memorandum Account. This issue arose from its 2016 General Rate Case (GRC) Application (A.) 16-07-002, Special Request #18, requesting "authorization to establish a memorandum account that tracks its costs of complying with SGMA."² Cal-Am asserts that some of its districts are located in medium or high priority basins that must adopt groundwater sustainability plan, but provides no exemption for those districts that are either adjudicated basins or are not groundwater basins. This is a material error or omission in the AL.

¹ Sustainable Groundwater Management Act of 2014 (Stats. 2014, chs. 346, 347, 348).

² Advice Letter (AL) 1228, p. 1.

Cal-Am's Monterey Satellite System Water Sources

As part of the 2016 GRC, Cal-Am sought to consolidate “all the non-Seaside Basin/Carmel River aquifer systems in Monterey.”³ Decision (D.) 18-21-021 approved the consolidation of Cal-Am's Monterey Satellite Systems consisting of Ambler, Toro, Ralph Lane, and Garrapata.⁴ They are identified as service areas “managed and operated by the same staff, are close together geographically, and have similar water sources (mostly water produced from wells).”⁵ These satellite systems are in unincorporated Monterey County, outside the MPWMD boundary, and subject to SGMA. They are not served by the Carmel River aquifer or from the adjudicated Seaside Basin.

MPWMD (Monterey Main) Water Sources

MPWMD was created by the California Legislature in 1977 as a special district charged with conserving and augmenting the supplies of water by integrated management of ground and surface water supplies. The two primary water sources within its boundary are the Carmel River and Seaside Basin. Cal-Am references these service areas as “Monterey Main” and includes Ryan Ranch, Bishop Ranch, and Hidden Hills.

Carmel River

The State Water Resources Control Board (SWRCB) determined in its Order No. WR 95-10 that Cal-Am's diversion wells were extracting “water flowing in a subterranean stream” and subject to the jurisdiction of the SWRCB. These Carmel River diversions are not groundwater and thus not subject to SGMA. In addition, MPWMD established itself as a Groundwater Sustainability Agency for the Carmel River Aquifer under Bulletin 118.⁶

Seaside Basin

The Seaside Basin was adjudicated in 2006, Case No. M66343 (Monterey Superior Court). MPWMD files annual reports with the Watermaster. Under SGMA, adjudicated basins have their own reporting requirements that are addressed by the respective Watermaster.

³ Application (A.) 16-07-002, Direct Testimony of Sherrene P Chew, p. 42.

⁴ Chualar is an additional small Cal-Am satellite system in the Salinas Valley. Whether Cal-Am seeks to include Chualar for potential recovery of SGMA costs from this low-income population is not relevant to MPWMD's protest.

⁵ Decision (D.) 18-12-021, p. 28, referencing Cal-Am Exhibit CAW-2 at 61.

⁶ The Bulletin 118 reference to the “Carmel Valley Groundwater Basin” is the subterranean stream of the Carmel River as determined in SWRCB in 1995 and not groundwater.

Conclusion

The establishment of a Cal-Am SGMA Memorandum Account must identify areas that are not subject to these expenses. Cal-Am's customers served by waters from the Carmel River or Seaside Basin cannot and should not be subject to any SGMA recovery that might be awarded in future proceedings.

Respectfully submitted.

De Lay & Laredo

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From: David Beech <dbeech@comcast.net>
Sent: Saturday, March 16, 2019 2:08 PM
To: alvinedwards420@gmail.com; rileyforwaterdistrict@gmail.com; Molly Evans; jcbarchfaia@att.net; gqhwd1000@gmail.com; dpotter@ci.carmel.ca.us; district5@co.monterey.ca.us; Dave Stoldt
Cc: Arlene Tavani
Subject: Public Comment for 3/18 Board Meeting

Chair Evans, Directors, and General Manager,

Please accept the following submission relative to the discussion item 19 on the agenda.

While generally supportive of the General Manager's recommendation, and the scopes of work of the consultants, I am concerned that there does not appear to be explicit provision yet for the "written plan" required by Rule 19.8 by the 9-month deadline. The separate work products of the consultants sound as though they will need to be edited into a different work product, the "written plan", and I am not sure that sufficient time has been allowed for this, unless work begins immediately and provides a structure for the consultants' work, and a process for handling interactions between them.

My March 10 letter to the Monterey Herald (below) was submitted under the heading "Written Plan for Cal Am Acquisition", but the editor overrode this with "Acquisition, not feasibility, should be priority", which led a Pacific Grove reader to accuse me of being carefree about spending other people's money, which is far from the case. I want feasibility to be thoroughly evaluated, once the consultants have provided their detailed options. In fact, I want to see the lowest possible initial valuation of Cal Am, and I am hopeful that when the consultants take into account Cal Am's severe deferred maintenance and other liabilities, Cal Am's net value may be found to be less than any estimate so far floated.

Herald letter:

According to Jim Johnson's March 2 article on Water Management District activity, "Stoldt said the feasibility analysis, which is due by the end of July and is expected to be presented to the district board on Aug. 27, is expected to produce a range of public takeover scenarios."

This seems to invert the emphasis of what was approved by voters in Measure J: "The General Manager shall, within nine (9) months of the effective date of this Rule 19.8, complete and submit to the Board of Directors a written plan as to the means to adopt and implement the policy set forth in paragraph A, above. The plan shall address acquisition, ownership, and management of all water facilities and services ..." Feasibility is a subsidiary topic to be addressed since paragraph A qualifies the acquisition policy by "if and when feasible," but it is only part of what is required by the 9-month deadline.

Let us hope that the Directors, in their March 18 meeting, make it clear that they are expecting to receive a full written plan by the deadline, and that the consultants share this understanding.



March 11, 2019

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MPWMD

RE: Regional Water Supply Project

Dear Mr. Le,

Thank you for your email of February 17 addressing your interest in Sand City supporting an effort to expand the Pure Water component of the Regional Water Supply project. Our city has been supportive of the concept of a portfolio of water supply sources to address the long-term needs of the Monterey Peninsula. From the very beginning we have supported one of those portfolio items being the use of 3500 acre-feet of advanced treated wastewater from Monterey One Water.

We are not supportive of reducing the plan size of the California American Water desalination plant that has been approved by the Public Utilities Commission. If Monterey One Water can obtain long-term source water rights that would support expanding the advance treatment facility, I am sure that there will be a market for the water. One place to immediately look would be the potential use of such water by the Marina Coast Water District to reduce their current mining of the 440 foot aquifer and the deep aquifer and to meet the future water demands of Ford Ord's reuse effort.

Sand City believes that having a sufficient water supply is essential for sustaining our current city needs and meeting the needs of our general plan buildout. The building of our own desalination plant to meet the city's long-term needs is indicative of the priority we have placed on this issue. At the same time, we know that an adequate water supply for the Peninsula, Marina, and Northern Monterey County are also key and essential for the long-term economic health of our region.

Our approach is that we will support the expansion of any responsible water supply project to protect our region's future that is tied directly to having an adequate water supply.

Thank you for your interest.

Maryann Carbone

Mayor

MC:sg

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