

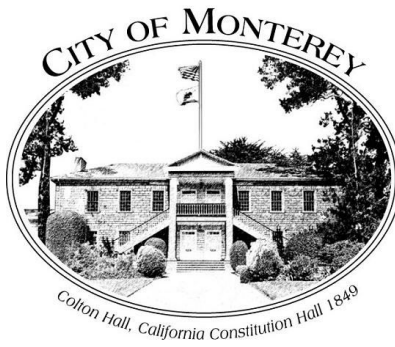


Supplement to 5/18/2020 MPWMD Board Packet

Attached are copies of letters received between April 14, 2020 and May 14, 2020. These letters are listed in the May 18, 2020 Board packet under Letters Received.

Author	Addressee	Date	Topic
Mayors Hans Usler, Chip Rerig, Dino Pick, Aaron Blair, Ben Harvey	MPWMD Board	5/14/20	Monterey Peninsula City Managers Respond to MPWMD Supply and Demand Report
Hans Usler	MPWMD Board	5/14/20	May 18, 2020 Board Meeting Agenda Item 13 – Reserve water request for affordable housing I City of Monterey
Susan Schiavone	MPWMD Board	4/29/29	April 30, 2020 Closed Session – Final EIR Pure Water Monterey Expansion
Alice Angell Green	MPWMD Board	4/30/20	April 30, 2020 Closed Session - Final EIR Pure Water Monterey Expansion Project
Kim Shirley	MPWMD Board	4/30/20	April 30, 2020 Closed Session – Final EIR Pure Water Monterey Expansion Project
Doug Mackenzie	MPWMD Board	4/30/20	April 30, 2020 Closed Session – Final EIR Pure Water Monterey Expansion Project
Margaret-Anne Coppennoll, PHD	MPWMD Board	4/30/20	Urgently Request Denial of California American Water Corporations Application for Monterey Peninsula Water Supply Project
Kenneth Rutherford	MPWMD Board	4/30/20	April 30, 2020 Closed Session – Final EIR Pure Water Monterey Expansion Project
Brian LeNeve	MPWMD Board	4/12/20	Scoping Session - EIR for purchase of Monterey Water Supply and District Boundary Adjustment Project
Steve Park	MPWMD Board	4/12/20	Scoping Session - EIR for purchase of Monterey Water Supply and District Boundary Adjustment

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May 14, 2020

Monterey Peninsula Water Management District
Board of Directors
5 Harris Court Building G
Monterey, CA 93940

Subject: Monterey Peninsula City Managers Respond to MPWMD Supply and Demand Report

To the Board of Directors of the Monterey Peninsula Water Management District:

The presented updated report contains questionable data points, which we think the Board should consider and address before adopting this report. It is our opinion that despite the good intent of stitching together various water resources and presenting them as a sustainable solution and an alternative to a desalination plant, the adoption of this 'strategy' will result in fewer economic opportunities for our residents and our children, increased rents, lower quality of life for our entire region and loss of basic rights for local governments to make majority based decisions. The report appears to try to precisely balance water supply and demand using assumptions that have a high probability of not being accurate.

We recommend that the Board only receive this report. We do not recommend adoption of this report out of grave concerns for the future of our Monterey Peninsula

Here are some highlights of our concerns:

- The data presented in Supply and Demand does not allow elected officials in local governments to make decisions based on (affordable) housing and economic business needs, but on water availability by parcel. The memo takes away the right for Cities to respond to requests made through a democratic majority based process. In short: opportunities to create affordable housing will not materialize if you count on the patchwork of presented solutions. Likewise, employment opportunities will be denied since availability of water remains a limiting factor.
- Instead of working from the idea of promoting one or two reliable water sources for the future of the water supply for the Monterey peninsula, the report presents a collection of water solutions with associated assumptions. These assumptions are all treated equally (even though the probability of the point values assigned are highly variable) ignoring the fact that different water supply sources have different probabilities to come through.
- Water use reduction and scarcity are treated as virtues. They are not virtues but current necessities caused by not having a reliable water resource. The report does nothing to break that devastating cycle, instead it assumes more or less the status quo.
- The Supply and Demand memo ignores the gravity and facts of Climate Change and global warming, which will, with a high degree of certainty, negate some of the data point assumptions associated with ASR for example.
- The Supply and Demand memo has not been peer reviewed. It is a highly unusual document for a public agency to be presented without independent third party review and evaluation.

- The Pure Water Monterey Project Phase One is experiencing a slower startup, lower yield than originally planned as well as significant cost increases. The Phase II Expansion FSEIR has recently been disapproved by Monterey One Water Board of Directors and has also encountered significant obstacles in the course of obtaining all necessary approvals and financing for the proposed project.
- The GM recommendation to deny the additional water request for affordable housing projects amplifies the need to not rely on the patchwork of water supply resources presented in the report but to identify a future oriented water resource that is flexible and resilient.
- Further, the May 8 letter from the State Water Resources Control Board raises concerns about lifting the CDO based on the presented data points.

You, the elected officials of the Water District, live and work in our cities. Please consider the future ability of your local governments to respond to your and your neighbors' requests, ideas and initiatives. The presented description of Supply and Demand is not a solution addressing our future. Instead it is a manifestation of a status quo water poverty resulting in elitist exclusivity for a few and less opportunities for all.


Sincerely,



Hans Uslar
City of Monterey



Chip Rerig
City of Carmel



Dino Pick
City of Del Rey Oaks

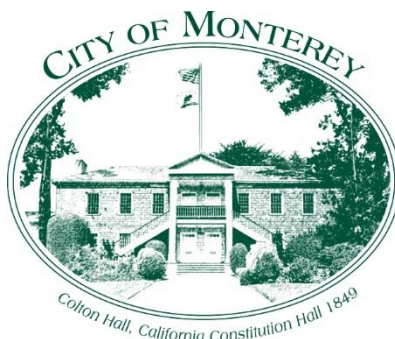


Aaron Blair
City of Sand City



Ben Harvey
City of Pacific Grove

cc: Monterey City Council
Carmel-by-the-Sea City Council
Del Rey Oaks City Council
Sand City Council
Pacific Grove City Council
David Stoldt, General Manager, Monterey Peninsula Water Management District



May 14, 2020

MPWMD Board Members
 Monterey Peninsula Water Management District
 5 Harris Court, Building G
 Monterey, CA 93940

Subject: Reserve water request for affordable housing in the City of Monterey
 RE: Agenda Item #13 for May 18, 2020 Board Meeting

Dear MPWMD Board Members,

The City of Monterey appreciates this opportunity to address the Board regarding our urgent request to enable two significant projects to be constructed at 2600 and 2000 Garden Road. We request denial of staff's recommendation and, instead, that you allocate the requested water using the District's water reserve. Send a signal to the region that you are committed in creating affordable housing opportunities. Send a signal to the State legislators that the District is committed to follow their legislative mandate in providing more housing opportunities at reasonable rent ceilings.

The City of Monterey does not have any water to allocate to a project. We are not the only jurisdiction with such a predicament, including Del Rey Oaks and Carmel-by-the-Sea. The remaining four jurisdictions served by MPWMD have a combined average of 27 acre feet of water available for projects like the one in Monterey today (see figure 1). Our request is for less than 8 acre feet.

Figure 1: Current water availability per MPWMD jurisdiction

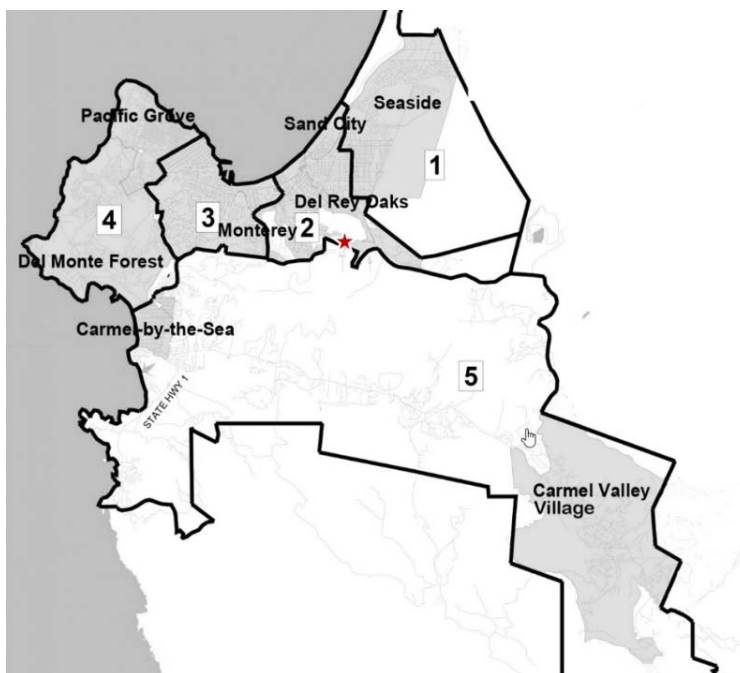
Airport District	5.197
Carmel-by-the-Sea	----
Del Rey Oaks	----
Monterey	----
Monterey County	12.844
Pacific Grove	36.077
Sand City	23.373
Seaside	35.749

When requested to share information about upcoming shovel-ready projects, no other jurisdiction responded with data. One could infer that other jurisdictions either do not have

similar projects ready to go, or that they do not need additional water entitlements at this time, for any upcoming construction proposals.

Monterey is centrally located among all jurisdictions regulated by the Monterey Peninsula Water District. We hope that you will consider that affordable housing development in the heart of the Peninsula can be beneficial for the wider region (see figure 2).

Figure 2: Garden Road property relative to MPWMD Districts (starred)



When first established in 1992, use of Reserve water was restricted to “Regional Projects of special benefit.” A June 1991 Technical Advisory Committee Report made additional efforts to define such projects, and includes: “Housing. Entirely affordable housing projects” These two projects would add over 70 affordable housing units, which would nearly double the number of units provided towards the 2023 RHNA goals. We ask that the District use its discretion to enable these housing units to be constructed.

Developer Brad Slama has committed to deed restricting 100% of the 70 units made possible with Reserve water. Of the two projects, 2600 Garden Road could be a phased construction project, though to postpone full development would certainly have missed opportunities due to economy of scale, as well as disruption to future tenants of the first phase. For 2000 Garden Road, construction options are hinging on this MPWMD decision. This project would be a single building, therefore, phasing is not an option. Without a decision to support this in the near future, the opportunity for an additional 35 affordable units will be missed.

Mr. Slama may be willing to offer to indemnify the Monterey Peninsula Water Management District. MPWMD has exhibited exemplary conservation efforts and continues to make

progress toward milestones in response to the current CDO. Post-COVID-19 reality combined with our current housing emergency are not contexts in which bold leaders continue to follow punitive bureaucratic paradigms.

Monterey's "fair share" of the region's projected housing needs is proportionately larger than other jurisdictions, and equals more than half of the total number of units, according to the Regional Housing Needs Allocation (RHNA) (see figure 3). The intent of the RHNA is to ensure that local jurisdictions address not only the needs of their immediate areas but also fill the housing needs for an entire region. We've been actively working to attract meaningful development towards these goals. We're asking you to recognize our efforts and partner with us to make a difference.

Figure 3: 2014 – 2023 RHNA Goals by local MPWMD jurisdiction

	Monterey	Pacific Grove	Carmel-by-the-Sea	Sand City	Seaside	Del Rey Oaks	TOTAL
Total Allocation	650	115	31	55	393	27	1,271

Authority to be responsive to this request is within MPWD Board command; exposure can be mitigated with the developer's indemnification commitment.

Please consider our city's unique opportunity to capitalize on the readiness of a local builder to provide an incredible wealth of new housing options for folks in our region to have access to a better quality of life. If denied, this moment will be marked as lost opportunity, with unknown consequences. The time is now to work together towards affordable housing.

Should the SWRCB challenge your courage and wisdom, then our elected representatives in Sacramento have a choice between continuing to legislate housing laws or exclude the Monterey Peninsula from any housing laws as another State agency's efforts prevent reasonable implementation of housing mandates. Send the signal and vote for the water allocation and affordable housing.

Sincerely,



Hans Uslar, City Manager

c: City of Monterey Council Members
Brad Slama, Developer and property owner

Arlene Tavani

From: susan schiavone <s.schiavone@sbcglobal.net>
Sent: Wednesday, April 29, 2020 3:41 PM
To: Arlene Tavani
Cc: Dave Stoldt
Subject: For the Board of Directors

Please pass my letter on to them....I did not get the meeting notice till too late to comment. Thanks!!

To Chair Edwards & Board Members:

I am writing to support legal action, as appropriate, in regard to protecting the interests of the MPWMD in regard to the SEIR for the PWM expansion. The board meeting for Monterey One Water on April 27 seemed very inappropriately conducted and they did not follow their own resolutions JPA agreements (to approve the EIR as backup and denied Marina its appropriate weighted votes). In addition, denying the SEIR wasted \$1 million in ratepayers money, and most egregiously, denies this district a back up plan in the event the desal plant is delayed or denied. Indeed, for the 'pro Cal Am' project backers to take such a drastic step in order to pressure the Coastal Commission and remove that back up plan is deplorable because it puts this area at risk. In this precarious moment of pandemic and ensuing economic downturn, it is essential to have a back up plan and to have all options available for meeting possible unforeseen situations in the future. This was a distortion of legal public process.

Susan Schiavone, Seaside

Arlene Tavani

From: Alice Angell Green <aa4green@yahoo.com>
Sent: Thursday, April 30, 2020 8:20 AM
To: comments
Subject: Public Comment

As far as I am concerned, recycling water is a no-brainer. I am appalled but not surprised that Mr. Gaglioti, our representative from Del Rey Oaks, was one of the people who voted to not certify the SEIR. I fully support holding the M1W board accountable for their irresponsible and short-sighted vote.

Alice Angell Green

16 Saucito Ave
Del Rey Oaks
831-899-2673

Arlene Tavani

From: Kim Shirley <kimshirley1@gmail.com>
Sent: Thursday, April 30, 2020 10:21 AM
To: comments
Subject: Public Comment for Special Meeting 4.30.20

Chair Edwards and MPWMD Board of Directors,

As a ratepayer, taxpayer, and resident of Del Rey Oaks, I was so very grateful to hear you were quickly taking this matter into your own hands.

I am writing to express my support for the movement towards litigation against the Monterey One Water Board in relation to their decision on the Pure Water Monterey Expansion SEIR vote which took place on Monday, April 27th. After attending their board meetings and also one of their recycled water committee meetings, it was very clear that several members of the board are not looking out for the true interests of those who will benefit from the PWM Expansion project.

In addition, as a Del Rey Oaks resident, I had several email exchanges with Councilperson John Gaglioti prior to the vote, which clarified with me that he was NOT representing our community interests. Not only was he not able to share how this vote benefited Del Rey Oaks, but he was also unwilling to acknowledge the legitimate and limited nature of the SEIR. Even though it didn't include all the requirements HE felt it needed, it was a public document, that true professionals had spent a lot of time on and his very act of not recognizing those facts and creating his own narrative, disparaged the process, the very hard-working people who worked on it, and effectively dumped our money used to produce that document, down the drain.

In my opinion, the arguments used to deny the SEIR certification were all political and showed the very unethical nature of those appointees. This unethical behavior causes us time and money in finding a good solution for a sustainable water source on the peninsula. This reprehensible act should not be overlooked.

Thank you again for your service and your time in discussing this matter. It is very much appreciated.

Best regards,
Kim Shirley
Del Rey Oaks Resident

Arlene Tavani

From: Doug Mackenzie <ddmackenzie@gmail.com>
Sent: Thursday, April 30, 2020 8:50 AM
To: Arlene Tavani
Cc: doug mackenzie
Subject: Public Comment

April 30, 2020

To Whom It May Concern:

I support the MPWMD Board taking legal action to challenge the M1W Board's recent vote to not certify the SEIR for the PWM expansion.

Regards,

Douglas Mackenzie
16 Saucito Avenue
Del Rey Oaks, CA 93940
831-277-6181

April 30, 2020

California Coastal Commission Board Chair, Board Directors, and Staff

SUBJECT: Urgently Request Denial of California American Water Corporation's Application for Monterey Peninsula Water Supply Project (MPWSP) Permit

Dear Commissioners, Tom Luster, and Staff,

It is with a heavy heart that I write this letter to you. At issue is the future of our local water supply, but the concern is much deeper. Please bear with me as this lengthy discussion is meant to aid understanding of the dire, complex situation our communities are facing. It is not an exaggeration to say that our survival is at risk. I take this time to explain details because this California Coastal Commission hearing is a most important one for our future existence. Your patience and support are significant factors in our quest for justice, truth, and fairness. You have a most grave responsibility to ensure this public right is upheld.

During the last M1W board meeting on April 27, 2020, the Monterey One Water (M1W) board of directors held a "weighted" population-based vote 11-10 in favor of denying certification for the Final Supplemental Environmental Impact Review for the Pure Water Monterey (PWM) Expansion recycled water project, which was officially designated a back-up plan to the CalAm MPWSP.

This vote came after both the M1W board and the Monterey Peninsula Water Management District (MPWMD) board of directors had unanimously voted to proceed with hiring consultants and staff to work on finalizing the supplemental environmental impact review (SEIR) for the PWM Expansion project with an expenditure of one million dollars from taxpayer dollars. California American Water Company (CalAm) invested \$350,000 of its ratepayers' funds. The Final SEIR took more than a year to complete, to include public reviews and extended review periods.

After what has been considered a monumental step in the right direction to provide a viable, less expensive, and more environmentally safe potable water supply resource for our area, which has long been under the pressure of a state cease and desist order to limit draw from the Carmel River, CalAm suddenly demanded that FSEIR certification be denied. This surprise turnabout came despite more than 170 citizens having submitted letters to the M1W board urging certification to ensure PWM would be ready to go should CalAm not be successful in obtaining its permit from the California Coastal Commission (CCC), or in building its desalination facility. More citizens spoke at public comment also to urge FSEIR certification. Our local elected state legislature and city public officials likewise submitted letters supporting FSEIR certification as did many businesses and nonprofit organizations. Certification was a very big deal. Approval would have brought much deserved relief after a long, strenuous journey to find a sufficient, sustainable and workable water supply solution. This denial was a crushing, painful disappointment.

After CalAm realized the CCC wanted to conduct further investigations into the various serious issues with the MPWSP that were brought to light, CalAm began a campaign to discredit the PWM Expansion recycling project because it surmised that this expansion project was indeed a more viable, timely, less expensive and more environmentally safe water supply shortage solution than its desalination project. CalAm consistently insisted on moving forward with its MPWSP, at great cost to its ratepayers, because it had secured from the California Public Utilities Commission (CPUC) approval to charge its customers capital asset surcharges at 9.2 %, providing a very handsome profit for CalAm and its shareholders. This lucrative opportunity emboldened CalAm to exert much pressure, both politically and financially, on the public as well as board members who could ensure MPWSP success. While the PWM Expansion would provide future water security and a means to lift the state CDO, thus avoiding water rationing and high penalties for failing to meet the 31 December 2021 deadline to limit draw from the Carmel River, the PWM Expansion would have the added advantage of removing the moratorium on new water hook-ups and housing developments. To solidify its position, CalAm accorded lower special tiered pricing to the hospitality sector as a way to ensure loyal support.

Another prong in this complex saga is the disregard, indeed the disrespect, CalAm consistently displays for citizens' legal and constitutional rights. Political machinations behind the scenes have been driving certain nefarious actions to undermine this invaluable new water supply source. These activities serve to demoralize whole communities that constantly struggle to bring to fruition what Monterey Peninsula residents have been seeking for decades – a drought-proof, secure potable water supply source that protects both the Carmel River and the Seaside Basin, but also the Salinas Valley Groundwater Basin that is on California's critically over drafted groundwater basin list. This basin, just as the Carmel River, is home to many species that depend on it, such as the steelhead trout, an endangered species. The state now requires communities seek alternate methods to preserve all water resources, such as wastewater, reclamation water, and agriculture runoff, as a way to protect the Monterey Bay Marine Sanctuary, preserve freshwater aquifers, and provide drought-proofing.

Certain sectors refuse to accept the scientific facts that prove there is sufficient source water for agriculture interests and for Castroville's CSIP project, as well as ample water for future growth. The staff reports, consultant reports, and confirmations from experts, all are to no avail due to CalAm's goal to move forward at all and any cost with its desalination plant. The desalination plant will deposit brine in the Monterey Bay Sanctuary; it will deplete and contaminate the precious freshwater Dune Sand Aquifers in violation of the Sustainable Groundwater Management Act (SGMA), and greatly increase green gas emissions, exacerbating climate change.

All these unfavorable situations can be avoided by implementing the PWM recycled water expansion project, which will provide 2,250 additional acre-feet (PWM supplies 3,500 acre-feet) at vastly lower prices for ratepayers, a plentiful water supply until 2043. This is a win-win for our communities.

MPWMD general manager, David Stoldt, conducted extensive research and analysis to produce a top-notch report on water supply and demand status to support initiation of the PWM Expansion project SEIR, which received unanimous board approval from both M1W and MPWMD boards, to proceed to the SEIR process and completion.

After the CCC staff recommendation to deny the CalAm permit became known, CalAm began publicly excoriating David Stoldt and his supply and demand report that upheld data and evidence showing ample water supply through 2043. To placate the highly public CalAm criticism, David Stoldt went back to the drawing board to revise the report, yet the results for future water supply calculations remained the same, affirming the original report findings. PWM expansion would indeed satisfy water demand through 2043. Still, CalAm, desperate to build an excessively priced, highly profitable, and aquifer depleting, desalination plant, continued to castigate David Stoldt and undermine the PWM Expansion project.

This CalAm campaign to sabotage its own approved back-up plan, came to a combative head at the M1W board meeting on April 27, 2020. CalAm supporters and loyal board members succeeded in denying FSEIR certification, as stated above. This was a terrible miscarriage of justice and a disregard for taxpayers'/ratepayers' dollars. During the meeting, CalAm publicly rebuked staff and both M1W and MPWMD general managers, accusing them of failing to do adequate research or answer questions. While the criticisms were blatantly untrue, this public rebuke was part of the CalAm strategy to defeat PWM Expansion because it fears CCC permit denial. It had convinced the M1W board to change the PWM Expansion designation from "replacement plan" to "back-up plan", for the same reason. On face value this appears to be merely a semantics play on words, but CalAm adamantly insisted on swapping "replacement" with "back-up", precisely because CalAm fears the PWM Expansion project will indeed replace the MPWSP if the CCC denies its permit application. Making it a back-up plan gives the impression that the MPWSP remains the principal attraction. That is one reason CalAm argued that the FSEIR failed to address cumulative impacts. Again, another disingenuous point to derail the FSEIR. There was never a goal to operate both the PWM Expansion project and the MPWSP simultaneously. That action would be foolhardy and prohibitively expensive and wasteful. Other CalAm anti-FSEIR arguments included claiming questions were not answered or items covered already in the approved PWM original EIR had not been addressed in the FSEIR. Bringing up such points at this juncture is misleading to the public and hypocritical. The M1W board had sufficient time to examine the SEIR (over a year) and the FSEIR was based on extensive review of all aspects prior to the meeting of April 27, 2020. Logically, the FSEIR had no requirement to address items already examined and approved in the original PWM EIR. Overturning or defeating the PWM Expansion water recycling project was CalAm's key objective. This was CalAm's "do-or-die" action to safeguard the MPWSP and guarantee success.

CalAm had also publicly undercut the current core PWM water recycling project, accusing PWM of missing water purchase agreement milestones for water delivery to the Seaside Basin. As it

turns out, this was another CalAm tactic to divert attention away from the fact that CalAm had neglected to install critical pumping stations for Carmel Valley, thus making any PWM water delivery to that area impossible. Why would CalAm change course to denounce the PWM Expansion project after having praised and approved it as a back-up plan for its desal plant? Because the CCC had based, in part, its recommendation to deny the CalAm permit on the Stoldt water supply and demand report that confirmed a plentiful water supply for the Monterey Peninsula projected to last until at least 2043. During this timeframe, other water technologies and sources could be explored and developed. This CalAm failure to provide the necessary water delivery infrastructure for Carmel Valley is a glaring example of CalAm negligence and incompetence, two traits that continue to dishearten ratepayers. Covering up this deficiency revealed yet another negative aspect of CalAm's lack of transparency and honesty.

After accepting the work for the first phase of PWM, which is in the process of providing 3,500 acre-feet of recycled water to the Seaside Basin where it will be stored for later use, CalAm now criticizes and denounces PWM expansion that it earlier agreed to have as a back-up plan. The back-up plan came about due to multiple MPWSP problematic issues, with a lack of water rights and the critically over drafted SVGB being high on the list. Part of CalAm's permit application includes a development portion. This permit part must be scrutinized and denied. Why? Because CalAm's desalination plant will be rendered useless and nonoperational since its source water is located in Marina's SVGB aquifers at the CEMEX property. Without the installation of its planned additional eight slant wells, the desalination plant cannot function. Therefore, the entire permit application and all portions that include any developmental elements must also be included in denial. If the desalination plant permit is approved, but not the development portions concerning slant well construction and installation, then the desalination plant, to be built elsewhere outside Marina, would inflict substantial financial losses on ratepayers and taxpayers alike. The desalination plant would also saddle communities with another industrial blight on its coastal landscape without providing any benefit except to CalAm shareholders. To add to the equation, CalAm would be subject to litigation proceedings pertaining to the CEMEX property slant wells damaging SVGB aquifers, while citizens would engage in protests to oust CalAm from Marina protected sensitive habitats. This disruptive scenario is another real potential issue for our communities.

City of Marina Planning Commission had already denied CalAm's permit request for its MPWSP, admonishing CalAm for its past record of deceit, faulty data and modeling, misinformation, lack of transparency, and untrustworthiness. CalAm then applied to Marina City Council for a permit, but then withdrew its application, accusing Marina of prejudicial bias on the part of certain council members. CalAm deceived the City of Marina when it presented faulty data and modeling for its test slant well; it deceived the City of Marina when it said the slant well would extract water from the ocean, even though it planned to move the slant well inward to be placed directly in the 180/140 FT and the Dune Sand Aquifers, blowing freshwater out into the Monterey Bay in violation of the California Constitution, Article X. Then CalAm, to circumvent

the Agency Act, devised a plan to extract aquifer water from the basin, transport it to Castroville's CSIP for \$110 an acre-foot, but at a cost of \$6,000 - \$8,000 an acre-foot to Peninsula ratepayers. Naturally, board members representing Castroville and Monterey North County were easily swayed to go along with CalAm's claim that the PWM expansion project cannot provide sufficient water, therefore, the MPWSP is absolutely necessary. Having such a good deal at the expense of CalAm ratepayers is hard to pass up. Another false CalAm claim is that the PWM expansion takes water from agriculture interests, which is unfair to Salinas growers and residents. Both claims are not true. Source water will not be touched, and neither will water for agriculture or SVGB SGMA demands. CalAm deceived the City of Marina when it disrespected Marina's inherent right to protect its sole water supply resource. After the City of Marina denied CalAm's permit application to install its test slant well at the Marina CEMEX property, CalAm brazenly invaded Marina's legal city jurisdiction without permission to violate Marina citizens' water rights and its Local Coastal Plan that protects endangered species' nesting habitats, like that of the Snowy Plover bird, the City of Marina's Mascot.

The sudden switching of horses in mid-stream is directly related to CalAm's new founded fear that its permit will be denied. Permit denial would deprive CalAm of massive future profits it envisions for its shareholders through high percentage surcharges on its capital assets, e.g., buildings and other structures, such as a desalination plant, extensive pipelines, pumping stations, construction equipment and vehicles, and slant wells.

The cost of the MPWSP to Monterey Peninsula ratepayers and the residents of Marina and the Ord Communities would be staggering and life threatening. Marina and the Ord Communities would be at risk to lose their only potable freshwater supply source, the Salinas Valley Groundwater Basin's Perched Dune Sand Aquifer, the Dune Sand Aquifer, and the 180/140 FT aquifers, with the 900 FT ancient aquifer also at risk.

I urgently bring this challenging situation to you, again, because many lives depend on your wisdom and visionary leadership. It takes courage, back bone, to withstand the pressures being brought to bear now, but human lives are far more valuable than one corporation's financial gain. That is what is at stake. The CalAm ravages endured so far are unsustainable and unjust. CalAm disregards citizen constitutional rights and basic human rights, such as affordable water; the higher the cost of water, the higher the cost of food production systems. With greater green gas emissions emanating from a desalination plant, the greater the climate change damage.

Whether or not Monterey Peninsula citizens can effectively challenge the FSEIR certification denial before the CCC August 2020 hearing, it is certain that the FSEIR can in the future gain certification because it has met all CEQA guideline requirements and passed environmental scrutiny. Both the M1W and MPWMD boards unanimously approved conducting the SEIR, which is simply a broadening of the approved core PWM EIR. Both boards unanimously approved spending \$1 million of taxpayer funds for the FSEIR process. CalAm spent \$350,000

of ratepayer funds. To deny FSEIR certification was an unconscionable act of betrayal of taxpayer and ratepayer rights and finances.

It is irresponsible and indefensible that the M1W board disregarded the MPWMD's request to approve FSEIR certification. While the MPWMD board vote was not unanimous (it was a 6-1 vote, with the one vote against coming from a CalAm and Castroville CSIP supporter), a board majority urged certification approval. MPWMD invested \$750,000 while M1W invested \$250,000 in the FSEIR. It was only after receiving the CCC staff recommendation for CalAm permit denial that the trouble intensified, with CalAm heavily lobbying against its own recycled water project in order to ensure a chance for its desalination plant at the scheduled CCC August 2020 hearing.

CalAm has steadfastly refused to sign a water purchase agreement for PWM Expansion, primarily to promote and reinforce its financial profit goal to build the desalination plant, no matter the risk to ratepayers. To this end, it was vital that CalAm discredit the Stoldt Water Supply and Demand Report because it revealed, and proved, that the proposed PWM Expansion project is a first-rate, feasible, ecologically sustainable alternative to desalination. And because the Stoldt report provided a basis for CCC recognition of the PWM Expansion project as a logical answer to the Peninsula's water shortage and CDO challenges. Thus, the CCC's staff recommendation for CalAm permit denial. There were additional issues involved as well in the CCC staff recommendation.

There is now no doubt that a new, alternate water supply resource exists, if and when the PWM Expansion project obtains a water purchase agreement, an agreement CalAm refuses to negotiate, for the same reasons stated herein. This is unfortunate because the PWM Expansion recycled water project is superior in every way to the MPWSP.

The CCC co-signed the tri-party resolution with the City of Marina and the State Lands Commission to preserve the CEMEX property for conservation and recreational use only, thus precluding any further industrial development after the CEMEX sand-mining operations close this year. This action was in accordance with the City of Marina's Local Coastal Plan. In addition to its lack of water rights to the SVGB aquifers, CalAm cannot proceed to build a desalination plant on the CEMEX property where its test slant is currently located and where it plans to install eight more slant wells. Furthermore, slant well technology has not been successfully used anywhere in the world. CalAm is, and has been, using Marina as an experimental "guinea pig".

The same issues that plague the Carmel River would be the same for the SVGB, especially since this basin is on the state's critically over drafted groundwater basin list, and the steelhead trout is an endangered species in both the Carmel and Salinas rivers. This means if a permit is granted to CalAm, and CalAm succeeds in overcoming the seemingly unsurmountable obstacles it faces, then the state surely will issue a Cease and Desist Order for the SVGB, putting the Monterey Peninsula in an even worse situation than the already precarious present one. In

fact, the State of California has enacted the Sustainable Groundwater Management Act to mandate aquifer protection, preservation, and replenishment. CalAm's slant well pumping would deplete aquifers and contaminate them with seawater. The CalAm hydrologist hired to evaluate the test slant well is the inventor and patent holder of this same test slant well. This conflict of interest, once pointed out, seems to have been shrewdly "overlooked."

For all the reasons stated herein, I ask that you stand firm in your staff's recommendation to deny the permit to CalAm. CalAm's irrelevant and false claims do not obfuscate the truth. The truth remains that the FSEIR for the PWM expansion is solid and can pass muster. The PWM Expansion project, that augments the existing core PWM water recycling project, is a reliable, sound, worthwhile, and pragmatic alternative potable recycled water resource for the Monterey Peninsula and beyond. It is a sustainable, safer, less expensive, and more environmentally friendly water project than the hugely expensive and climate change unfriendly desalination plant. In a word, the PWM Expansion recycled water project stands out as the best and far superior choice.

Please fulfill your duty for the public good. Deny the CalAm MPWSP permit. It is the ethically and environmentally right decision. The Monterey Peninsula citizens will be forever grateful that you are good stewards of their trust. Our future survival heavily depends on your decision to do the right thing.

Very respectfully,

Margaret-Anne Coppernoll, Ph.D.

,

Arlene Tavani

From: kenneth rutherford <kenneth_rutherford@msn.com>
Sent: Thursday, April 30, 2020 9:44 AM
To: comments
Subject: Public Comment

Chair Edwards and MPWMD Board of Directors,

I appreciate your prompt attention to this vitally important matter.

I write now to encourage the MPWMD Board, after conferring with legal counsel on whether to protect its rights and interests by initiating litigation against Monterey One Water related to actions taken on the Pure Water Monterey Expansion SEIR, to err on the side of pursuing litigation if at all feasible. In addition to writing several times to John Gaglioti, my representative on the M1W Board, about this very issue with no meaningful response, I have attended several of the M1W Board and Waste Water Committee meetings and find the efforts taken by several of the Board and Committee members to be egregious and transparent enough regarding motive and intent to warrant further action by this Board. Please note that like you, several residents of Del Rey Oaks are also taking this matter seriously and are actively considering our options, legal and otherwise, to address this matter.

Thank you for your service and the work you do on our behalf.

Sincerely,

Ken Rutherford
Resident of Del Rey Oaks

Sent from [Mail](#) for Windows 10

RECEIVED

25

APR 17 2020

MPWMD

Brian LeNeve
P.O. Box 1012
Carmel, CA 93921

Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940

RE: EIR for purchase of Monterey Water Supply and District Boundary Adjustment Project

April 11, 2020

Gentlemen,

I recently received your notice of intent to have a scoping meeting for the above-mentioned project on April 21, 2020 and have the meeting a virtual meeting.

In the strongest terms possible I must demand that the scoping meeting be postponed until such time that the public can actually attend the meeting.

A virtual meeting is just not a substitute for an actual meeting where the public can interact with the proponents of the EIR. Having a virtual meeting will not give ratepayers an adequate chance to learn about the project and give suggestions.

We are talking about a project that will cost ratepayers millions of dollars and is very contentious on the peninsula. Such an issue requires full disclosure and full participation and neither one is achieved with a virtual meeting.

Sincerely,



Brian LeNeve



Carmel River Steelhead Association
501 (c)(3) TIN 77-0093979
P.O. Box 1183
Monterey, CA 93942

RECEIVED

APR 12 2020

MPWMD

Monterey Peninsula Water Management District
5 Harris Court Building G
Monterey, CA 93940

Via: email

April 12, 2020

Dear MPWMD,

The Carmel River Steelhead Association (CRSA) has been notified of a meeting to be hosted by MPWMD. The purpose of this meeting is to discuss MPWMD going forward with an EIR to buy California American Water Company. Because of the current shelter in place conditions said meeting cannot be held as a public gathering style of a meeting. MPWMD has decided to hold the meeting as a virtual meeting using a conference call type of communication system.

CRSA believes this meeting should be postponed until a meeting can be held in person, as in a public setting held meeting. This meeting is dealing with a very important issue and should have a public gathering meeting rather than a virtual meeting.

CRSA is taking this position and is informing the MPWMD that CRSA is formally protesting MPWMD'S decision to hold this meeting as a virtual meeting rather than a public in person meeting.

Respectfully submitted,


Steve Park
CRSA President