

# COMMENT FORM

**California American Water Company (Cal Am)  
Monterey Peninsula Water Supply Project  
Draft Environmental Impact Report**

Date: 30 June 2015  
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**I wish to be added to the CEQA mailing list.**

To:

Attn: Andrew Barnsdale  
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**COMMENTS (due on or before 13 July 2015)**

Comments begin on next page.

## **Undisclosed Conflict of Interest Affecting Design and Evaluation of Slant Wells**

Cal Am's proposed project relying on slant wells is not a true project; it is an experiment testing the viability of slant wells and the validity of a model intended to predict slant well viability in the absence of adequate data. Benefiting from this experiment are Geoscience Support Services and its president, hydrologist Dennis Williams, who holds critical slant-well patents, known but undisclosed by him or by Cal Am, as well as a few select others, but unknown to the public until recently when uncovered and announced by a suspicious ratepayer. Williams' company has been involved in model development and in both slant-well design and operational evaluation. Success of the experiment literally spells riches for Williams and his company, whose intimate and pervasive involvement in the experiment constitutes a conflict of interest that makes the Stephen Collins conflict that killed the Regional Desalination Project pale in comparison.

Why? Like the three other members of the Hydrological Working Group evaluating the model on data from the test-well operation, Williams is being paid via contracts with Cal Am, ratepayers being the ultimate source of the money. He has a contract with Environmental Science Associates (ESA), which is the company preparing the EIR, and he has a sub-contract to design and supervise the construction of the test well with RBF Consulting, itself contracted to do that job with Cal Am. His project involvement is intimate and pervasive in design, construction, and evaluation. Slant wells have never been used successfully for desalination anywhere else in the world. If in this experiment the HWG can demonstrate the viability of slant wells, regardless of how speciously, Williams and his company stand to gain highly lucrative contracts and royalties from others who seek to develop desalination plants using sub-surface intake.

Cal Am has variously presented its project as a true project and as a mere experiment, as a project before the PUC and in its DEIR and as an experiment before the Coastal Commission and in a Santa Cruz Superior Court. It did the latter before the Coastal Commission in its argument to reverse the denial of its test-well permit by the Marina Planning Commission and City Council. It made that argument to avoid the CEQA requirement of a full EIR for the well as a part of

a whole project, presented as such in the DEIR (e.g., pp. 3-13 and 3-14). The test-well claim in court is intended to dodge the Agency Act's prohibition of the exportation of groundwater from the Salinas Valley, which the test-well operation does by exporting all its drawn groundwater out of the valley and into the sea. Litigants bringing that case to court claim that, in addition to violating the Agency Act, the company has no rights to withdraw any groundwater from the Salinas Valley Groundwater Basin, which extends miles out to sea. Charitably speaking, Cal Am is obviously playing fast and loose with the law. Williams' conflict of interest only hammers an additional nail into this coffin.

REMEDICATION. The PUC should terminate this experiment disguised as a legitimate project. The Energy Division should make that recommendation to the PUC's commissioners. If the Coastal Commission and Cal Am wish to try out slant wells, then the PUC should authorize Cal Am to conduct an appropriate experiment, not proceed with an extremely expensive project relying on an untested intake method. If conflict of interest terminated the Regional Desalination Project, it certainly should have no less of an effect here.

If you do not take these remediation measures, please explain, Why not?