

PAUL W. MONCRIEF
L. PAUL HART
DENNIS J. LEWIS
KOREN R. MCWILLIAMS
DAVID W. BALCH

MONCRIEF & HART

A PROFESSIONAL CORPORATION

16 W. GABILAN STREET
SALINAS, CALIFORNIA 93901
PH: (831) 759-0900
FX: (831) 759-0902
MoncriefHart.com

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File No. 6377.004

VIA E-MAIL

Ken Lewis
California Public Utilities Commission
c/o Environmental Science Associates
550 Kearny Street, Suite 800
San Francisco, CA 94108
MPWSP-EIR@esassoc.com

Re: Monterey Peninsula Water Supply Project, CPUC Application A-12-04-019
Draft EIR Comment Letter

Dear Mr. Lewis:

We represent the People's Moss Landing Water Desalination Project, and I am submitting this comment letter to Cal-Am's draft EIR on its behalf.

I. ALTERNATIVES

The DEIR, at page 7-10, indicates that the People's Moss Landing Project was not considered as a complete alternative to the Monterey Peninsula Water Supply Project. The reason given is that "the CPUC has no jurisdiction, the applicant has not yet engaged in any formal environmental review processes, project effects cannot be reasonably ascertained and the timing of its implementation remains uncertain." DEIR at 7-14.

This determination is faulty. First, as the DEIR notes, the Moss Landing Harbor District ("MLHD") has agreed to be the CEQA Lead Agency for this project. (DEIR at 7-13.) Since the publication, the MLHD has hired Aspen consulting to serve as its CEQA consultant. The MLHD formally began environmental review of this project by issuing its Notice of Preparation of an EIR during the summer. Scoping meetings took place on July 8, 2015, and the scoping process has since concluded. (A copy of the NOP, the Scoping Meeting presentation, and the comments that came in during the scoping period, can be found at <http://www.mosslandingharbor.dst.ca.us/about/publicRecords.htm>.)

As such, the DEIR's concerns about issuance of the NOP, engagement in formal environmental review, and uncertainty as to timing have been addressed.

Second, issues of CPUC jurisdiction are misplaced. In 2002, the CPUC identified the Kaiser Refractories Site (the situs of the current People's Project) as the "preferred site" for a

desalination plant in Monterey County. This analysis was undertaken at the direction of the California legislature, and the findings were memorialized in the CPUC Carmel River Dam Alternative Plan B Project Report. (This report is referenced at DEIR page 7-6.) Given that the CPUC has already identified this site as the superior environmental alternative, a full analysis of this site, and the People's Project on the site, is required.

II. FLAWS IN THE MODELING STUDIES

Section 4.4 of the DEIR "analyzes the potential for construction and operation of the Monterey Peninsula Water Supply Project (MPWSP or proposed project) to adversely impact local and regional groundwater resources. Specifically, this analysis focuses on how the proposed coastal extraction wells and aquifer storage and recovery (ASR) system improvements would change the groundwater levels, flow direction, and water quality in the groundwater aquifers adjacent to the coast and further inland beneath the Salinas Valley and within the Seaside Groundwater Basin." (DEIR 4.4-1).

Groundwater modeling was a "primary analytical tool used to evaluate project impacts on groundwater resources." (DEIR 4.4-40.) The DEIR notes that:

Groundwater models are computer simulations that represent water flow in the environment using mathematical equations After the model has been populated with the existing and anticipated future conditions, it is then calibrated against known information. In the case of groundwater models, simulations are run to check how closely the model mimics the actual groundwater elevations of wells located within the modeled area. The various input parameters are then adjusted to calibrate areas, as needed, to enable the model to reasonably simulate the actual conditions.

* * * * *

Groundwater models simulate aquifer conditions based on a specific set of data that describes such parameters as the subsurface characteristics, groundwater flow, and land use. The more robust the data set, the more capable the model will be to accurately simulate subsurface conditions. Most groundwater models use conservative input parameters so the output overstates the actual aquifer response. Nevertheless, groundwater models are mathematical-based computer programs that rely on input parameters and, consequently, there is a certain degree of uncertainty.

(DEIR at 4.40-42, -45.)

This critical modeling study suffers from several flaws. Many comment letters have discussed specific flaws in the modeling studies, and those comments will not be repeated here. I would like to observations as to two specific flaws.

The modeling assumptions and conclusions are predicated on the “North Marina Groundwater Model.” There have been two variables in this groundwater model that bear scrutiny and have the potential to change the model results significantly.

First, during the modeling session held at the PUC headquarters in San Francisco, on May 19, 2015, it was pointed out by modeling staff that a key variable in the model is the assumption that all Fort Ord historical pumping is, and has been from, the Seaside Aquifer. This is incorrect. Fort Ord has never pumped from this aquifer and has been an assessment paying member and pumper from the Salinas Valley Groundwater Basin since the inception of the base. Its pump houses are located on the outskirts of the base on Reservation Road, in the Salinas Valley Groundwater Basin. The model is significantly flawed as it portrays thousands of acre feet annually coming from the wrong basin, thereby skewing the cumulative and operational results significantly.

Second, the model shows the contiguous property of the Ag Land Trust as having no wells in the Salinas valley Groundwater Basin, and it therefore draws the conclusion of no significant impacts to contiguous landowners. Recent reports have shown two wells in the Ag Land Trust property – with one fully operational well with 2,000 gallon per minute capacity. Further, the landowner contends a 90% fresh water factor.

III. The Draft EIR Must Incorporate the May 2015 California Oceans Plan, Adopted by the California State Water Resources Control Board

The California Oceans Plan of 2015, (passed by the SWRCB) in May of 2015, is now the law of the land. The entire EIR is predicated on the 2012 California Oceans Plan and there needs to be comprehensive merging of the new and updated standards.

IV. The Draft EIR Is Premature Until Cal-Am’s Slant Test Well Operation is Complete and All Data Is Analyzed in the EIR

To satisfy CEQA requirements, an "EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed . . . in the full environmental context." (Guidelines, § 15125, subd. (c); *see also Citizens to Preserve the Ojai v. County of Ventura* (1985) 176 Cal.App.3d 421, 431-432.) If the EIR fails to include information needed for “informed decision-making and informed public participation,” the statutory goals of the CEQA process are thwarted and, therefore, the error is prejudicial; as a result, [the court] must overturn the agency's decision. *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 118.

Further, CEQA requires that an EIR "include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published." (CEQA Guidelines, § 15125, subd. (a).) “Without accurate and complete

information pertaining to the setting of the project and surrounding uses, it cannot be found that [an EIR] adequately investigated and discussed the environmental impacts" of a project. (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 729.) An inadequate description of a project's environmental setting "renders the identification of environmental impacts legally inadequate" and "precludes a determination that substantial evidence supports the [agency's] finding[s]" regarding the significance of impacts after mitigation. *Id.*

Because the EIR serves as an informational document that fosters intelligent decision-making, an agency must find out and disclose all that it reasonably can about the environmental impacts of a project. (Guidelines §§ 15144, 15003, subd. (g). While the use of modeling studies may be an appropriate methodology to identify and discuss the project conditions and environmental impacts, use of an incomplete, flawed, or inherently speculative modeling study is insufficient: an agency is tasked with using "*its best efforts to find out and disclose all that it reasonably can.*" (Guidelines, § 15144, italics added.)

In the present case, all interested stakeholders – including the State Water Resources Control Board, the Hydrogeologic Working Group, community leaders, and even Cal-Am itself – all understand that (i) the modeling study used in the DEIR is a work in progress, (ii) the modeling study will be updated and revised as more data is available from the slant test well, and (iii) the data from the slant test well is critical to determining the feasibility (and thus environmental impact) from the proposed slant well intake system for Cal-Am's project.

Below I have included a representative sampling of those comments and technical. Many of the comments were made during the Coastal Commission's permitting of the slant test well during fall of 2014, and the comments made clear that the full results from the slant test well are required to evaluate the environmental impacts.

A. Hydro-Geologic Working Group Comments¹

The Hydro-Geologic Working Group, which developed the groundwater model, acknowledged on July 8, 2014, that the model was a work in progress and required further refinement based on future data.

- "The conceptual hydrogeologic model developed from this investigation *suggests that a feedwater supply system using slant wells at the CEMEX site is feasible* and can utilize the Dune Sand Aquifer and underlying terrace deposits (180-Foot Equivalent Aquifer) as conduits to extract water through the seafloor beneath Monterey Bay. *This opinion will be tested using the newly constructed CEMEX Model and the refined NMGWM and will be field tested using a test slant well and groundwater monitoring system* as described in the Hydrogeologic Investigation Workplan." (p.2.)

¹ http://www.mpwsp.org/Websites/coastalwater/files/Content/4224222/FINAL_Borehole_TM_Part_I.pdf

- “Hydraulic conductivity values will be further refined based on the long-term test slant well pumping test . . . The extent of hydrostratigraphic equivalence will be evaluated through a pumping test utilizing the test slant wells and a monitoring network . . . Hydrostratigraphic relationships indicate that slant wells drilled into the Dune Sand Aquifer and 180-FTE Aquifer will receive recharge primarily from ocean sources through vertical leakage from the sea floor and horizontal recharge from offshore subsea aquifers. *This will be tested by the CEMEX and refined NMGWMs as well as field pumping tests.*” (p. 4)
- “In a letter dated September 26, 2012, the CPUC asked the State Water Resources Control Board (SWRCB) whether Cal-Am has the legal right to extract desalination feedwater for the proposed MPWSP. The CPUC requested an opinion on whether Cal-Am has a credible legal claim to extract feedwater for the proposed MPWSP in order to inform the CPUC’s determination regarding the legal feasibility of the MPWSP. The SWRCB concluded in July 2013, that the conditions in the aquifer where MPWSP feedwater would be extracted could be either confined or unconfined. *However, there was not enough information at that time to determine what types of conditions exist at the location of the proposed MPWSP wells. The SWRCB recommended that studies are needed to determine the extent of the Dune Sand Aquifer, the water quality and water quantity of the Dune Sand Aquifer, the extent and thickness of the Salinas Valley Aquitard, and the extent of the 180-Foot Aquifer, if present.*” (p. 8)
- “A groundwater model was developed by GEOSCIENCE in 2008 and is called the North Marina Ground Water Model (NMGWM). The NMGWM was developed based on existing data and conceptual models of the hydrogeology in the region, and has been used to evaluate several proposed projects in the area. The NMGWM is a three dimensional variable density finite difference model that uses industry standard computer codes (MODFLOW, MT3DMS and SEAWAT). Regional boundary conditions for the model are obtained from the Salinas Valley Integrated Groundwater and Surface Water Model (SVIGSM). *Construction of a third model, a focused model centered at CEMEX, was requested by the Hydrogeology Working Group (HWG). The new model will have additional model layers and a finer grid size than the NMGWM. The new focused model is herein referred to as the CEMEX Model (CM). The CM will be constructed with the field data collected from this investigation. The NMGWM includes the area of the current investigation (i.e., CEMEX and Moss Landing) and will be refined (based on recent field data). Both the CM and the NMGWM will be used to support the CPUC’s environmental review process, and to design a subsurface feedwater supply system.*” (p. 9)
- “The companion document to the Workplan will be the Hydrogeologic Investigation Report (HIR) and will include technical memorandums documenting all exploratory and testing activities *as well as progressive model refinements and impacts.* This

document will include the following: The Hydrogeologic Investigation Report will include a series of technical memorandum's which provide the data and analysis conducted throughout the study period including the following: Technical Memorandum (TM) – Summary of Results – Exploratory Boreholes Technical Memorandum (TM) – Summary of Results – Test Slant Well and Monitoring Wells Technical Memorandum (TM) – Summary of Results – Long Term Pumping Test and Monitoring Well Program.” (pp. 11-12)

- “The 180-FTE and 180-Foot Aquifers, although depositionally and chronologically different, are hydrostratigraphically equivalent. The degree of hydrostratigraphic equivalence will be evaluated by the long-term test slant well aquifer testing program.” (p. 48)
- “*In order to accurately model local effects of slant well pumping, a focused model, designated as the CM, is proposed. The CM will be located within the NMGWM centered at the CEMEX site. . . .* The exploratory boring information collected during this study has provided valuable data needed to determine the thickness and extent of the Dune Sand Aquifer, Perched “A” Aquifer, and the 180-FTE Aquifer and hydraulic conductivity data for model input. The model layers representing the Dune Sand Aquifer, Perched “A” Aquifer, SVA, and 180-FTE Aquifer will be refined using the new data. *Aquifer parameters used in the model will be updated during and after the test slant well program as appropriate to reflect the water level changes occurring in the aquifers during the test slant well pumping.*” (p. 62)
- “Nonetheless, the hydraulic conductivity values assigned to the various geologic and aquifer units represent the best available data and will be used for constructing the CM and refining the NMGWM. The hydraulic conductivity values will be updated with data obtained from the test slant well program. For groundwater modeling, typical storativity values will be assigned to the aquifer units. *Site specific storativity values will be calculated from data to be collected from the long-term pumping test which will be conducted during a subsequent phase of field investigations.*” (pp. 62-63)
- “The conceptual hydrogeologic model developed from this investigation suggests that a feedwater supply system using slant wells at the CEMEX site is feasible and can utilize the Dune Sand Aquifer and the underlying terrace deposits as conduits to extract water through the seafloor beneath Monterey Bay. *This opinion will be tested using the newly constructed CEMEX Model and the refined NMGWM and should be field tested using a test slant well and groundwater monitoring system as described in the Hydrogeologic Investigation Workplan.*” (p. 68)
- “The CEMEX facility is located on the westernmost edge of the 180/400-Foot Aquifer Sub-basin of the Salinas Valley Groundwater Basin, as currently mapped by

DWR (2003) and the MCWRA (2011). The findings of the investigation at CEMEX are summarized below:²

- “A significant clay layer is not present beneath the Dune Sand Aquifer at the CEMEX site at elevations commonly attributed to the SVA, suggesting a different depositional environment than that of the 180-Foot Aquifer in the Salinas Valley. The water quality data suggests groundwater in the Dune Sand Aquifer may be in hydraulic continuity with the underlying aquifer units. *The degree of hydraulic continuity will be determined by construction of aquifer specific monitoring wells and the long-term pumping test of the test slant well.*”
- “As a hydrogeologic unit, the terrace deposits will be designated as the 180-FTE Aquifer. *The extent of hydrostratigraphic equivalence will be evaluated through a pumping test utilizing the test slant wells and a monitoring network.*”
- “Hydrostratigraphic relationships indicate that slant wells drilled into the Dune Sand Aquifer and 180-FTE Aquifer will receive recharge primarily from ocean sources through vertical leakage from the sea floor and horizontal recharge from offshore subsea aquifers. *This will be tested by the CM and refined NMGWM as well as field pumping tests.*”

Id. at 68-70.

B. Acknowledgment by Cal-Am that Test Well Data was Critical to Determining Feasibility

After the Coastal Commission approved Cal-Am’s slant test well in late 2014, Cal-Am issued a statement acknowledging that the test well data was critical to determining overall project feasibility:

This approval represents a tremendous step forward for the Monterey Peninsula Water Supply Project,” said California American Water President Rob MacLean. “We now have the opportunity to study the feasibility of the preferred intake location and method, as selected by a broad group of stakeholders, and to confirm modeling work that supports that selection. *See Monterey Peninsula Water Supply Project Progress Report, January 31, 2015.*²

² http://www.mpwsp.org/Websites/coastalwater/files/Content/3872911/CA-Mtry_2014MPWSP-NewsletterQ4_FINAL2.pdf

C. Comments Made by Cal-Am, Stakeholders, Marina's Environmental Planner, and Others During Marina City Council Review of Slant Test Well Permit³

- Comments from Emily Creel (Environmental Planner for City of Marina): The monitoring wells are to facilitate the project's purpose, which is information gathering on how those aquifers will react and to what degree they will react to the pumping activities. So those monitoring wells will be fitted with a sensor which record real-time data on water quality levels. They will also take data regarding water quality. *So that data will be constantly recorded by those wells, and then the applicant proposes to digest it and put out that data to the Hydrogeologic Working Group so that they can update this model, the north Marina groundwater model, which is the tool being utilized to analyze impacts of the Monterey Peninsula Water Supply Project.*

The Hydrogeologic Working Group set out a detailed work plan of steps that needed to be taken, and the bore holes were the first step recommended by that group, and the slant test well is the second. The Hydrogeologic Working Group is made of geologic and hydrogeologic experts that represent a wide range of interests. So Cal-Am has an expert in the group, so do the farm -- farm interests in the Salinas Valley Groundwater Basin. *The project purpose is to develop and operate a short-term pumping program to gather information on the geologic, hydrogeologic and water quality characteristics of the project site. That information would be used to refine the north Marina groundwater model, which is the tool being developed by the HWG to evaluate short- and long-term impacts of that larger full-scale project.*

- Comments from Martin Feeney (Member of the Hydrogeologic Working Group): I'm a member of the Hydrogeologic Working Group. We have spent quite a lot of time looking over data, arguing over data, and making assumptions. And geosciences built a relatively robust model. We're at the point where it's past opinions. *We need real data to be able to confirm the assumptions about the impacts of this project.*

The test well is essential for being able to get the data that allows us to validate the models so that we can actually predict the impacts that go into the EIR. We're at the point now where you can wave your arms about the geology, but we need some real data. We need to stress the system with the test well and to figure out how the system actually reacts so we can answer the questions about water rights, impacts, all those things come out of the actual testing of the test well and looking at the impacts in the monitoring wells that we're putting in around it to see how the whole system reacts. This is about a test well that helps us define the actual response of a system to the

³ The transcript from the Marina City Council hearing can be found at <http://documents.coastal.ca.gov/reports/2014/11/W14a-s-11-2014.pdf>. The transcript begins at page 463. The Creel testimony is at pp. 479, 483-84; the Feeney and Ziggas testimony is at pp. 572-77; the Burnett testimony is at pp. 587-90; and the Crooks testimony is at pp. 607-14.

pumping so that we can accurately look at the impacts. . . . So, please, let's move forward with getting the test well so we can get some real data.

- Comments from Eric Ziggas (Cal-Am EIR Consultant): So the Hydrogeology Work Group went out, Cal-Am funded. They drilled probably 13 holes, I think, total. Thirteen holes from Moss Landing down to the CEMEX property. And through that they developed a conceptual model. Conceptually, how does the basin work?

And the Hydrogeology Work Group, you just heard Martin tell you, they struggled with concepts and understanding, and they've come to what I think is a common understanding of how the basin works. That's allowed the team to now model the basin. So we're modeling the basin. In the CEMEX area we're modeling in three different models: A valley-wide model, a north Marina groundwater model, and a very focused CEMEX model. We're also modeling at Potrero Road. The CPUC has an alternatives analysis and will be looking at alternatives and take wells at Potrero Road. It is not a done deal that there's going to be a project at CEMEX, either it's not going to be feasible technically or politically.

But uncertainly really is a -- makes for risky decisions, and risk can be reduced by gaining knowledge, and the knowledge you can gain from the test well will benefit not only Cal-Am, it will benefit every basin user. It will benefit Marina Coast Water District, if and when they decide to build a project. Their project is included in our analysis. We're assuming they are going to build 1.5 million gallon a day project that's being modeled in our EIR to demonstrate the cumulative effects.

We will also be able to tell you with certainty what the impacts are associated with their wells, but we will only be able to model it without the well. We won't have real data. Okay?

So I do encourage you to learn more about your basin, be better informed. When we come back in a year with Cal-Am's application for the Coastal Development Permit, that conversation should be more informed. *It should be informed by data and information, and that information will be obtained through this test well. Reduce your risk. Go ahead and learn the knowledge. Learn more about your basin.*

- Comments from Carmel Mayor Jason Burnett: The decision of the settling parties was that we wanted to have experts, hydrogeologists, *determine what information was necessary in order to inform the broader project, and that's exactly what this test well would provide.* This test well is being called for by that Hydrogeologic Working Group.
- Comments from Cal-Am Representative Ian Crooks: But I would just like to make a couple of points that the test well is a test. We need the data to move it to the next stage. If it's successful and it becomes a production well, the production well comes

before you in the full EIR. You will get a chance to evaluate it, ask questions, and make comment.

- Ian Crooks (Cal-Am), July 2014 Appeal of City of Marina Planning Commission Decision: “On August 23, 2012, California American Water filed an application for the CDP with the City, seeking authorization to construct, temporarily operate, then decommission a slant test well and related monitoring wells and infrastructure. The purpose of the proposed Project is to gather technical data related to the potential hydro-geologic and water quality effects of the proposed MPWSP, and ultimately to determine whether subsurface slant wells are feasible for use as production intake wells at the site.”

D. Comments Made by Stakeholders and Interested Groups to the Coastal Commission⁴

- State Water Resources Control Board (November 7, 2014 Letter to Coastal Commission): “A coastal development permit would allow Cal-Am to construct a test well necessary to complete environmental review for its proposed Monterey Peninsula Water Supply Project. The proposed project includes a desalination plant that would produce desalinated water to supplant Cal-Am’s illegal diversions from the Carmel River. *As part of related California Public Utilities Commission proceedings, the State Water Board had identified the need for further test wells, such as that pending before the Coastal Commission, as a necessary component of the project’s environmental review. The coastal development permit for a test slant well is a critical component of evaluating that project.*”
- December 9, 2014, Comment Letter from National Oceanic and Atmospheric Administration to Coastal Commission:⁵ Cal-Am would use the test slant well to conduct a pumping and testing program over an approximately 24-month period to obtain data regarding the geologic, hydro-geologic, and water quality characteristics in aquifers underlying the project area. *Cal-Am would use the data to help determine whether a subsurface intake system at or near this location could provide source water for a potential seawater desalination facility.*
- November 6, 2014, Letter from Monterey Peninsula Water Resources Agency to Coastal Commission: “When Cal Am applied to the California Public Utilities Commission (CPUC) for approval of the Monterey Peninsula Water Supply Project, each of our organizations intervened. We wanted to ensure our local environmental and community interests were represented in the process. After months of

⁴ The comment letters can be found at <http://documents.coastal.ca.gov/reports/2014/11/W14a-s-11-2014.pdf>. The SWRCB letter is at pp. 114; the Monning letter is at pp. 956; and the remaining letters are at pp. 396-462.

⁵ http://montereybay.noaa.gov/resourcepro/resmanissues/pdf/141209calam-slantwell_auth-ltr-ccc-signed.pdf

negotiations we reached an agreement with Cal Am that addresses many areas of concern, and establishes specific technical, environmental, organizational, and financial requirements for the project. *These include the investigation of the feasibility of using subsurface slant wells at the active sand mining operation on the CEMEX, Inc. property in the City of Marina as the preferred location for the source water intake. The Cal-Am Slant Test Well Project is specifically proposed to assist in completing that important feasibility analysis.*

- November 3, 2014, Letter from Monterey Bay Aquarium to Coastal Commission: “we feel it is important for Cal-Am to be able to test the feasibility of using subsurface slant wells as soon as possible in order to obtain critical information about the use of this technology at a potential desalination facility located at the CEMEX, Inc. property in the City of Marina. *This testing operation will yield key findings that will inform the Environmental Impact Report for the proposed project, as well as inform plant design requirements.*”
- November 5, 2014 Letter from the Hon. Sam Farr to the Coastal Commission: “The continued progress of this comprehensive solution is now hung up on the question of approving a test slant well for the desalination plant. The site of the proposed slant test well was agreed upon after numerous meetings with local, state, and federal permitting agencies. The test has been designed through a collaborative technical working group to gather information on the technical feasibility of operating a desalination plant with slant well technology. *In essence the slant test well is an experiment whose data is critical to making a good decision on the ultimate viability of the Monterey Peninsula Water Supply Project.*”
- October 30, 2014 Letter from the Hon. Ralph Rubio (Mayor of Seaside) to Coastal Commission: “Completion and operation of the test well is a critical step in determining the feasibility of the overall project. . . . Sanctuary Guidelines require a desalination project proponent to investigate the feasibility of using subsurface intakes, and that is the specific purpose of the test well project . . . the test well will gather data on the feasibility of slant wells at the CEMEX site. The data is needed for final design and will help determine what impacts, if any, slant wells will have on the Salinas Groundwater Basin.”
- November 4, 2014, Letter from Monterey Peninsula Chamber of Commerce to Coastal Commission: “the Test Well Project must be completed in an expeditious manner to gather critical data on water quality and quantity, as well as the feasibility of the slant wells at the CEMEX property in Marina.”
- November 6, 2014, Letter from California Coastal Protection Network to Coastal Commission: “the purpose of the project is to test the overall feasibility and location for a proposed full-scale project, most notably available yield and the hydrological

effect of extracting water at this site on the two aquifers that have been subject to seawater intrusion.”

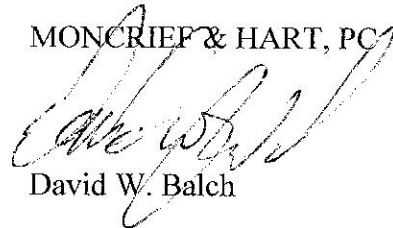
- November 2, 2014 Letter from Public Water Now to Coastal Commission: The State Water Board and the CA Coastal Commission know that slant wells are a new engineering approach. It is experimental. Although highly desirable, there is no history of a successful operation. Even with high quality design, engineering, and hydro-geologic data collection and analysis, there is still this one alarming fact -there is not one operational success to draw upon. Not in California. Not in the United States. Nowhere in the world.
- October 21, 2014 Letter from the Hon. Bill Monning to Coastal Commission: The Monterey Peninsula Water Supply Project is reliant on the operation of a test well to study the feasibility of subsurface intakes.

CONCLUSION

All of the points addressed above need to be considered in the joint DEIR/DEIS, which cannot be issued until after the slant test well observation and testing period (18-24 months) is completed.

Very truly yours,

MONCRIEF & HART, PC



David W. Balch