

Salinas Valley Water Coalition



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Transmitted Via Email
mpwsp-eir@esassoc.com

Mary Jo Borak
California Public Utilities Commission
c/o Environmental Science Associates
550 Kearny Street, Suite 800
San Francisco, CA 94108

4 September 2015

Re: A.12-04-019, Monterey Peninsula Water Supply Project, July 9, 2015 Notice re
Release of Groundwater Modeling and Data

Dear Ms. Borak;

On July 28, 2015, the Salinas Valley Water Coalition made a written request for the data, models, and assumptions used by Geosciences in the hydrogeology modeling work they performed for the Draft Environmental Impact Report (DEIR) analyzing the above referenced project¹. This request was made pursuant to the July 9, 2015 Notice issued by the CPUC Energy Division wherein it stated that they would provide this data and information.

On July 29, 2015 I received a phone call from Mr. Eric Zigas who informed me that we would need to provide an external hard drive capable of holding 2 terabytes of data, and that once they received the hard drive they would load the files onto it and return the hard drive to us. I asked Mr. Zigas to send me an email with his request and the address to which the hard drive needed to be mailed, which he did; a copy of which is attached.

The Coalition's groundwater modeling consultant, Mr. Timothy Durbin, mailed the requested hard drive to the address by the end of that week as requested by Mr. Zigas. Mr. Zigas stated in his email that if we could "provide the hard drive by the end of this week, Tim will receive the loaded drive by Aug 21, 2015." It is now September 4, 2015 and Mr. Durbin still has not received the hard drive with the data loaded.

¹ Copy of letter attached. The Coalition, California-American Water Company and other parties originally requested the modeling data by letter dated April 9, 2015, a copy of which is also attached.

Mission Statement: The water resources of the Salinas River Basin should be managed properly in a manner that promotes fairness and equity to all landowners within the basin. The management of these resources should have a scientific basis, comply with all laws and regulations, and promote the accountability of the governing agencies.

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As you are aware, the Commission has extended the deadline for submittal of comments to this projects' DEIR to September 30, 2015. The extension was appreciated, and coupled with the Energy Division making the modeling data available, we believed we would be able to review the DEIR within the context of the modeling data and prepare constructive comments. However, we have not received the modeling data which is critical to our ability to assess the adequacy of the DEIR and to formulating our comments.

Even if we were to receive the 'fully' loaded hard drive today, it would be difficult to complete an adequate review of the modeling data and its relationship as to the adequacy of the DEIR and its groundwater impacts analysis within 2-3 weeks. This is an unreasonable expectation when it has taken twice as long just to fully load the hard drive with the data.

The Salinas Valley Water Coalition has expended a great deal of time and resources to be an active participant in this proceeding, including retaining the services of two experts who participate in the Hydrological Working Group (Tim Durbin and Martin Feeny). This was done to ensure that the decision made as to the viability of the project would be based on sound science; that the DEIR would show the project would operate without causing unmitigated significant adverse impacts to the Salinas River Groundwater Basin; and that the legal water right users of the Basin would be protected from harm and made whole.

Not having adequate time to fully review the data once it is received, has placed us at a great disadvantage, and we believe it places the project at a disadvantage as well. I am not sure how to resolve this as it will most likely only serve to have many unanswered questions raised in our comments to the DEIR and I believe will serve to make the DEIR more vulnerable to legal challenge.

Please send the fully loaded hard drive via overnight express mail to Mr. Timothy Durbin immediately. And as requested in my July 28, 2015 letter, please send me confirmation that this has been done via email (nisakson@mbay.net).

Thank you for your consideration,

A handwritten signature in black ink that reads "Nancy Isakson".

Nancy Isakson, President
Salinas Valley Water Coalition

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Mary Jo Borak, CPUC
c/o ESA
550 Kearny Street, Suite 800
San Francisco, Ca 94108

28 July, 2015

Re: CPUC Proceeding A.12-04-019

Dear Ms. Borak;

Pursuant to the July 9, 2015 Notice issued by the CPUC Energy Division wherein it states that they will provide the data, models, and assumptions used by Geosciences in the hydrogeology modeling work they performed for the above referenced project. The following is our request for data and the form in which we would like it.

North Marina Groundwater Model (NMGWM)

The data files for the NMGWM calibration and scenario simulations are requested. The model has two components: a groundwater-flow model and a solute-transport model. The groundwater-flow model is based on the computer program MODFLOW, and the solute-transport model is based on the computer program MT3D. For each program and for each model run described in Appendix E2 of the DEIR, the following is requested:

- The native input files as the digital files input to the modeling programs to calibrate the models or to assess MPWSP impacts.
- The native output files as the digital files created by the modeling programs to calibrate the model or to assess MPWSP impacts.
- The executable files for each of the modeling programs run.

The native files are the ASCII files that MODFLOW or MT3D read or write.

CEMEX Model (CM)

The data files for the CM calibration and scenario simulations are requested. The model is based on the computer program SEAWAT. For each model run described in Appendix E2 of the DEIR, the following is requested:

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- The native input files as the digital files input to the modeling program to calibrate the model or to assess MPWSP impacts.
- The native output files as the digital files created by the modeling program to calibrate the model or to assess MPWSP impacts.
- The executable file for the modeling programs run.

Graphical User Interface (GUI)

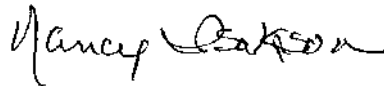
Geosciences most likely used a commercially available GUI to develop the NMGWM and CM. With respect to that use, the following is requested:

- Identification of the GUI used, including the version.
- The GUI files corresponding to the requests for input and output files for the NMGWM and CM.

Please provide the above requested information to our Consultant, Mr. Timothy Durbin at the address shown below. If you have any questions or need additional information regarding this request, please let me know. I would appreciate your confirmation to me via email (nisakson@mbay.net) once the requested data and files have been provided.

Timothy J. Durbin, Inc.
4509 Woodfair Way
Carmichael, CA 95608
Office: (916) 966-8637
Cell: (916) 213-8637
Email: tdurbin@tjdurbin.com

Sincerely,



Nancy Isakson, President

N. Isakson

From: "Eric Zigas" <EZigas@esassoc.com>
Date: Wednesday, July 29, 2015 1:26 PM
To: "N. Isakson" <nisakson@mbay.net>; "MPWSP-EIR" <M@esassoc.com>
Cc: "Tim Durbin" <tdurbin@tjdurbin.com>; "Michael Burns" <MBurns@esassoc.com>; "Johnson Yeh" <jyeh@geoscience-water.com>; "Koltz, Jonathan" <Jonathan.Koltz@cpuc.ca.gov>; "Borak, Mary Jo" <maryjo.borak@cpuc.ca.gov>
Subject: RE: CPUC proceeding A.12-04-019

Hi Nancy/Tim.

As we discussed earlier today Nancy, in order to transfer the files to you (to Tim), we're asking that you provide an external hard drive, capable of holding 2TB (terabytes) of data. Geosciences will load the files onto your hard drive, and they will return the drive to you.

Please send the drive to:

Geosciences Support Services, Inc
Attn: Johnson Yeh
620 Arrow Highway, Suite 2000
LaVerne, CA 91750
909-920-0707

If you can provide the hard drive by the end of this week, Tim will receive the loaded drive by Aug 21, 2015. Please confirm Tim's address:

4509 Woodfair Way
Carmichael, CA 95608

Thanks!
--EZ

From: N. Isakson [mailto:nisakson@mbay.net]
Sent: Monday, July 27, 2015 6:47 PM
To: MPWSP-EIR
Cc: Tim Durbin; Eric Zigas
Subject: CPUC proceeding A.12-04-019

Please find attached our request for the model files and data used by Geosciences in the hydrogeology modeling work completed for the above referenced project.

Please let me know if you have any questions or need additional information.

Please confirm your receipt of this email.

Thank you

Nancy

Nancy Isakson, President
Salinas Valley Water Coalition
(831) 224-2879
(831) 886-1528 FAX

Notice: This message, including any attachments, may include privileged, confidential and/or inside information. Any distribution or use of this communication by anyone other than the intended recipient(s) is strictly prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and then delete it from your file system. Thank you.

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4821 / Virus Database: 4365/10332 - Release Date: 07/29/15

April 9, 2015

Timothy Sullivan
Executive Director
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Re: Joint request for groundwater impacts modeling technical memorandum and electronic files (Application No. 12-04-019)

Dear Mr. Sullivan,

This request is jointly made by California-American Water Company (“CAW”), the Salinas Valley Water Coalition (“SVWC”) and most parties who entered into that certain settlement agreement¹ dated July 31, 2013, in the above-titled proceeding concerning the Monterey Peninsula Water Supply Project (“Requesting Parties”). The Requesting Parties seek certain information utilized by the California Public Utilities Commission’s (“Commission”) Energy Division in its preparation of a Draft Environmental Impact Report (“DEIR”) for the Monterey Peninsula Water Supply Project (“MPWSP” or “Project”).² As described below, the information should be made available for public review or to the parties to A.12-04-019 at the time the DEIR is released.

The Commission’s Environmental Review Team has retained Geosciences Support Services Incorporated (“Geosciences”) to conduct the computer modeling to assess potential effects of the MPWSP’s slant wells on the Salinas River Groundwater Basin (“SRGB”). To do that, Geoscience is using three different computer model programs: (1) the Salinas Valley Integrated Groundwater and Surface Water Model; (2) the North Marina Groundwater Model; and (3) the CEMEX Model. The Requesting Parties would like to better understand the modeling and its assumptions, and accordingly seek the following: (1) the electronic “input files”

¹ *Settlement Agreement*, Entered by the Following Parties: CAW, Citizens for Public Water, City of Pacific Grove, Coalition of Peninsula Businesses, County of Monterey, Division of Ratepayer Advocates (“DRA”), Landwatch Monterey County, Monterey County Farm Bureau, Monterey County Water Resources Agency, Monterey Peninsula Regional Water Authority, Monterey Peninsula Water Management District, Monterey Regional Water Pollution Control Agency, Planning and Conservation League Foundation, SVWC, Sierra Club, and Surfrider Foundation. Not all parties to the Settlement Agreement are joining in this request.

² The Commission will make its DEIR available for a 60-day public comment period that is scheduled to start sometime in April 2015. *See* Administrative Law Judge’s Ruling Updating Schedule (filed January 23, 2015), at p. 3. The DEIR will, among other things, analyze potentially significant environmental effects from the MPWSP’s construction and operation of slant wells to produce up to 9 million gallons per day (“MGD”) of seawater and brackish groundwater from an area near the mouth of the SRGB for desalination and distribution for beneficial use within the service area of CAW’s Monterey District.

that Geoscience ran through its modeling programs for the suite of scenarios described in the DEIR; (2) the electronic “output files” produced by the Geoscience modeling programs for the suite of scenarios; and (3) the executable file for each of the modeling programs runs for the suite of scenarios performed in connection with the DEIR impacts analysis.

To assess the groundwater modeling, we are requesting the electronic input, output and executable files, so they can be run through each of the three modeling programs under different scenarios reflecting varied modeling parameters that reveal how the model works and the sensitivity of its output to changed inputs and other parameters.

The Requesting Parties are asking the Commission’s Environmental Review Team to provide for public review or to the parties a copy of the Technical Memorandum (“Tech Memo”) that Geoscience is preparing on its groundwater modeling work, as well as the following:


- The **input files** as the digital files input to the three modeling programs run to assess MPWSP impacts for each of the scenarios performed in connection with the DEIR impacts analysis;
- The **output files** as the digital files created by the three modeling programs run to assess MPWSP impacts for each of the scenarios performed in connection with the DEIR impacts analysis; and
- The **executable files** for each of the three modeling programs run for each of the modeling scenarios conducted to assess potential MPWSP effects.

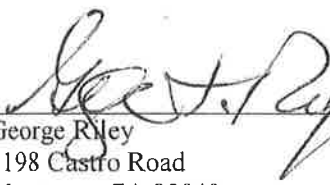
A copy of the preceding electronic files can be saved on digital video disks or on a portable/external hard drive. If a portable/external hard drive is used to provide the files, the Requesting Parties are willing to pay the reasonable cost of the hard drive.³


The Requesting Parties respectfully request that the Commission produce the Tech Memo and electronic files by the start of the DEIR comment period for the MPWSP. The Requesting Parties also respectfully request that the Commission respond in writing by Monday, April 13, as to whether it will produce the files as requested herein. Thank you, in advance, for your assistance in obtaining this information. If there are any questions about our request, please call Sarah Leeper at 415-863-2960 or Eric Robinson at 916-321-4500.


Respectfully submitted,


³ Requesting files in electronic form is consistent with the California Public Records Act (“PRA”), which provides for public records that are kept in electronic form to be made available in electronic form. Gov’t Code §§ 6253(b), 6252(e), 6262(g), § 6253.9. Certain parties may, therefore, consider making a PRA request to obtain the above-mentioned information if it is not provided in response to this request.

By: 
Sarah E. Leeper, Attorney
California American Water
333 Hayes Street, Suite 202
San Francisco, CA 94102
For: California-American Water Company

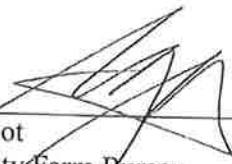
By: 
George Riley
1198 Castro Road
Monterey, CA 93940
(831) 645-9914
georgetriley@gmail.com
For: Citizens for Public Water

By: 
Bob McKenzie
Water Issues Consultant
Coalition of Peninsula Businesses
P.O. Box 223542
Carmel, CA 93922
For: Coalition of Peninsula Businesses

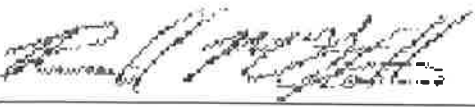
By: 
Dan L. Carroll
Attorney at Law
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621 Capitol Mall, 18th Floor
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For: Both the County of Monterey and
the Monterey County Water Resources
Agency

By: 

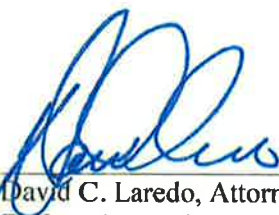
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By: 

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21 East Carrillo Street
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For: Monterey Peninsula Regional Water
Authority

By: 

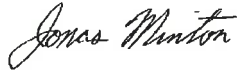
David C. Laredo, Attorney
De Lay & Laredo
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For: Both the Monterey Peninsula Water
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Grove

By:



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For: Monterey Regional Water Pollution
Control Agency

By:



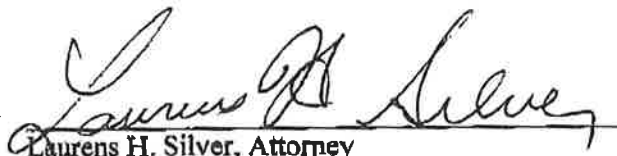
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Senior Water Policy Advisor
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For: Planning and Conservation League
Foundation

By:



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For: Salinas Valley Water Coalition

By:



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Mill Valley, CA 94942
For: Sierra Club

By:  for

Gabriel M.B. Ross
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, CA 94102
For: Surfrider Foundation

cc.: Andrew Barnsdale, CPUC Energy Division