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Subject: Local Action on Cal Am Desal Project

June 6, 2019

State Water Resources Control Board and staff:

We wanted you to be aware of the local action we have taken in filing an appeal with the Monterey County Board of Supervisors. We are asking the BOS to set aside the County Planning Commission's approval of Cal Am's desal permit and to require a subsequent EIR for the project.

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Public Water Now Files Appeal to Set Aside County Planning Commission Ruling on Cal Am Permit

On May 16, Public Water Now (PWN) filed an appeal with the Monterey County Board of Supervisors to set aside the permit issued by the Monterey County Planning Commission to Cal Am for its proposed desal plant until a Supplemental EIR is completed.

The Planning Commission's ruling in favor of Cal Am's Desal permit was narrowly passed by a vote of 6 to 4. The four District 4 and 5 Commissioners who opposed it, and whose districts this would directly affect, wisely asked for more time and more detail to make their decision.

According to the appeal the Planning Commission decision violates the California Environmental Quality Act (CEQA), the Monterey County General Plan, the North County Local Coastal Plan, the Sustained Groundwater Management Act (SGMA), the California Constitution, and established California law governing groundwater rights.

PWN's appeal asks for a Supplemental EIR because the EIR prepared by the California

Public Utilities Commission (CPUC) is inadequate and incomplete and did not address mandated legal and environmental requirements. It did not evaluate the data and anticipated adverse impacts of Cal Am's desal project on groundwater in the Salinas Valley Basin identified by the Stanford AEM study.

A glaring omission was the fact that Cal Am has no groundwater rights in the Salinas Valley and cannot legally secure any. The County General Plan and LCP, SGMA and CEQA require proof of groundwater rights before a permit may be issued.

Clearly County Planning Commission staff did not provide the Commissioners with the vital information they needed to make a sound decision. There was no discussion of the many substantial objections raised by PWN and others at the hearing. Instead the Commissioners were asked to issue this permit simply because the CPUC had approved the project.

They were also told it was urgent to move forward and that any delay would result in rationing. It was never pointed out that there was no urgency because the back up plan recently initiated by the Monterey Peninsula Water Management District and Monterey One Water could meet the State ordered CDO deadline if Cal Am could not.

Public Water Now is a community non-profit of 3,500 members committed to achieving the lowest cost, sustainable water supply for the Monterey Peninsula through public ownership. PWN put Measure J on the ballot. It passed in November 2018 and requires the Monterey Peninsula Water Management District to pursue a public buyout of Cal Am's local assets.

Learn more about Public Water Now at <http://www.publicwater.org>