

CHAPTER 8

Comments and Responses on the Draft EIR/EIS

8.1 Introduction

On January 13, 2017, the CPUC and MBNMS (the CEQA and NEPA lead agencies, respectively, sometimes jointly referred to as the Lead Agencies) published and distributed the Notice of Availability (NOA) of the Draft EIR/EIS for the MPWSP, soliciting both written and oral comments on the Draft EIR/EIS by local, state, and federal agencies and by interested organizations and individuals for a 45-day public comment period starting January 13 and ending February 27, 2017. At the request of several agencies and members of the public, the Lead Agencies extended the comment period by an additional 30 days, and written comments on the Draft EIR/EIS were accepted through March 29, 2017. The Lead Agencies held a public hearing for the receipt of oral and written comments on the Draft EIR/EIS on February 16, 2017. The Lead Agencies received approximately 82 comment letters, plus 2 form letter submissions, sent through mail, hand-delivery, or email, as well as approximately 18 oral comments made to staff at the public hearing. On November 9, 2017, subsequent to the close of the Draft EIR/EIS comment period, Marina Coast Water District submitted additional comments to the Lead Agencies.

This chapter includes all written and oral comments received during the public comment period on the Draft EIR/EIS, and provides responses to all comments that address issues relevant to the EIR/EIS. Although several written comments were received late, they are responded to in this Final EIR/EIS.

This chapter fully complies with CEQA and NEPA provisions regarding response to Draft EIR/EIS comments. CEQA Guidelines Section 15088 requires lead agencies to evaluate comments on environmental issues and prepare a written response. According to Guidelines Section 15088(c), the “written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.”

40 CFR1503.4 establishes the following requirements for response to comments in a Final EIS:

- (a) An agency preparing a final environmental impact statement shall assess and consider comments both individually and collectively, and shall respond by one or more of the means listed below, stating its response in the final statement. Possible responses are to:
- (1) Modify alternatives including the proposed action.
 - (2) Develop and evaluate alternatives not previously given serious consideration by the agency.
 - (3) Supplement, improve, or modify its analyses.
 - (4) Make factual corrections.
 - (5) Explain why the comments do not warrant further agency response, citing the sources, authorities, or reasons which support the agency's position and, if appropriate, indicate those circumstances which would trigger agency reappraisal or further response.
- (b) All substantive comments received on the draft statement (or summaries thereof where the response has been exceptionally voluminous), should be attached to the final statement whether or not the comment is thought to merit individual discussion by the agency in the text of the statement.

8.1.1 Responses to Comments Methodology and Organization

Responses to comments provided in this chapter address environmental issues raised during the review period. Responses are provided for each comment in the following sections. They are intended to provide clarification and refinement of information presented in the Draft EIR/EIS and, in some cases, to correct or update information in the Draft EIR/EIS. The text of the Draft EIR/EIS has been revised as appropriate in response to comments and to reflect new or updated information, and the revised text has been incorporated into the Final EIR/EIS in Chapters 1 through 7. Some of the text modifications are noted in Master Responses or individual responses to comments where necessary to discuss specific changes that have been made. Many places, the Master Responses or individual responses note that changes have been made to the text in Chapters 1 through 7, but the text of such changes is not set forth in the responses themselves.

8.1.1.1 Master Responses

Numerous comments on the Draft EIR/EIS raised common concerns or questions that are most appropriately answered or clarified in one comprehensive or “master” response. The Lead Agencies have provided Master Responses to address common concerns in Section 8.2. Individual comments related to these topics are referred to the pertinent Master Response. The Master Response topics include the following:

- Master Response 1: EIR/EIS Authorship
- Master Response 2: Source Water Components and Definitions
- Master Response 3: Water Rights
- Master Response 4: The Agency Act and Return Water

- Master Response 5: The Role of the Hydrogeologic Working Group and its Relationship to EIR/EIS
- Master Response 6: The Sustainable Groundwater Management Act
- Master Response 7: The Deeper Aquifers of the Salinas Valley Groundwater Basin
- Master Response 8: Project Source Water and Seawater Intrusion
- Master Response 9: Electrical Resistivity Tomography (ERT) and Airborne Electromagnetics (AEM)
- Master Response 10: Environmental Baseline under CEQA and NEPA
- Master Response 11: CalAm Test Slant Well
- Master Response 12: The North Marina Groundwater Model (v. 2016)
- Master Response 13: Demand (Project Need) and Growth
- Master Response 14: CEMEX Settlement Agreement
- Master Response 15: Alternative Desalination Projects – Status, Information Sources, and Cumulative Scenario

8.1.1.2 Individual Responses

The Draft EIR/EIS comment letters, the public hearing transcript, and detailed responses to each comment are included in Sections 8.3 through 8.9, which organize comments and responses by category (Federal, State, and Local Agencies, Organizations, Individuals, Form Letters, and oral comments received at the public hearing). Within each category, letters are listed alphabetically. The comment letters appear first within each category, followed by a comprehensive set of responses. Comments have been delineated and numbered consecutively within each comment letter. Each individual comment is marked in the margin with the number of the comment and correlative response. Attachments to the Draft EIR/EIS comment letters and other supporting contents from the Draft EIR/EIS comment letters (e.g. resumes, product sheets, repeat form letters, etc.) are included in Appendix M. Where an individual comment is addressed by information in one or more Master Responses, the response refers to the Master Response(s). Where an individual comment is addressed by another individual response, the reader is referred to such other response to avoid duplication.

8.1.2 List of Commenters

Table 8-1 lists all agencies, organizations and individuals who provided written or oral comments on the Draft EIR/EIS. The table is organized by category (federal, state, and local agencies, organizations, individuals, and oral comments) and the section number where the comment and responses are located in Chapter 8.

**TABLE 8-1
COMMENTERS ON THE MONTEREY PENINSULA WATER SUPPLY PROJECT DRAFT EIR/EIS**

Section Number	Commenter
Federal Agencies	
8.3.1	Department of the Army, Fort Ord Base Realignment and Closure Field Office (FOBRAC)
8.3.2	Department of the Army, U.S. Army Installation Management Command (USARMY)
8.3.3	Monterey Bay National Marine Sanctuary Advisory Council, Research Activity Panel (MBNMS RAP)
8.3.4	United States Army Corps of Engineers (USACE)
8.3.5	United States Environmental Protection Agency (USEPA)
State Agencies	
8.4.1	California Coastal Commission (CCC)
8.4.2	California Department of Fish and Wildlife (CDFW)
8.4.3	California Department of Parks and Recreation (CA Parks)
8.4.4	California State Lands Commission (CSLC)
8.4.5	State Water Resources Control Board (SWRCB)
Local Agencies	
8.5.1	City of Marina
8.5.2	Marina Coast Water District (MCWD)
8.5.3	Monterey Bay Air Resources District (MBARD)
8.5.4	Monterey County Resource Management Agency (MCRMA)
8.5.5	Monterey County Water Resources Agency (MCWRA)
8.5.6	Monterey Peninsula Regional Water Authority (MPRWA)
8.5.7	Monterey Peninsula Water Management District (MPWMD)
8.5.8	Monterey Regional Waste Management District (MRWMD)
8.5.9	Monterey Regional Water Pollution Control Agency (MRWPCA)
Organizations	
8.6.1	Ag Land Trust (ALT)
8.6.2	California Unions for Reliable Energy (CURE)
8.6.3	California-American Water Company (CalAm)
8.6.4	Carmel River Steelhead Association (CRSA)
8.6.5	Carmel River Watershed Conservancy (CRWC)
8.6.6	CEMEX
8.6.7	Citizens for Just Water (CJW)
8.6.8	Coalition of Peninsula Businesses (CPB)
8.6.9	Deep Water Desal, LLC (DWD)
8.6.10	Ecological Rights Foundation (ERF), the Center for Biological Diversity (CDB), and Our Children's Earth Foundation (OCEF)
8.6.11	Fort Ord Rec Users (FORU)
8.6.12	Just Water (JW)
8.6.13	Land Watch Monterey County (LWMC)
8.6.14	Pebble Beach Company (PBC)
8.6.15	Point Blue Conservation Science
8.6.16	Public Trust Alliance (PTA)
8.6.17	Public Water Now (PWN)
8.6.18	Salinas Valley Water Coalition (SVWC) and Monterey County Farm Bureau (MCFB)
8.6.19	Surfrider Foundation
8.6.20	Water Ratepayers Association of the Monterey Peninsula (WRAMP)

TABLE 8-1 (Continued)
COMMENTERS ON THE MONTEREY PENINSULA WATER SUPPLY PROJECT DRAFT EIR/EIS

Section Number	Commenter
Individuals	
8.7.1	Michael Baer
8.7.2	David Beech
8.7.3	Kathy Biala
8.7.4	William Bourcier
8.7.5	David Brown
8.7.6	Charles Cech
8.7.7	Bob Coble
8.7.8	Margaret-Anne Coppernoll
8.7.9	Herbert Cortez
8.7.10	Bruce Delgado
8.7.11	Myrleen Fisher
8.7.12	David Gorman
8.7.13	Jane Haines
8.7.14	Juli Hofmann
8.7.15	Clifton Herrmann
8.7.16	Thomas Moore
8.7.17	Hebard Olsen
8.7.18	Larry Parrish
8.7.19	Paula Pelot
8.7.20	Carol Reeb
8.7.21	Dick Rotter
8.7.22	Nancy Selfridge
8.7.23	Jan Shriner
8.7.24	Roy Thomas
Form Letters	
8.8.1	<p>Form Letter 1 Commenters:</p> <p>Abbey, Linda; Anderson, Flora; Armstrong, Robert; Azama, Henry; Baer, Michael; Baker, Pamela; Barish, Gale; Barish, David; Baxter, Ron; Bayer, Nina; Bean, Beverly; Beech, David; Billig, Melanie; Billig, Charles; Book, David; Bradford, John; Braqq, B; Bricker, Marshall; Broffey, Bill; Brook-Kothlow, Jennifer; Brown, Judy; Brumm, Virdette; Burnis, James; Byrd, William; Canepa, Allan; Cardinalli, Sal; Cardinalli, Lynette; Cech, Charles; Chrislock, Melodie; Christensen, Sharon; Chudilowsky, Mishka; Cleyet, B.; Cline, Kay; Coble, Robert; Comstock, Katharine; Crompton, Michelle; Diesh, Andrew; Donnelly, Jean; Dunn, Phillip; Dziedzic, Mary Jane; Eastman, Patricia; Eckles, M.; Edwards, Phyllis; Emery, James; Epel, David; Epel, Lois; Evans, Robert; Feldman, Heidi; Fisher, Myrleen; Foley, Michael; Gabri, Suzie; Gray, Natalie; Haddad, Martha; Happ, Pamela; Harris, Patricia; Harris, Tamara; Harris, William; Hess, Anne; Holston, Christina; Hood, Barbara; Houston, Gladys; Jameson, Marge Ann; Jennings, Tammy; Johnson, David; Johnson, Karen; Johnson, Lynn; Jones, Jennifer; Jones, Shirmaine; Karas, Judith; Karnes, Gary; Kolisch, Christine; Kostakos, Shirley Bee; Lehman, Judith; Lernoud, Mabel; Lim, Yuensan; Locke, Karin; Malek, Safwat; Malek, Maha; Malek, Allyson; Markus, Katalin; Martin, Roland; Mason, Marilyn; Matterson, Betty; Maupin, Ellen; Moroh, Marsha; Myers, Roberta; Newman, Michael; Nolte, Glen; Norton, Richard; Oblander, CJ; Ogden, Karl; Ogden, Maria; Olsen, Hebard; Parkman, R.; Parrish, Larry; Parrish, Larry; Pearse, Vicki; Pearse, John; Pomeroy, Laura; Presser, Daniel; Reynolds, Stuart; Rigney, Hansi; Roden, Patricia; Rotter, Dick; Schwoerke, F.L.; Seese, Nancy; Selfridge, Nancy; Setinek, Carol; Shih, Sylvia; Silverman, S. Chavez; Smith, Ruth; Stephan, Gail; Stephan, Robert; Stephan, Ruth; Stern, Jeanette; Stevenson, Raymond; Stillwell, Richard; Stollorz, Carol; Stube, MaryAnne; Swartley, Bernice; Tharpe, Peggy; Trinkle, Heidi; Ushakoff, Walt; VENZA, Patricia; Wanderman, Ken; Wanless, John; Warren, Richard; Warren, Barbara; Watson, Marquis; Weidemann, Stephen; Weidemann, Shannon; Weigle, Bill; Wellman, Phil; Wilhelm, Douglas; Williams, Vicki; Winfield, Robin; Wood, Kristen; Woods, Izabelle; Yaghowbian, Lynn; Yateman, DeAnna; Zamzow, Heidi; Zurkan, R.M.</p>

TABLE 8-1 (Continued)
COMMENTERS ON THE MONTEREY PENINSULA WATER SUPPLY PROJECT DRAFT EIR/EIS

Section Number	Commenter
Form Letters (cont.)	
8.8.2	<p>Form Letter 2 Commenters:</p> <p>Abulencia, Rolondo; Aguirre, Luis A.; Argueza, Gloria; Aulencia, Thelma; Auria, Justin; Auria, Fannie; Auria, Louis; Auria, Claudine; Auria, Louis; Auria, Lino; Baer, Michael; Ball, Chelsea; Barrett, Esther; Beck, Susan; Bertone, Michael Allen; Bhatti, Robina; Biala, Henry; Biala, Kathy; Billingsky, Elizabeth; Blanton, Cheyenne; Blanton, Laura; Blanton, William J.; Blanton, Colleen; Bowers, Dwayne; Boyle, Clinton J.; Bradshaw, Patti; Britzman, Tom; Brown, Wendell; Bucharelli, Molly; Cameron, Kris; Carley, Patrick; Cavalier, Betty; Chalfant, Ashley; Clark, Peter R.; Coble, Robert W.; Collier, R.; Collins, Darrell; Conley, Luana; Copperell, M.A.; Cortez, Herbert; Cowan, James; Cowan, James A.; Cullers, Julia; Dagdigian, James; Daus, Margaret; Deering, Marc; Deerling, Kathleen; Delano, Devan; Dimaggio, Tom; Dingess, John F.; Doherty, Ed; Doherty, Eugene & Margaret; Echart, Mark; Ehle, Joshua; Eisenhower, Mark. D.; Eugenio, R.M.; Falkovskaia, Elena; Fearnside, Janet; Fearnside, Doug; Fisher, Myrteen; Franklin, Derrick; Galatina, Joshua; Gastelum, Bailey; Gill, Linda; Goltz, Tyanne A.; Goltz Sr., Dennis; Gomes, Dela A.; Gomes, Edmond; Gomes, Monda; Graham, John; Graham, Cynthia; Grantham, Michael; Green Jr., Bernard; Greenbaum, William A.; Hainullau, Igor; Hammond, Kelly; Harry, Evan; Hauge, Meheen; Hauge, Evan; Haye, Wesley; Hearndon, Kim Ann; Heller, Leon & Patricia; Herdon, Kim Ann; Hochuli, Steffanie; Hoffman, Juli; Ibrahim, Danyal; Jablonski, Judy; Jablonski, Gaely; James, Young Cha; Janamillo, Lorenzo; Jason, Grantham; Jessen, Phaedra; Johnson, Gainell; Johnson, Brian; Johnson, Sara; Jones, Rhonda J.; Juncd, Maxamina; Juskiwicz, Jerzy; Keim, Edgar; Keim, Candice; Kim, Sun; Kittlitz, Megan; Kittutz, Danna; Klein, Candice; Klein, Edgar; Knauf, Thomas; Knauf, Tim; Kneeland, Will; Kollerer, Therese; Kopp, John & Cheryl; LaMountain, Moira; Lebda, Terry E.; Leken, Joel; Lidyoff, M.; Lomboy, Edward S.; Lynn, Sean; Maguire, Lisa; Mantgubet, Ernie; Manuel, Paul; Manuel, Amanda; Mar, Betty; Martinez, Ashley; Mast, Michael L.; Matta, Carleen; McCallon, Kevin; McCallon, Rebecca; Meachum, Catherine & Ed; Morrison, Agnes K.; Nader, Angie; Naidu, Latchmi Radha; Nakagawa, Jeanne; Neptune, Diana; Neptune, James; Nohr, Judy; Nohr, Fred; Nolan, B.; Nolan, Nancy; O'Connell, Linda M.; O'Dell, Janice; O'Dell, Harry E.; Ontiveros, Daniel; Oxley, Dustin; Paez, Elias; Parish, Larry; Pellegrini, Michael A.; Pellegrini, Yong L.; Pendleton, Chrystal; Pineda, Jose; Pooler, Johanna; Potter, Fred H.; Powell, Curtis; Powell, Tug S.; Quick, Timothy; Quidley, Rudy & Virginia; Raymer, Duane J.; Rebecca, McCallon; Riddle, Steve; Ridler, Darlena; Righello, Charles; Righello, Mary; Roberts, Carol; Sachs, Edward T.; Sak, Pendleton; Santella, Ray; Sedarous, Magda; Sheppard, Adala K.; Shriner, Janet; Shrum, Nam Y.; Silva-Santella, Grace; Simmons, Brian; Simmons, Melva; Sixberry, Mali; Smith, Jennifer; Smith, James L.; Smith, Kerry T.; Smith, Linda D.; Souix, Cheryl; Stahl, John; Steel, Brandi; Sturges, Mary J.; Svetlik, Barbara; Sweet, Debbie; Swix, Cheryl; Tantilla, Laura Simon; Tennes, Oscar; Thomas, Susan; Torres, Oscar; Tu, Vivian; Upshau, Marilyn; Valdez, Val; Valdez, Paul; Valencia, Joe; Villagrath, Michael; Voltierra, Patricia; Walton, Audra; Ware, D.M. and Linda; Warner, Un Cha; Warner, Charles; Weston, River; Wickins, Alfrieda; Wilkinson, Charles D.; Williams, Virginia; Woodson, Karen; Wustrack, Nora</p>
Public Hearing Comments	
8.9	<p>Cursio, Gary; Coppernoll, Margaret Ann; Tilley, John; Billingsley, Elisabeth; Biala, Harvey; Biala, Kathy; Olsen, Hebard; McMahon, Tom; Munteer, Peter; Leneve, Brian; Poskoff, Rene; Hansen, Jody; Baer, Michael; Shriner, Jan; Cortez, Herbert; Hofmann, Juli; Riley, George</p>