

Appendix A

NOP and NOP Scoping Report

PUBLIC UTILITIES COMMISSION

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SAN FRANCISCO, CA 94102-3298



NOTICE OF PREPARATION

Environmental Impact Report for the CalAm Monterey Peninsula Water Supply Project

Introduction

In accordance with the provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the California Public Utilities Commission (CPUC), as CEQA Lead Agency, is preparing an Environmental Impact Report (EIR) for the California American Water Company's (CalAm) proposed Monterey Peninsula Water Supply Project (MPWSP or proposed project). The MPWSP is comprised of various facilities and improvements, including: a seawater intake system; a 9-million-gallons-per-day (mgd) desalination plant; desalinated water storage and conveyance facilities; and expanded Aquifer Storage and Recovery (ASR) facilities. If the Groundwater Replenishment Project proposed by the Monterey Regional Water Pollution Control Agency (MRWPCA) is timely approved and implemented, CalAm's proposed desalination plant would be sized at 5.4 mgd. This document serves as the Notice of Preparation (NOP) for the EIR and solicits relevant comments on the scope of environmental issues as well as alternatives and mitigation measures that should be explored in the Draft EIR. The 30-day public scoping period begins on October 10, 2012 and closes at 5pm on November 9, 2012. This NOP provides background information on prior CalAm planning efforts to meet the water supply needs of the Monterey Peninsula, and describes the proposed project, its location, and anticipated environmental effects.

Background

In 2004, CalAm filed Application A.04-09-019 seeking a Certificate of Public Convenience and Necessity from the CPUC for the Coastal Water Project. The Coastal Water Project (CWP) was intended to replace existing Carmel River water supplies for the CalAm Monterey District service area that are constrained by legal decisions (see discussion under the heading, Project Purpose, for more information regarding the legal decisions). In general, the previously proposed CWP involved the production of desalinated water supplies, increased yield from the Seaside Groundwater Basin ASR system, and additional storage and conveyance systems to move the replacement supplies to the existing CalAm distribution system. The CWP proposed project (also referred to as the Moss Landing Project) was sized to meet existing water demand and did not include supplemental supplies to accommodate growth. The CWP was previously proposed to use the existing intakes at the Moss Landing Power Plant to draw source water for a new 10-mgd desalination plant at Moss Landing, construct conveyance and storage facilities, and facility improvements to the existing

Seaside Groundwater Basin ASR system.¹ On January 30, 2009, the CPUC published a Draft EIR analyzing the environmental impacts of the previous CWP, as well as the environmental impacts of two project alternatives—the North Marina Project² and the Regional Project.³ The CPUC published the Coastal Water Project Final EIR (SCH No. 2006101004) in October 2009 and certified the EIR in December 2009 (Decision D.09-12-017). A year later, in Decision D.10-12-016, the CPUC approved implementation of the Regional Project alternative.

Subsequent to approval of the Regional Project, CalAm withdrew its support for the Regional Project in January 2012.⁴ As a result, in April 2012, CalAm submitted Application A.12-04-019 to the CPUC for the Monterey Peninsula Water Supply Project (MPWSP). The MPWSP is intended to secure replacement water supplies for the Monterey District associated with legal decisions affecting existing supplies from both the Carmel River and the Seaside Groundwater Basin (see discussion under the heading, Project Purpose, for more information). The MPWSP includes many of the same elements previously analyzed in the CWP EIR; however, key components, including the seawater intake system and desalination plant, have been relocated and/or modified under the current proposal.

Pursuant to CEQA Guidelines Section 15162, the CPUC has determined that preparation of a Subsequent Environmental Impact Report is the appropriate level of CEQA review for the MPWSP.⁵ Although the MPWSP EIR will qualify as a “Subsequent EIR” under CEQA, there are

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- ¹ The existing Seaside Groundwater Basin ASR system includes several injection/extraction wells, and storage and conveyance facilities to store Carmel River water supplies during the wet season in the groundwater basin, and recover the banked water during the dry season for consumptive use.
 - ² The North Marina Project alternative included most of the same facilities as the previously proposed CWP and, like the previously proposed CWP, would only provide replacement supplies to meet existing demand. The key differences between this alternative and the previously proposed CWP were that the slant wells and desalination plant would be constructed at different locations (Marina State Beach and North Marina, respectively), and the desalination plant would have a slightly greater production capacity (11 mgd versus 10 mgd).
 - ³ The Regional Project alternative was intended to integrate several water supply sources to meet both existing and future water demand in the CalAm service area. The Regional Project would have been implemented jointly by CalAm and Marina Coast Water District (MCWD). The Regional Project was to be implemented in phases and included vertical seawater intake wells on coastal dunes located south of the Salinas River and north of Reservation Road; a 10-mgd desalination plant in North Marina (Armstrong Ranch); product water storage and conveyance facilities; and expansions to the existing Seaside Groundwater Basin ASR system. This alternative would also develop supplemental supplies from the Salinas River by expanding an existing diversion facility and treatment plant in North Marina; expand the Castroville Seawater Intrusion Project (CSIP) by constructing additional storage and conveyance facilities; and expand the Seaside Groundwater Basin Replenishment Project by providing advanced water treatment for recycled water supplies generated at the MRWPCA Regional Wastewater Treatment Plant for injection into the groundwater basin.
 - ⁴ The CPUC subsequently closed the CWP proceeding in Decision D.12-07-008 (July 12, 2012).
 - ⁵ Per CEQA Section 21166 a Subsequent EIR would be required if: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR, was certified as complete was adopted, shows any of the following: (a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration; (b) Significant effects previously examined will be substantially more severe than shown in the previous EIR; (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

no special procedural requirements that apply to a Subsequent EIR; therefore, for simplicity we will simply call this new document an EIR. The MPWSP EIR will provide a comprehensive description and evaluation of all proposed components (including the new proposed elements and previously analyzed components) as the “whole of the action”. The MPWSP EIR may evaluate alternatives not previously considered in the CWP EIR. The CWP EIR will not in itself be incorporated by reference into the MPWSP EIR. However, the MPWSP EIR will utilize relevant data that was developed for the CWP EIR, and update the data and prior analyses as appropriate to address the effects of the current proposal. Environmental review of the MPWSP will have no effect on the certified CWP EIR or related approvals.

While it is not yet known whether the MPWSP would have additional or more severe impacts than the alternatives analyzed in the previous CWP EIR or whether new feasible alternatives or mitigation measures are available, the changes to the CWP EIR would not be so minor as to qualify for a supplemental EIR under CEQA Guidelines 15163. Therefore, the CPUC has determined that a Subsequent EIR is the most appropriate CEQA documents to evaluate the MPWSP. To assist in funding the MPWSP, CalAm is applying for a loan under the Clean Water State Revolving Fund (CWSRF) administered by the State Water Resources Control Board (SWRCB). For this reason, the MPWSP EIR will be prepared in compliance with the SWRCB’s CWSRF Guidelines and “CEQA-Plus” requirements. If it is determined through the scoping process that additional federal review is required, CPUC will coordinate with the appropriate agency to comply with the National Environmental Protection Act (NEPA).

Documents or files related to the MPWSP are available for review at the CPUC administrative offices in San Francisco, by appointment, during normal business hours. This information can also be obtained by visiting the CPUC website (<http://www.cpuc.ca.gov/PUC/energy/Environment/Current+Projects/esa/mpwsp/index.html>).

CPUC Process

The CPUC is a constitutionally created state agency charged with the regulation of investor-owned public utilities within California. Consistent with its broad scope of authority, the CPUC regulates the construction and expansion of water lines, plants, and systems by private water service providers pursuant to Certificates of Public Convenience and Necessity (CPCN) (Public Utilities Code Section 1001) and authorizes water service providers to charge their customers “just and reasonable” rates for the provision of water services (Public Utilities Code Sections 451 and 454). The project proponent, CalAm, is a public utility under the CPUC’s jurisdiction and has applied to the CPUC for a CPCN under Public Utilities Code Section 1001 to build, own, and operate all elements of the MPWSP, and also for permission to recover present and future costs for the project through short-term rate increases. The CPUC administrative law judge will review the Final EIR and prepare a proposed decision for consideration by the CPUC regarding certification of the MPWSP EIR and approval of the MPWSP. In addition to the environmental impacts addressed during the CEQA process, the CPCN process will consider any other issues that have been established in the formal record, including but not limited to economic issues, social impacts, and the need for the project. During this process, the CPUC will also take into account testimony and

briefs from parties who have formally intervened in Proceeding A.12-04-019,⁶ as well as formal records of all project-related hearings held by the administrative law judge.

Project Purpose

The primary purpose of the MPWSP is to replace existing water supplies that have been constrained by legal decisions affecting the Carmel River and Seaside Groundwater Basin water resources. SWRCB Order 95-10 requires CalAm to reduce surface water diversions from the Carmel River in excess of its legal entitlement of 3,376 acre-feet per year (afy), and SWRCB Order 2009-0060 (“Cease and Desist Order”) requires CalAm to develop replacement supplies for the Monterey District service area by December 2016. In 2006, the Monterey County Superior Court adjudicated the Seaside Groundwater Basin, effectively reducing CalAm’s yield from the Seaside Groundwater Basin from approximately 4,000 afy to 1,474 afy. A secondary purpose of the MPWSP is to provide adequate supplies for CalAm to meet its duty to serve customers in its Monterey District, as required by Public Utilities Code Section 451.

Proposed Project

The proposed MPWSP would be comprised of the following facilities:⁷

- Seawater intake system consisting of eight 750-foot-long subsurface slant wells extending offshore into the Monterey Bay, and source water conveyance pipelines
- Desalination plant and appurtenant facilities, including source water receiving tanks; pretreatment, reverse osmosis, and post-treatment systems; chemical feed and storage facilities; brine storage and discharge facilities; and associated non-process facilities
- Desalinated water conveyance facilities, including pipelines, pump stations, clearwells, and a terminal reservoir
- Improvements to the existing Seaside Groundwater Basin ASR system, including two additional injection/extraction wells, a pump station, a product water pipeline, a pump-to-waste pipeline, and pump-to-waste treatment

The proposed MPWSP would include a 9-mgd desalination plant and facility improvements to the existing Seaside Groundwater Basin ASR system to provide replacement water supplies to meet existing demand for the approximately 40,000 customers in CalAm’s Monterey District

⁶ Proceeding No. A.12-04-019, *Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates* (Filed April 23, 2012).

⁷ Several facility components of the proposed MPWSP are similar or identical to facilities evaluated in the CWP EIR, including the product water storage and conveyance facilities and improvements to the existing ASR system. The primary difference between the desalination facilities proposed under the MPWSP and those described under the previously proposed CWP and CWP project alternatives are the site locations for the seawater intake system and desalination plant. The Regional Project alternative that was approved by the CPUC was envisioned as a joint project between CalAm, Monterey County Water Resources Agency and Marina Coast Water District (MCWD); at this time it is anticipated that the facilities and improvements proposed under the current MPWSP proposal would be owned and operated entirely by CalAm.

service area.⁸ See **Figure 1** for an overview of MPWSP area. As an alternative to the 9-mgd desalination plant, CalAm's application also includes a 5.4-mgd desalination plant coupled with a water purchase agreement for 3,500 afy of product water from the MRWPCA's proposed Groundwater Replenishment Project. For purposes of the environmental analysis, this alternative is discussed below under the heading Alternatives to the Project.

The subsurface slant wells would extend offshore into the Monterey Bay and draw seawater from beneath the ocean floor for use as source water for the proposed desalination plant. Approximately 20 to 22 mgd of source water would be needed to produce 9 mgd of desalinated product water. The preferred site for the subsurface slant wells is a 376-acre coastal property located north of the city of Marina and immediately west of the CEMEX active mining area. New pipelines would convey the seawater (or "source water") from the slant wells to the MPWSP desalination plant.

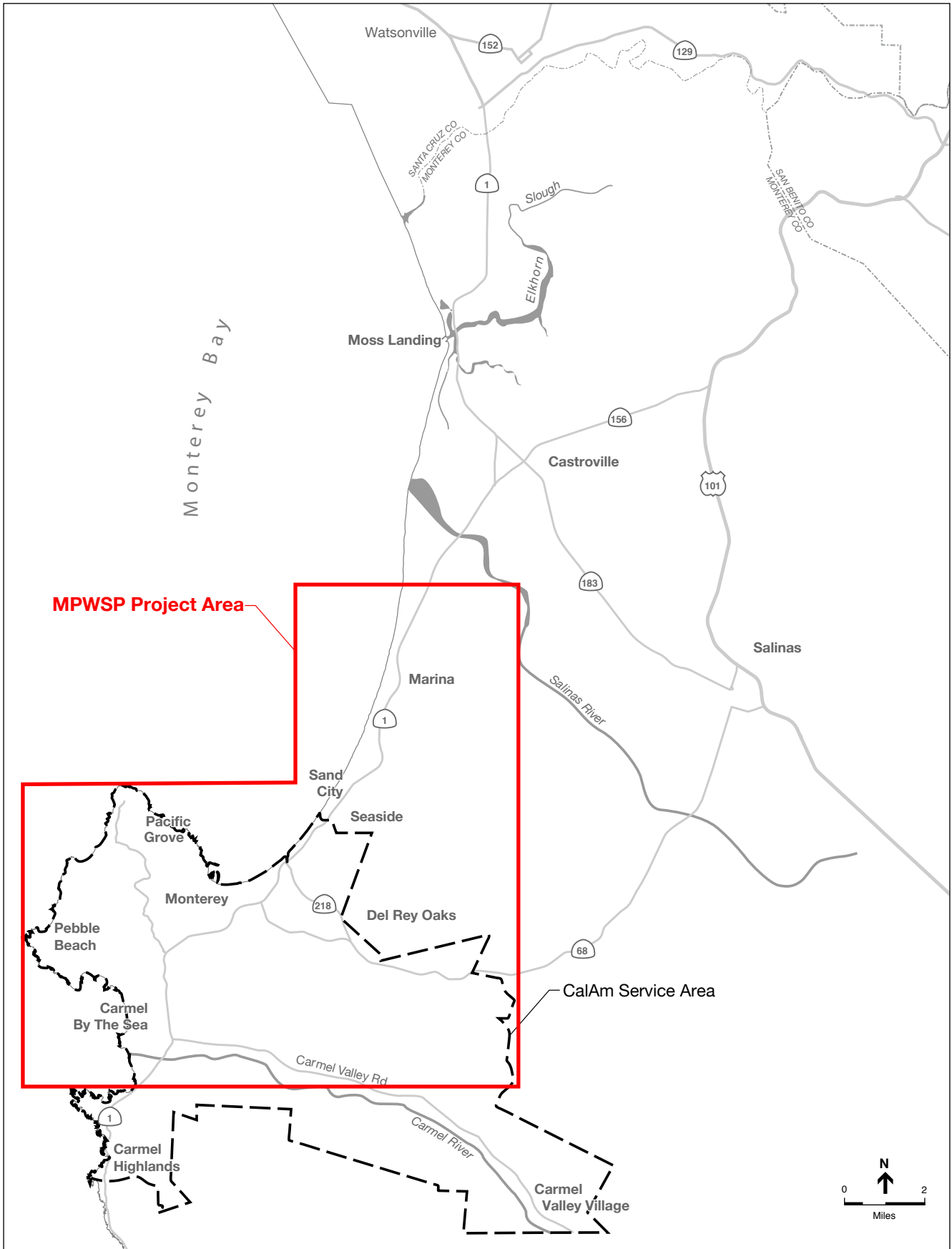
The MPWSP desalination plant and appurtenant facilities would be located on a 46-acre vacant parcel near Charles Benson Road, northwest of the Monterey Regional Water Pollution Control Agency's (MRWPCA) Regional Wastewater Treatment Plant and the Monterey Regional Environmental Park. Facilities proposed at the MPWSP desalination plant include pretreatment, reverse osmosis, and post-treatment systems; chemical feed and storage facilities; a brine storage basin; and an administrative building. Brine produced during the desalination process would be conveyed to an existing MRWPCA ocean outfall and discharged to the Monterey Bay. Approximately 9,006 afy of potable water supplies would be produced by the proposed desalination facilities.

Desalinated product water would be conveyed south via a series of proposed pipelines to existing CalAm water infrastructure and customers in the Monterey Peninsula. Up to 28 miles of conveyance pipelines and water mains would be constructed under the MPWSP. In addition, if it is determined that the MPWSP needs to return water to the Salinas Valley Groundwater Basin, water could be conveyed southeast via a new pipeline to the existing Castroville Seawater Intrusion Project (CSIP) pond at the MRWPCA Regional Wastewater Treatment Plant for subsequent distribution to agricultural users in the Salinas Valley.

The primary function of the two additional ASR wells and the proposed improvements to the conveyance system is to allow desalinated water to be injected into the Seaside Groundwater Basin for subsequent distribution to customers. These improvements would also provide redundant injection capacity and improve the long-term reliability and efficiency of the ASR system for injecting Carmel River water into the Seaside Groundwater Basin. Improving the efficiency of the ASR system to inject Carmel River water into the Seaside Groundwater Basin when there is significant rainfall (wet and extremely wet years) increases the long-term annual yield from the ASR system to 1,920 afy.

A preliminary project facilities map is provided in **Figure 2**. Construction of the MPWSP is anticipated to occur over approximately three years.

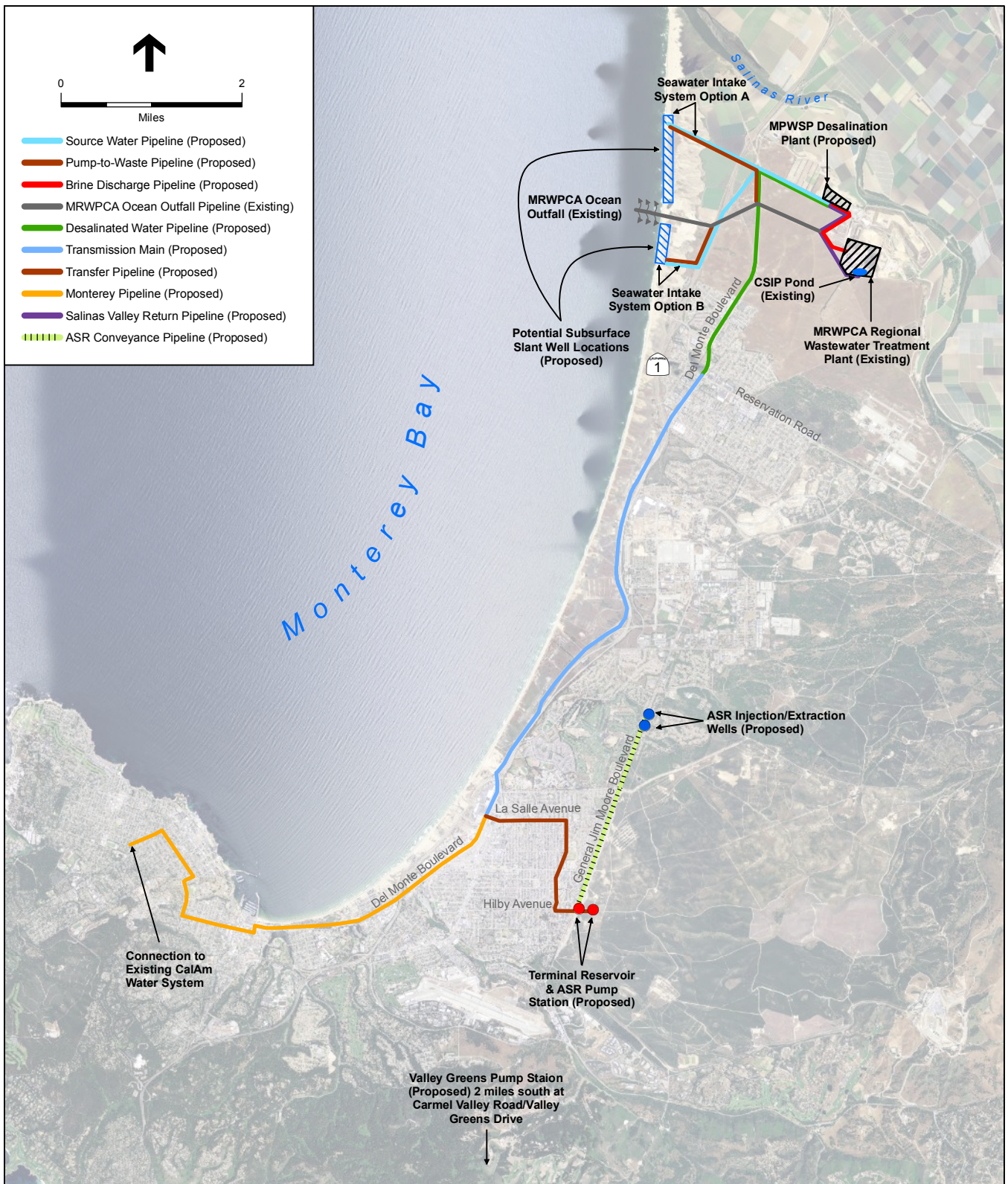
⁸ CalAm's Monterey District service area encompasses most of the Monterey Peninsula, including the cities of Carmel-by-the-Sea, Del Rey Oaks, Monterey, Pacific Grove, Sand City, and Seaside, and the unincorporated areas of Carmel Highlands, Carmel Valley, Pebble Beach, and the Del Monte Forest.



SOURCE: ESA, 2012

Monterey Peninsula Water Supply Project . 205335.01

Figure 1
Project Location Map



SOURCE: ESA, 2012

Monterey Peninsula Water Supply Project . 205335.01

Figure 2
Preliminary Project Facilities Map

Issues to be Addressed in the EIR

This NOP is not accompanied by an Initial Study that screens out environmental topics; the MPWSP EIR will include an analysis for all topics identified in Appendix G of the CEQA Guidelines. The MPWSP EIR will address potential impacts associated with project construction, operation, and maintenance activities. The analysis will include, but will not be limited to, the following issues of potential environmental impact:

- **Surface Water Hydrology and Water Quality** – Construction and operation of the MPWSP could increase soil erosion and adversely affect water quality in receiving waterbodies. Project operations would generate brine, maintenance and cleaning solutions, and other effluents that would be discharged to the Monterey Bay, stormwater system, and sanitary sewer. The MPWSP EIR will evaluate impacts to surface water quality as a result of project construction and operations; changes to existing drainage patterns resulting in increased erosion or runoff; potential impacts related to the capacity of the existing MRWPCA ocean outfall; and potential adverse effects of brine discharges on offshore water quality.
- **Groundwater Resources** – Updated groundwater modeling will be used to evaluate potential impacts to groundwater levels and groundwater quality associated with slant well operations, including any effects on the seawater/freshwater interface. Water rights issues will be addressed as needed to evaluate project feasibility and project effects on groundwater.
- **Marine and Terrestrial Biological Resources** – The EIR will evaluate project impacts on terrestrial special-status animal and plant species, sensitive habitats, mature native trees, and migratory birds associated with facility siting and project-related construction activities. Particular attention will be given to the coastal dune habitat in the vicinity of the proposed subsurface slant wells. Potential impacts on marine resources to be evaluated include salinity changes at the MRWPCA ocean outfall from brine discharges and any related effects on benthic and pelagic organisms and environments. The EIR will also evaluate any potential conflicts with applicable plans, policies, and plans related to the protection of marine and terrestrial biological resources.
- **Air Quality and Greenhouse Gases** – The EIR will analyze construction-related and operational emissions of criteria air pollutants. Emissions estimates will be evaluated in accordance with all applicable federal, state, and regional ambient air quality standards. Potential human health risks at nearby sensitive receptors from emissions of diesel particulate matter and toxic air contaminants during project construction and operations will be addressed. The EIR will also estimate greenhouse gas (GHG) emissions associated with project construction and operations, and compare these to applicable plans and policies related to reducing GHGs.
- **Mineral and Energy Resources** – The EIR will evaluate potential impacts to mineral resources associated with facility siting. The MPWSP's energy requirements, particularly the energy needs for desalination, will be evaluated to reflect the proposed plant capacity, specifications, and operations.
- **Geology and Soils** – The EIR will review site-specific seismic, geologic, and soil conditions and evaluate project-related impacts. The analysis will address the potential for project construction activities to result in increased soil erosion or loss of topsoil, as well as potential slope instability issues associated with facility siting and construction. Particular attention will be given to potential increases in coastal erosion rates resulting from project

implementation, as well as damage to the slant wells and other facilities in the coastal zone resulting from natural erosion.

- **Hazards and Hazardous Materials** – The EIR will summarize documented soil and groundwater contamination cases within and around the project area, and evaluate the potential for hazardous materials to be encountered during construction. Inadvertent releases of hazardous construction chemicals, and contaminated soil or groundwater into the environment during construction will be addressed. The analysis will also consider the proper handling, storage, and use of hazardous chemicals that would be used during operations.
- **Noise** – The EIR will evaluate construction-related noise increases and associated effects on ambient noise levels, applicable noise standards, and the potential for indirect impacts to nearby land uses.
- **Transportation and Traffic** – Project construction activities would generate construction trucks and vehicles, resulting in a temporary increase in traffic volumes along local and regional roadways. The installation of pipelines along or adjacent to road right-of-ways could result in temporary land closures and traffic delays. Impacts to vehicular traffic, traffic safety hazards, public transportation, and other alternative means of transportation will be evaluated. Traffic increases associated with project operations will also be addressed.
- **Cultural Resources** – The EIR will evaluate potential impacts on historic, archaeological, and paleontological resources, and human remains. It is anticipated that any potential impacts to cultural resources would be limited to project construction and/or facility siting.
- **Land Use** – The EIR will evaluate potential conflicts with established land uses as a result of facility siting and during project construction. Potential conflicts with applicable plans and policies will also be evaluated. Particular attention will be given to consistency with the Coastal Plan.
- **Agricultural Resources** – Agricultural land uses are present within and around the project area. The EIR also evaluate potential impacts to designated farmland and Williamson Act contracts.
- **Utilities and Public Services** – The EIR will evaluate potential conflicts with existing utility lines during project construction, including potential service interruption. Particular attention will be paid to “high-priority” utilities that could pose a risk to workers in the event of an accident during construction. Potential impacts related to landfill capacity associated with the disposal of spoils and debris generated during project construction will be described. Project consistency with federal, state, and local waste diversion goals will also be considered.
- **Aesthetic Resources** – Project facilities would be sited along the coastal zone and Highway 1, a designated scenic highway. The EIR will evaluate visual impacts related to the new/proposed facilities.
- **Cumulative Impacts** – The environmental effects of the MPWSP, in combination with the effects of past, present, and future foreseeable cumulative projects in the vicinity, could result in significant cumulative impacts. Potential cumulative projects include the future expansion of the Salinas Valley Water Project, a desalination plant for the Marina Coast Water District/Fort Ord area, and the Groundwater Replenishment Project (if groundwater replenishment is not made part of the proposed project or an alternative). The EIR will evaluate the project’s contribution to any identified cumulative impacts.

The MPWSP EIR will describe water supply and demand in the CalAm service area and the relationship of the proposed project (including facility sizing and capacities) to such supply and demand. The potential for implementation of the MPWSP to result in growth-inducing effects will be evaluated.

To comply with the CEQA-Plus requirements under the CWSRF Guidelines, the EIR will include information to support federal agency consultations under Section 106 of the National Historic Preservation Act, Section 7 of the Federal Endangered Species Act, the Federal Clean Air Act General Conformity Rule,⁹ and any other applicable federal consultations. If it is determined through the scoping process that additional federal review is required, CPUC will coordinate with the appropriate federal agency to comply with NEPA.

Where feasible, mitigation measures will be proposed to avoid or reduce any identified environmental impacts attributable to the project.

Comments received during the EIR scoping period will be considered during preparation of the MPWSP EIR. Public agencies and interested organizations and persons will have an opportunity to comment on the Draft EIR after it is published and circulated for public review.

Scoping and Draft EIR Schedule

During this NOP review period, the CPUC is soliciting comments on the scope of environmental issues as well as reasonable alternatives and mitigation measures that should be explored in the Draft EIR.¹⁰ Written scoping comments may be submitted by hand, mailed, faxed, or sent by email during the NOP review period, which closes at 5:00 p.m. on November 9, 2012. Please include a name, address, and telephone number of a contact person to receive future correspondence on this matter. Please send your comments to:

Andrew Barnsdale
California Public Utilities Commission
c/o Environmental Science Associates
550 Kearny Street, Suite 800
San Francisco, CA 94108
Fax: 415.896.0332
Or email to: MPWSP-EIR@esassoc.com

Scoping Meetings

CEQA Statute Section 21083.9 mandates that a scoping meeting be held for projects of statewide, regional or area-wide significance. Given the high level of interest in and the importance of this proposed project to the Monterey County region and to ensure that the public and regulatory

⁹ The General Conformity Rule ensures that the actions taken by federal agencies in nonattainment and maintenance areas do not interfere with a state's plans to meet national standards for air quality. As of March 30, 2012, the North Central Coast Air Basin (NCCAB) meets all National Ambient Air Quality Standards and is not subject to a maintenance plan with conformity obligations. Therefore, the MPWSP EIR will describe why the General Conformity Rule would not apply to the MPWSP.

¹⁰ Publication of the Draft EIR is scheduled for summer 2013.

agencies have an opportunity to ask questions and submit comments on the scope of the EIR, a series of scoping meetings will be held during the NOP review period. The scoping meetings will start with a brief presentation providing an overview of the proposed project and the project alternatives identified to date. Subsequent to the presentation, interested parties will be provided an opportunity to interact with technical staff. Participants are encouraged to submit written comments, and comment forms will be supplied at the scoping meetings. Written comments may also be submitted anytime during the NOP scoping period to the mailing address, fax number, or email address listed above. The locations and dates of the scoping meetings are listed below:

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|-------------------------|-------------------------|-------------------------|
| October 24, 2012 | October 25, 2012 | October 25, 2012 |
| 6:30 p.m. to 8:30 p.m. | 1:30 p.m. to 3:30 p.m. | 6:30 p.m. to 8:30 p.m. |
| Rancho Canada Golf Club | Oldemeyer Center | Oldemeyer Center |
| 4860 Carmel Valley Road | Blackhorse Room | Laguna Grande Hall |
| Carmel, CA 93923 | 986 Hilby Avenue | 986 Hilby Avenue |
| | Seaside, CA 93955 | Seaside, CA 93955 |

Preliminary List of Alternatives to the Project

In accordance with CEQA Guidelines Section 15126.6, the EIR will describe a reasonable range of potentially feasible alternatives to the MPWSP, or to the location of the project, that would achieve most of the basic objectives of the project while avoiding or substantially lessening any of the significant effects of the project, and will also evaluate the comparative merits of the alternatives. Alternatives to the proposed MPWSP are briefly introduced below. The alternatives set forth below comprise a preliminary list of potentially feasible alternatives. This list will be refined, and may be expanded or contracted, as warranted based upon comments received and data gathered as part of the EIR preparation process on such topics as feasibility (as well as economic, environmental, legal and social factors), ability to avoid significant effects of the project, and ability to meet the basic objectives of the project.

5.4-mgd Desalination Plant with Groundwater Replenishment

As an alternative to the proposed 9-mgd desalination plant, CalAm would implement a 5.4-mgd desalination plant and enter into a water purchase agreement with the Monterey Peninsula Water Management District (MPWMD) to purchase up to 3,500 afy of product water from the Groundwater Replenishment Project. CalAm has entered into a Memorandum of Understanding with the MRWPCA and Monterey Peninsula Water Management District to collaborate on development of the Groundwater Replenishment Project. The MRWPCA currently owns and operates two plants that treat wastewater influent from the Monterey Peninsula and Salinas Valley service area: the Regional Wastewater Treatment Plant treats community wastewater for discharge to the ocean; also, in the mid-1990s, the MRWPCA constructed and now operates a tertiary treatment plant known as the Salinas Valley Reclamation Project, which treats water for agricultural irrigation that is distributed via the Castroville Seawater Intrusion Project.¹¹

¹¹ The Salinas Valley Reclamation Project and the Castroville Seawater Intrusion Project are projects being operated in partnership with the Monterey County Water Resources Agency and growers in the Salinas Valley.

The Groundwater Replenishment Project would include replenishment of the Seaside Groundwater Basin with wastewater treated at a proposed advanced water treatment plant to be located at the Regional Treatment Plant. The Groundwater Replenishment Project would convey the treated water into the Seaside Basin for dilution and storage. Replenishment could occur at either inland or coastal locations and could include vadose zone wells and/or injection wells. Vadose zone wells would be used for recharge of the unconfined Paso Robles Aquifer, and injection wells would directly replenish the confined Santa Margarita Aquifer. The Groundwater Replenishment Project could be operated during the winter months and during other non-peak months. Extraction from the Seaside Groundwater Basin can occur later, at any time of the year.

DeepWater Desal Alternative

DeepWater Desal LLC is proposing the DeepWater Desal Alternative, a 25-mgd seawater reverse osmosis desalination facility that would serve Santa Cruz, San Benito, and Monterey Counties. The desalination facility would be constructed at Capurro Ranch on a leased 8.14-acre property located on Highway 1 near Moss Landing. This site is immediately north of the Moss Landing harbor in Santa Cruz County, and approximately 1 mile from the proposed seawater intake to be located at the Sandholdt pier, which would be rebuilt under this alternative.¹² The intake and brine discharge pipes would be anchored to the Sandholdt pier. Approximately 50 million gallons of raw seawater per day would be drawn via a passive¹³ open-water intake at a depth of about 100 feet through an existing pipeline and easement¹⁴ located on the edge of the Monterey Submarine Canyon. The desalination system would use some existing facilities at the Moss Landing Power Plant. Approximately 25 mgd of brine discharge would be diluted in the Moss Landing Power Plant's cooling water discharge and returned to the ocean. The desalination system would include pretreatment facilities and onsite storage tanks and would utilize an electrical power-source mix. The DeepWater Desal Alternative could qualify for tax-free municipal bond financing. DeepWater Desal LLC anticipates that municipal agencies within the Monterey Bay area would form a joint powers authority to assume ownership of the DeepWater Desal Alternative.¹⁵ No details are available at this time regarding the infrastructure needed to convey product water to the Monterey Peninsula or other service areas.

People's Moss Landing Water Desalination Project (People's Project) Alternative

The People's Project would be a 10-mgd desalination facility located at the Moss Landing Green Commercial Park, adjacent to the Moss Landing Power Plant on the former National Refractories & Minerals Corporation site. The proposed 200-acre site is currently zoned for light and heavy industrial use, and approximately 25 acres would be designated for the desalination plant. The People's Project would consist of the following major components: screened, passive open-water

¹² Construction of the DeepWater Desal Alternative would include the reconstruction of the Sandholdt Pier on its historical site.

¹³ "Passive intake" means that the maximal velocity of seawater being drawn in through the "wedge-wire" screen will never exceed 1 foot per second.

¹⁴ DeepWater Desal LLC intends to lease this pipeline easement from Dynegy.

¹⁵ DeepWater Desal LLC, "Our Location" and "Our Approach." Available online at <http://deepwaterdesal.com/>. Accessed August 2012. Updated 2011.

intake (existing, located at the former National Refractories and Minerals Plant site); outfall pipeline (existing); intake pump station (existing); pretreatment media filtration system; 10-mgd seawater desalination system; 45-mgd onsite product water storage tanks; post-treatment facilities; product water pump station; solids handling system; electrical and solar power supply and energy recovery system; and approximately 13 miles of transmission and/or distribution pipeline to convey product water to the Monterey Peninsula. The transmission pipeline would be constructed in paved and unpaved areas and would require crossings at Mojo Cojo Slough, Tembladero Slough, and the Salinas River. The City of Pacific Grove has agreed to serve as the lead public agency for The People's Moss Landing Water Desalination Project.¹⁶

Conservation Alternative

As an alternative to the proposed project, CalAm would implement water reduction efforts and other conservation measures to reduce demand on the existing water supply. The Monterey Peninsula Water Management District currently works with CalAm to provide education and encourage water conservation in an effort to protect water resources in the community. These conservation efforts include: conservation billing rates, limited watering schedule, free water audits, free water-saving devices, rebates on high-efficiency appliances, rebates for low water landscaping, and turf removal. This alternative, which would further expand conservation programs, could set stricter conservation requirements for residential and commercial customers. Under this alternative, CalAm would reduce system water loss via leakage control zones, pressure control, acoustic monitoring, transmission main testing, and main replacement programs. CalAm would use tiered rates to reduce water use. CalAm would also work with customers to promote water-wise landscaping and turf replacement, graywater use, plumbing retrofits, and other best management practices. It is yet to be determined if the Conservation Alternative would be a project alternative, or if the Conservation Alternative, implemented in conjunction with desalination, would enable the proposed MPWSP desalination plant to be reduced in size.

Locational Alternatives

The MPWSP EIR will also consider locational alternatives to the MPWSP preferred project, including alternative desalination plant locations and sizes (capacity); alternate pipeline alignments; and alternate intake well locations and configurations (i.e. open water intake; vertical wells; Ranney collector wells; etc.).¹⁷

¹⁶ The People's Moss Landing Water Desal Project, "The Project." Available online at <http://www.thepeopleswater.com/theproject.html>. Accessed August 2012. Updated March 2012.

¹⁷ A Ranney well is a radial arrangement of screens that form a large infiltration gallery with a single central withdrawal point used to extract water from an aquifer with direct connection (caisson constructed in the sand) to surface water.

MONTEREY PENINSULA WATER SUPPLY PROJECT

EIR Scoping Report

Prepared for
California Public Utilities Commission

November 2012

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EIR SCOPING REPORT

Monterey Peninsula Water Supply Project

1. Introduction

The California Public Utilities Commission (CPUC) is preparing a Draft Environmental Impact Report (EIR) for the California American Water Company (CalAm) Monterey Peninsula Water Supply Project (MPWSP or proposed project) in accordance with California Environmental Quality Act (CEQA) requirements. The Draft EIR will assess the potential impacts of the proposed project on the physical environment. The CPUC formally began the process of determining the scope of issues and alternatives to be evaluated in the Draft EIR (a process called “scoping”) when it issued a Notice of Preparation (NOP) of an EIR for the proposed project on October 10, 2012. This report provides an overview of the scoping process for the MPWSP and summarizes the comments received during the scoping period.

The project proponent, CalAm, is an investor-owned utility under the CPUC’s jurisdiction. CalAm submitted an application to the CPUC for a Certificate of Public Convenience and Necessity (CPCN) under Public Utilities Code Section 1001 to build, own, and operate all elements of the MPWSP, and also for permission to recover present and future costs for the project through short-term rate increases.¹ The CPUC administrative law judge will review the reports prepared as part of the CEQA process (including this scoping report, which will inform preparation of the EIR) and will ultimately prepare a proposed decision for consideration by the full Commission regarding certification of the MPWSP EIR and approval of the MPWSP.

This report is intended to summarize and document the comments received during the scoping period. It includes verbal and written comments received during the scoping period (October 10, 2012 to November 9, 2012). Pursuant to CEQA Guidelines Section 15082, the CPUC will use this report as a tool to ensure that scoping comments are considered during preparation of the Draft EIR. In addition, this report may be used by parties to the proceeding in their preparation of testimony.

¹ California American Water (CalAm), Application of California American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs, Application A.12-04-019, filed April 23, 2012.

2. Purpose of Scoping Process

CEQA Guidelines Section 15083 provides that a “Lead Agency may...consult directly with any person or organization it believes will be concerned with the environmental effects of the Project.” Scoping is the process of early consultation with the affected agencies and public prior to completion of a Draft EIR. Scoping can be helpful to agencies in identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR and in eliminating from detailed study issues found not to be important (CEQA Guidelines Section 15083(a)). Scoping is an effective way to bring together and consider the concerns of affected federal, state, regional, and local agencies, the project proponent, and other interested persons, including those who may not be in accord with the action on environmental grounds (CEQA Guidelines Section 15083(b)).

The comments provided by the public and agencies during the scoping process will help the CPUC identify pertinent issues, methods of analyses, and level of detail that should be addressed in the EIR. The scoping comments will also assist the CPUC in developing a reasonable range of feasible alternatives that will be evaluated in the EIR.

The scoping comments will augment the information developed by the project proponent, the CPUC, and the EIR preparers, which includes specialists in each of the environmental subject areas covered in the EIR. This combined input will result in an EIR that is both comprehensive and responsive to issues raised by the public and regulatory agencies, and that satisfies all CEQA requirements.

Scoping is not conducted to resolve differences concerning the merits of a project or to anticipate the ultimate decision on a proposal. Rather, the purpose of scoping is to help ensure that a comprehensive EIR will be prepared that provides an informative basis for the decision-making process.

3. Overview of Scoping Process for MPWSP EIR

3.1 Mailing List

Prior to the scoping period, the CPUC developed a mailing list of potentially affected persons and agencies that would have an interest in or jurisdiction over actions taken within the project area. The mailing list included all federal, state, responsible, and trustee agencies involved in approving or funding the project, as well as relevant local agencies and special districts with jurisdiction in the project area. The mailing list also included organizations, members of the public, and local, regional, and state agencies who commented on, or were involved in, the CalAm Coastal Water Project Draft EIR (State Clearinghouse No. 2006101004, concerning the predecessor proposed project to the MPWSP), or who have expressed interest in participating in the CEQA process for the MPWSP. In addition, although not required by CEQA, Property owners and occupants of parcels located within 300 feet of proposed project components were identified and included in the mailing list.

3.2 Notice of Preparation

On October 10, 2012, the CPUC published and distributed two forms of notification for the proposed project: the NOP and the NOP postcard. The NOP included a description of the proposed project, the project location, a summary of the probable environmental effects of the project, and a preliminary list of project alternatives (see **Appendix A**). A hardcopy of the NOP was sent to federal and state permitting agencies; regional and local agencies/jurisdictions; organizations and individuals who commented on the Coastal Water Project Draft EIR or who expressed interest in the CEQA process for the MPWSP; and local libraries. A postcard notification providing an abbreviated description of the project and identifying where interested parties could view or obtain a copy of the NOP (see **Appendix B**) was sent to the property owners and occupants of parcels within 300 feet of proposed project components. Both the NOP and the NOP postcard solicited comments on the scope of the EIR during the 30-day public scoping period and provided information regarding the dates, times, and locations of public scoping meetings. Table 1, below, summarizes the categories of recipients who were mailed the NOP and NOP postcard.²

**TABLE 1
SUMMARY OF NOP MAILING LIST**

| Recipient Type | Notification Type | Number on Mailing List |
|---|--------------------------|-------------------------------|
| Federal and State Permitting Agencies | NOP | 70 |
| Regional and Local Agencies/Jurisdictions | NOP | 135 |
| Property Owners and Occupants of Adjacent Parcels | NOP Postcard | 3,003 |
| Other Interested Parties | NOP | 352 |
| Libraries | NOP | 13 |
| Total Number of Mail Notifications | | 3,575 |

The NOP was also posted and made available for public review at the following local libraries:

- Monterey County Free Library, Pajaro Branch, 29 Bishop Street, Pajaro, CA, 95076
- Monterey County Free Library, Prunedale Branch, 17822 Moro Road, Salinas, CA, 93907
- Monterey County Free Library, Castroville Branch, 11160 Speegle Street, Castroville, CA, 95012
- Monterey County Free Library, Marina Branch, 188 Seaside Circle, Marin, CA, 93908
- Monterey County Free Library, Buena Vista Branch, 18250 Tara Drive, Salinas, CA, 93908
- Monterey County Free Library, Carmel Valley Branch, 65 W. Carmel Valley Road, Carmel Valley, CA, 93924

² Approximately 37 NOPs and 420 NOP postcards were returned by the U.S. Postal Service as being undeliverable.

- Monterey County Free Library, Seaside Branch, 550 Harcourt Avenue, Seaside, CA 93955
- Monterey City Library, 625 Pacific Street, Monterey, CA 93940
- Pacific Grove City Library, 550 Central Avenue, Pacific Grove, CA 93950
- John Steinbeck Library/Salinas Public Library, 350 Lincoln Avenue, Salinas, CA 93901
- Cesar Chavez Library, 615 Williams Road, Salinas, CA 93905
- El Gabilan Library, 1400 North Main Street, Salinas, CA 93906
- CSU Monterey Bay, 100 Campus Center Bldg. 508, Seaside, CA 93955

3.3 Other Notifications

In addition to mailing the NOP and the NOP postcard, the CPUC also published newspaper display and legal advertisements (see **Appendix C**) and developed a project-specific website (see **Appendix D**).

The CPUC published display and legal advertisements in the following local newspapers:

- *Monterey Herald* on October 10, October 21, and October 24, 2012. The legal publication on October 24, 2012 was published in English and Spanish to reach additional members of the community.
- *Salinas Californian* on October 10 and October 25, 2012.
- *Carmel Pine Cone* on October 12, 2012.
- *El Sol* on October 12, 2012. This display publication was published in Spanish.

3.4 Public Scoping Meetings

The CPUC held a total of three scoping meetings, each of which was open to the general public:

- Wednesday, October 24, 2012
6:30 p.m. – 8:30 p.m.
Rancho Canada Golf Club, 860 Carmel Valley Road, Carmel, CA 93923
- Thursday, October 25, 2012 1:30 p.m. – 3:30 p.m.
Oldemeyer Center, Blackhorse Room, 986 Hilby Avenue, Seaside, CA 93955
- Thursday, October 25, 2012 6:30 p.m. – 8:30 p.m.
Oldemeyer Center, Laguna Grande Hall, 986 Hilby Avenue, Seaside, CA 93955

The three scoping meetings had approximately 50 attendees. Andrew Barnsdale (CPUC Energy Division), two representatives of the CPUC's Public Advisor's Office, and members of Environmental Science Associates' (ESA) CEQA team were also in attendance to facilitate the meetings. Sign-in sheets from the scoping meeting are provided in **Appendix E**. Meeting

attendees were asked to (but were not required to) sign in and were provided with materials including the NOP, project location map, and comment cards. The scoping meetings were conducted using an open house format. Project poster boards were set up around the room, accompanied by CPUC staff and members of the EIR team, to encourage and engage in discussion with the public about the proposed project. The poster boards included: an overview of the CEQA process, an overview of the proposed project, preliminary project alternatives, schematics of various seawater intake technologies, and proposed MPWSP facilities located north and south of Reservation Road. CPUC staff and the EIR team gave a presentation (**Appendix F**) that provided an overview of the environmental review process, the regional context, project background, project objectives, project description, project alternatives, and purpose of the scoping process. The presentation was followed by breakout sessions, where the meeting attendees could discuss their concerns about the project with CPUC staff and EIR team members. The EIR team recorded the public's concerns as scoping comments on flip charts. All attendees were informed they could also submit written comments electronically or by mail up until the close of the scoping period at 5:00 p.m. on November 9, 2012. Comments that were recorded on the flip charts during the scoping meetings are provided in **Appendix G**.

This report provides an overview of the comments received during the scoping period (October 10, 2012 to November 9, 2012). This scoping report will assist the EIR team in addressing the scoping comments during preparation of the EIR. Pursuant to CEQA Guidelines Section 15084(c).

4. Summary of Scoping Comments

During the scoping meetings held on October 24 and 25, 2012, participants commented on the proposed project. Written comments were also collected throughout the public comment period (**Appendix H**). Forty-one written letters were received during the scoping period. Commenting parties and summaries of the comments received are provided below.

Comment letters received during the scoping period were reviewed, bracketed, and coded. Each comment letter was given a unique letter code that corresponds to the type of commenter (i.e., Federal Agency [F], State Agency [S], Local Agency [L], Group [G], Individual [I], or Scoping Meeting [ScopingMTG]); an acronym for the agency or organization (or, in the case of individuals, their last name); and the sequentially numbered, bracketed comment from that commenter. These comment identifiers are used as a cross-reference to the topical codes. The individual comments were then summarized by topical areas.

4.1 Commenting Parties

The following individuals and parties submitted comments on the scope of the EIR. These comments are organized affiliation type.

**TABLE 2
PARTIES SUBMITTING COMMENTS DURING
THE MONTEREY PENINSULA WATER SUPPLY PROJECT EIR SCOPING PROCESS**

| Affiliation | Name | Date/Received Date | Comment Letter Code |
|---|-------------------------------------|---------------------------|----------------------------|
| Federal Agencies | | | |
| NOAA Monterey Bay National Marine Sanctuary | Paul Michel | November 9, 2012 | F_MBNMS |
| U.S. Fish and Wildlife Service | Diane K. Noda | November 9, 2012 | F_USFWS |
| State Agencies | | | |
| Division of Ratepayer Advocates California Public Utilities Commission | Diana S. Brooks | November 9, 2012 | S_CPUC_DRA |
| California State Lands Commission | Cy R. Oggins | November 13, 2012 | S_CSLC |
| Local and Regional Agencies | | | |
| County of Monterey Department of Public Works | Raul Martinez | November 14, 2012 | L_CoMontereyPW |
| Monterey Bay Unified Air Pollution Control District | Amy Clymo | November 6, 2012 | L_MBUPCD |
| Monterey County Resource Management Agency | Jacqueline R. Onciano | November 9, 2012 | L_MCRMA |
| Monterey County Water Resources Agency | Robert Johnson | November 9, 2012 | L_MCWRA |
| City of Monterey | Fred Meurer | October 25, 2012 | L_Monterey |
| Monterey Peninsula Water Management District | David Stoldt | November 8, 2012 | L_MPWMD |
| City of Pacific Grove | Thomas Frutchey | November 8, 2012 | L_PacGrove |
| Group | | | |
| Ag Land Trust | Molly Erickson | November 9, 2012 | G_AgLandTrust |
| California American Water Company | Tim Miller | November 9, 2012 | G_CalAm |
| Coalition of Peninsula Businesses | Bob Mckenzie and John Narigi | November 9, 2012 | G_CPB |
| Citizens for Public Water | George Riley and Ed Mitchell | November 8, 2012 | G_CPW |
| LandWatch Monterey County | John H. Farrow | October 1, 2012 | G_LandWatch |
| Monterey Peninsula Taxpayer Association | Tom Rowlet | October 25, 2012 | G_MPTA |
| Planning and Conservation League | Jonas Minton | October 24, 2012 | G_PCL |
| Sustainable Pacific Grove | Karin Locke | October 24, 2012 | G_SPG |
| Surfrider Foundation | Gabriel Ross and Edward Schexnayder | November 9, 2012 | G_Surfrider |
| Salinas Valley Water Coalition | Nancy Isakson | October 2, 2012 | G_SVWC1 |
| Salinas Valley Water Coalition | Nancy Isakson | November 11, 2012 | G_SVWC2 |
| WaterPlus and LandWatch Monterey County | Ron Weitzman | October 4, 2012 | G_WaterPlus1 |
| WaterPlus | Dick Rotter | October 25, 2012 | G_WaterPlus2 |
| WaterPlus | Ron Weitzman | October 31, 2012 | G_WaterPlus3 |
| WaterPlus | Ron Weitzman | November 9, 2012 | G_WaterPlus4 |
| WaterPlus | Dick Rotter | November 6, 2012 | G_WaterPlus5 |
| Individuals | | | |
| Individual | John and Marion Bottomley | November 2, 2012 | I_Bottomley |
| Individual | George Brehmer | November 9, 2012 | I_Brehmer |
| Individual | Bill Carrothers | October 29, 2012 | I_Carrothers |
| Individual | Roger J. Dolan | November 6, 2012 | I_Dolan |

TABLE 2 (Continued)
PARTIES SUBMITTING COMMENTS DURING
THE MONTEREY PENINSULA WATER SUPPLY PROJECT EIR SCOPING PROCESS

| Affiliation | Name | Date/Received Date | Comment Letter Code |
|---------------------------------|--------------------------|---------------------------|----------------------------|
| Individuals (cont.) | | | |
| Individual | Ken Ekelund | November 2, 2012 | I_Ekelund |
| Individual | Manuel and Janine Fierro | November 8, 2012 | I_Fierro |
| Individual | Mike Fillmon | October 24, 2012 | I_Fillmon |
| Individual | Ray M. Harrod Jr. | November 8, 2012 | I_Harrod |
| Individual | Chris Herron | October 24, 2012 | I_Herron |
| Individual | Christina W. Holston | October 24, 2012 | I_Holston |
| Individual | Hebard and Peggy Olsen | October 19, 2012 | I_Olsen |
| Individual | Robert Siegfried | October 24, 2012 | I_Siegfried1 |
| Individual | Robert Siegfried | October 27, 2012 | I_Siegfried2 |
| Individual | Robert Siegfried | October 27, 2012 | I_Siegfried3 |
| Individual | Roy L. Thomas | November 15, 2012 | I_Thomas |
| Scoping Meeting Comments | | | |
| Not Given | Unknown verbal commenter | October 24, 2012 | ScopingMTG1 |
| Not Given | Unknown verbal commenter | October 25, 2012 | ScopingMTG2 |
| Not Given | Unknown verbal commenter | October 25, 2012 | ScopingMTG3 |

4.2 Summary of Scoping Comments

The following bullet points summarize both the oral and written comments received during the scoping period. For more detailed information, please see **Appendix G**, which contains all comments received during the scoping meetings, and **Appendix H**, which contains all written comments submitted during the scoping period.

EIR staff reviewed all of the scoping comments, bracketed and categorized the individual comments under various topical areas, and prepared a one to two-sentence summary of each comment. The purpose of the comment summaries is to provide an overview of the range of comments provided, and to facilitate consideration of the comments by EIR analysts during preparation of the EIR. The comment summaries seek to capture the essence of every comment in a way that is meaningful for EIR preparers such that the comment can be addressed in the EIR. The full comment letters are provided Appendix H; readers of this scoping report are encouraged to refer to Appendix H for the full text of the comment letters.

Specific comments are categorized by topical area to facilitate review of the comments. Naturally, some comments apply to multiple topical areas, and they will be considered by the EIR analysts in all pertinent topical areas.

Issues to Be Considered under CEQA

Water Demand

- Water demand estimates for the Monterey District should consider non-residential water use (associated with hospitality and tourism) following economic recovery. [L_MPWMD-08]
- Future demand estimates should consider proposed development projects in the City of Seaside. [G_SPG-02]
- The demand estimates should consider conservation and demand offset. [G_SPG-09]
- The EIR should consider rainwater harvesting and greywater systems for demand management and supplemental sources of supply. [I_Brehmer-01]
- The EIR should address whether the proposed project would supply Clark Colony or whether Clark Colony would need to purchase other supplies. [ScopingMTG1-06]
- Further consideration should be given to the size of conveyance facilities given the potential reduction in CalAm Carmel River diversions below their existing entitlements (i.e., if Los Padres Dam were removed). The EIR should evaluate whether the conveyance pipelines would need to be increased in capacity. [ScopingMTG1-08]
- The EIR should evaluate whether there is enough capacity to pump from Carmel River to aquifer storage and recovery. Additionally, the EIR should evaluate the capacity of the pipeline system. [ScopingMTG1-10]
- The EIR should properly identify the demand the project is intended to serve. The EIR should evaluate the impacts of downsizing and upsizing the capacity. [ScopingMTG2-19]
- The EIR should consider that the per capita demand is declining and that tiered rates have had a significant effect on the elasticity of water. If the proposed project assumes today's demand, it will be off. [ScopingMTG2-21]
- The EIR should evaluate the implementation of larger pipelines and additional water treatment capacity for the growing needs on the Peninsula. [ScopingMTG2-42]
- The EIR should address the maintenance of the facilities and the examination of water leaks in the system. [ScopingMTG2-45]

Project Description

- The MPWSP will need to receive approvals from CSLC for all project components within CSLC jurisdiction. [S_CSLC-01]
- The Project Description in the EIR should be as precise, thorough, and complete as possible to facilitate meaningful environmental review. [S_CSLC-02]
- The EIR should clearly explain the relationship between the Coastal Water Project and the MPWSP, and the relationship between the MPWSP and the Deepwater Desal Alternative and the People's Moss Landing Desal Alternative. [S_CSLC-03]

- The EIR should provide a detailed evaluation of the pre-treatment and post-treatment systems of desalination so that the impact analyses can evaluate any associated environmental effects. [S_CSLC-07]
- Production capacity should be based on the replacement water supplies associated with the legal restrictions on CalAm's Carmel River and Seaside Groundwater Basin supplies, while providing sufficient capacity and flexibility for replenishment of the Seaside Groundwater Basin, economic recovery, and water system reliability. [L_MPWMD-06]
- The proposed desalination plant should be designed with sufficient redundancy to meet outages and required maintenance activities, and to satisfy peak day and peak month demand. [L_MPWMD-09]
- Although the production capacity for the MPWSP should be based on replacement supply needs, conveyance facilities should be sized to accommodate future growth, general plan build out, and unforeseen changes in the availability of CalAm's existing water supplies. [L_MPWMD-10]
- The EIR should clearly describe the location and composition of the proposed project facilities. [L_PacGrove-02]
- The MPWSP should provide CalAm with the flexibility to deliver MPWSP water supplies to the Ryan Ranch, Bishop, and Hidden Hills distribution systems (located outside of the Monterey District service area). [G_CalAm-05]
- It is likely that CalAm will be required to cease pumping in the Laguna Seca subarea under the Court's adjudication of the Seaside Groundwater Basin. As a result, the MPWSP should include the provision of water supplies to these areas. [G_CalAm-06]
- The EIR should evaluate pipeline alignments that would facilitate the delivery of water to the Ryan Ranch, Bishop, and Hidden Hills distribution systems. [G_CalAm-07]
- The availability of Carmel River supplies for injection into the ASR system is unreliable given that these supplies rely exclusively on "excess winter flows" in the Carmel River. Therefore, the CPUC should not depend on ASR product water for meeting customer demand. [G_CPB-02]
- The proposed desalination plant should be sized such that it can meet customer water needs when operated at 80 percent of capacity. [G_CPB-04]
- The EIR should describe how brine from the desalination plant would be discharged. The EIR should also evaluate available capacity in the MRWPCA ocean outfall for brine discharges. [G_CPW-09]
- The EIR should describe the project purpose and need as it relates to the region. [G_CPW-11]
- The EIR should state the maximum volume of water that would be drawn via the proposed slant wells, and evaluate the environmental impacts of these withdrawals on marine resources. [G_CPW-23]
- The MOU between MRWPCA and the MCWD states that MCWD has the right to use a portion of the MRWPCA outfall capacity. [G_CPW-39]

- The EIR should describe the sustainability and annual reliability of the proposed improvements to the ASR system. [G_MPTA-01]
- The EIR should clarify the advantages of slant wells over other intake technologies. [G_SPG-03]
- The project objectives should be tailored to facilitate the evaluation of a broad range of alternatives capable of meeting the Peninsula's water supply needs. [G_Surfrider-07]
- The EIR should be clear about the project purpose and need, and specify whether the project would be limited to replacement supplies or if the project would also provide additional water supplies. In addition, the EIR should include a map of the Monterey District service area. [G_SVWC2-01]
- The EIR should specify the nature and frequency of maintenance activities associated with the proposed facilities, and as a condition of project approval, require that CalAm conduct these maintenance activities to avoid excessive costs to ratepayers associated with failing infrastructure. [G_WaterPlus5-02]
- The EIR should consider a variety of energy sources and configurations to reduce the cost of operating the proposed desalination plant. [I_Dolan-04]
- The MPWSP should include additional water supplies to serve lots of record. [I_Harrod-01]
- The desalination plant should be designed to facilitate future increases in production capacity. [I_Siegfried3-04]
- The MPWSP project area should be expanded to encompass the entire CalAm service area. [I_Siegfried3-05]
- Further consideration should be given to the size of conveyance facilities given the potential reduction in CalAm Carmel River diversions below their existing entitlements (i.e., if Los Padres Dam were removed). The EIR should evaluate whether the conveyance pipelines would need to be increased in capacity. [ScopingMTG1-08]
- The EIR should evaluate whether there is enough capacity to pump from Carmel River to aquifer storage and recovery. Additionally, the EIR should evaluate the capacity of the pipeline system. [ScopingMTG1-10]
- The project area should include the entire existing CalAm service area as it relates to the degradation of soils, water quality, and salt balance/salinity. [ScopingMTG1-11]
- The EIR should included discussion of the electric power (PG&E) transmission lines and associated construction impacts. [ScopingMTG2-01]
- The EIR should address all of the required federal permitting.[ScopingMTG2-04]
- In terms of project, governance; keep the County in control. [ScopingMTG2-08]
- The slant wells would require coordination with the City of Marina as to its Local Coastal Program. [ScopingMTG2-15]
- Would the test wells be transitioned into production? [ScopingMTG2-17]

- The footprint of the slant wells on the beach should be included in the EIR. The EIR should address open space, beach access, and a reduced footprint to minimize intrusion in beach areas. The EIR should examine future zoning conflicts. [ScopingMTG2-22]
- The EIR should evaluate discharge in anticipation of future/expected regulations. [ScopingMTG2-27]
- The EIR should examine the potential to expand facilities and increase water availability without increasing the project footprint. [ScopingMTG2-29]
- The appearance of injection wells and buildings need City Planning approval. [ScopingMTG2-40]
- The EIR and proposed project should include the use of sustainable design elements. [ScopingMTG2-47]

Surface Water Hydrology and Water Quality

- The EIR should evaluate the effects of mixing brine with wastewater effluent and ensure that effluent concentrations are consistent with the SWRCB Ocean Plan requirements. [F_MBNMS-04]
- The EIR should address the potential for the MPWSP to change the interfaces and mixing zones for saltwater, brackish water, and freshwater. [S_CPUC_DRA-03]
- The EIR should address impacts to water quality. [G_AgLandTrust-06]
- The EIR should evaluate project consistency with water quality regulations. [G_AgLandTrust-12]
- The alternatives analysis should consider direct and cumulative impacts to marine resources associated with brine discharge from alternative desalination projects. [G_CPW-26]
- The EIR should identify the waste discharge requirements for brine disposal. [G_SPG-07]
- The EIR should evaluate impacts associated with brine discharge, including impacts within the zone of initial dilution as well as long-term impacts from brine accumulation in the far-field benthic environment. [G_Surfrider-03]
- The EIR should evaluate the effects of irrigating with desalinated product water on soil infiltration rates in the CalAm service area. [I_Siegfried1-01]
- The project area should include the entire existing CalAm service area as it relates to the degradation of soils, water quality, and salt balance/salinity. [ScopingMTG1-11]
- The EIR should evaluate the effects of irrigating with desalinated product water on terrestrial biological resources and soil infiltration rates in the CalAm service area. [I_Siegfried3-06]

Groundwater Resources

- The EIR should evaluate the potential for the proposed slant wells to exacerbate seawater intrusion. [S_CPUC_DRA-01]

- The EIR should specify the methodology used to evaluate seawater intrusion impacts. [S_CPUC_DRA-02]
- The EIR should address the potential for the proposed slant well configuration to affect freshwater and seawater gradients in the aquifer. [S_CPUC_DRA-04]
- The EIR should evaluate how the injection of desalination product supplies into the Seaside Groundwater Basin would affect groundwater quality. [S_CSLC-08]
- The EIR should require the development and implementation of a monitoring well network to evaluate project effects on seawater intrusion and the Salinas Valley Groundwater Basin. [L_MCWRA-01]
- The EIR should address Salinas Valley Groundwater Basin groundwater rights as they relate to operation of the proposed MPWSP slant wells. [L_MCWRA-02; G_CPW-06; G_CPW-16; G_CPW-18; G_CPW-19; G_CPW-21; G_MPTA-03]
- The MCWRA requests that any modeling data and supporting information that is developed for the groundwater analysis be provided to MCWRA. [L_MCWRA-05]
- The EIR should evaluate how the injection of desalination product supplies into the Seaside Groundwater Basin would affect groundwater quality. [L_MPWMD-12]
- The EIR should evaluate the seawater intrusion and groundwater quality effects associated with extracting banked ASR water supplies via the ASR injection/extraction wells versus from CalAm production wells at different locations. [L_MPWMD-13]
- The EIR should address Salinas Valley Groundwater rights as they relate to the West Armstrong Ranch (owned by Ag Land Trust). [G_AgLandTrust-01]
- The EIR should acknowledge that groundwater cannot be pumped from the Salinas Valley Groundwater Basin without prescription. [G_AgLandTrust-02]
- The EIR should provide a detailed analysis of Salinas Valley Groundwater Basin water rights issues, including an analysis of existing water rights and impacts to agricultural land associated with the transfer of water rights to CalAm. [G_AgLandTrust-03]
- The EIR should evaluate potential impacts related to seawater intrusion. [G_AgLandTrust-09]
- The EIR should evaluate impacts associated with screening the proposed slant wells in the Sand Dunes aquifer, as proposed in CalAm's contingency plan. [G_AgLandTrust-10]
- The EIR should clearly state the volume of water that would be drawn from the slant wells under various scenarios, and the anticipated percentage of freshwater versus saltwater under each scenario. [G_AgLandTrust-19]
- It is likely that CalAm will be required to cease pumping in the Laguna Seca subarea under the Court's adjudication of the Seaside Groundwater Basin. As a result, the MPWSP should include the provision of water supplies to these areas. [G_CalAm-06]

- The MPWSP EIR should consider the Monterey County Superior Court's ruling on the CWP EIR, which determined that water rights were not adequately addressed in the CWP EIR. [G_CPW-01]
- The EIR should specify the volume of water that would need to be returned to the Salinas Valley Groundwater Basin. [G_CPW-07]
- The EIR should evaluate the potential for operation of the proposed slant wells to exacerbate seawater intrusion in the Seaside Groundwater Basin and adversely affect up-gradient wells. [G_CPW-20]
- The EIR should quantify the amount of groundwater that must be returned to the Salinas Valley Groundwater Basin and evaluate the potential adverse effects of borrowing/returning such water. [G_CPW-22]
- The EIR should evaluate the potential for operation of the proposed slant wells to exacerbate seawater intrusion in the Seaside Groundwater Basin. [G_CPW-24]
- The EIR should evaluate the potential for operation of the proposed slant wells to adversely affect up-gradient wells. [G_CPW-25]
- The EIR should provide a clear explanation of the updated groundwater modeling efforts used to evaluate project impacts. [G_SPG-06]
- As part of EIR preparation, the CPUC should develop an updated groundwater model that accurately represents the hydrogeologic setting and baseline conditions, and simulates future conditions with project implementation. [G_SVWC2-02]
- The EIR should address the direct impacts to Salinas Valley Groundwater Basin associated with operation of the proposed slant wells, and the utilization of desalinated product water that is returned to the CSIP storage pond. [G_SVWC2-03]
- The EIR should evaluate impacts to agricultural lands associated with any adverse effects on water rights held by agricultural water users. [G_SVWC2-04]
- The EIR should consider potential reliability and sustainability issues associated with groundwater replenishment and aquifer storage and recovery. Such issues include the potential to exacerbate seawater intrusion, the reliability of Carmel River diversions for injection into ASR, and the availability of reclaimed wastewater for groundwater replenishment. [G_WaterPlus3-01]
- The EIR should evaluate project consistency with the Agency Act, which prohibits the exportation of groundwater from the Salinas Valley Groundwater Basin, as well as the potential for the project to exacerbate seawater intrusion. [G_WaterPlus4-01]
- The EIR should include an assessment of the percent saltwater versus freshwater that would be drawn from slant wells at the CEMEX property. [I_Dolan-01]
- The EIR should evaluate project impacts related to seawater intrusion, groundwater levels, and effects on non-CalAm groundwater production wells. [I_Herron-01]
- The EIR should evaluate the potential for the injection of desalinated product water into the Seaside Groundwater Basin to degrade water quality in the aquifer. [I_Siegfried3-01]

- The EIR should evaluate the effects of injecting desalinated product water into the ASR system on boron concentrations in the CalAm water supply. [L_Siegfried3-03]
- The EIR should consider Salinas Valley groundwater issues. [ScopingMTG1-01]
- The EIR should clearly identify the difference between fresh versus brackish groundwater. [ScopingMTG2-12]
- The EIR should consider the amount of water that will be taken out of the Seaside aquifer, because the aquifer leaks. The EIR should evaluate the use of the aquifer by multiple projects. Examination of the rate at which water is being lost from the aquifer and how long water will be stored should be included in the EIR. [ScopingMTG2-31]
- The Ghyben-Herzberg theory should be considered. [ScopingMTG3-01]

Marine Resources

- The MBNMS has developed guidelines (Desalination Action Plan) for the siting, design, and operation of desalination plants along the sanctuary. In addition, the sanctuary has three regulations relevant to desalination projects: (1) it is prohibited to discharge or deposit any material within sanctuary boundaries, (2) it is prohibited to discharge material outside of sanctuary boundaries that will subsequently enter the sanctuary and negatively impact marine resources, and (3) it is prohibited to alter submerged lands of the sanctuary. [F_MBNMS-01]
- The EIR should evaluate the effects of mixing brine with wastewater effluent and ensure that effluent concentrations are consistent with the SWRCB Ocean Plan requirements. [F_MBNMS-04]
- The EIR should evaluate potential impacts to the sanctuary associated with installation of the proposed slant wells. [F_MBNMS-05]
- The EIR should address the potential for the MPWSP to change the interfaces and mixing zones for saltwater, brackish water, and freshwater. [S_CPUC_DRA-03]
- The EIR should evaluate the potential for project construction and operation to generate underwater noise or vibration that has the potential to impact marine biological resources. [S_CSLC-06]
- The EIR (and the NEPA document for the MPWSP) should evaluate impacts to the Monterey Bay National Marine Sanctuary. [G_AgLandTrust-18]
- The EIR should state the maximum volume of water that would be drawn via the proposed slant wells, and evaluate the environmental impacts of these withdrawals on marine resources. [G_CPW-23]
- The alternatives analysis should consider direct and cumulative impacts to marine resources associated with brine discharge from alternative desalination projects. [G_CPW-26]
- The EIR should evaluate the long-term effects of brine discharge on marine resources and habitats. [G_SPG-01]

- The EIR should evaluate potential effects on marine resources and coastal ecosystems related to brine discharge, the proposed seawater intake system, and greenhouse gas emissions associated with powering the desalination plant. [G_Surfrider-01]
- The EIR should evaluate impacts associated with brine discharge, including impacts within the zone of initial dilution as well as long-term impacts from brine accumulation in the far-field benthic environment. [G_Surfrider-03]
- The EIR should include well-defined mitigation measures to prevent erosion and preserve sensitive coastal habitat. [G_Surfrider-05]
- The EIR should consider the effects of salt removal associated with desalination on marine organisms. [L_Olsen-05]
- The EIR should evaluate the cumulative impacts of brine from many desalination plants in the Monterey Bay region. [ScopingMTG1-17]
- The EIR should evaluate whether higher salinity would produce more red tide and algal blooms. [ScopingMTG1-18]
- The commenter states that the diffusion of brine would be complicated by addition of Marina Coast outflow. [ScopingMTG2-10]
- The EIR should address the impacts slant wells could have on marine biological species, including birds and seals and their migratory habitat and variable habitat by season and year. [ScopingMTG2-23]
- The EIR should examine the impacts of the concentration of brine discharge. Questioned if the EIR would have a comparative study of brine discharges at existing plants? [ScopingMTG2-24]
- Commenter questioned whether there are relevant studies to be able to evaluate the effects of discharge. [ScopingMTG2-30]

Terrestrial Biological Resources

- The EIR should evaluate impacts to Smith's blue butterfly, Menzies' wallflower, Monterey gilia, Western snowy plover, and Monterey spineflower associated with installation and maintenance of the proposed slant wells. [F_USFWS-01]
- The EIR should evaluate cumulative impacts to Western snowy plover associated with the proposed seawater intake system and CEMEX mining activities. [F_USFWS-02]
- The EIR should address impacts to California red-legged frog associated with construction, operation, and maintenance of the proposed desalination plant. [F_USFWS-03]
- The EIR should evaluate impacts to federally listed species resulting from construction of proposed conveyance pipelines. [F_USFWS-04]
- The EIR should present responses from CDFG, CNDDDB, and USFWS that identify any special-status plant and wildlife species that may occur in the project area. [S_CSLC-05]

- The EIR should evaluate the effects of irrigating with desalinated product water on terrestrial biological resources and soil infiltration rates in the CalAm service area. [I_Siegfried3-06]
- The EIR should evaluate impacts on snowy plover. [ScopingMTG1-12; ScopingMTG2-13; ScopingMTG2-14]

Geology, Soils, Seismicity

- The EIR should evaluate potential impacts related to sea level rise. [S_CSLC-13]
- The project area should include the entire existing CalAm service area as it relates to the degradation of soils, water quality, and salt balance/salinity. [ScopingMTG1-11]
- The EIR should address the longevity of wells relative to corrosion and whether the wells must be moved often. [ScopingMTG1-13]
- The EIR should evaluate whether well intake would erode or move soil. [ScopingMTG1-14]

Hazards and Public Health and Safety

- The EIR should evaluate the public health and safety risk of private ownership of the MPWSP. [ScopingMTG2-25]
- The EIR should evaluate the safety of the Fort Ord area and its use for park and residential uses. Commenter recommends developing Terminal Reservoir area as park space. The EIR should coordinate with FORA on the status, schedule, and extent of cleanup efforts. [ScopingMTG2-39]
- The EIR should address the timeframe of cleanup of Fort Ord relative to construction of the Terminal Reservoir (area is currently not planned for cleanup for some time). [ScopingMTG2-41]

Land Use and Recreation

- The EIR should discuss the potential for project implementation to affect land use and recreational resources. The EIR should also describe how the CPUC and CalAm will notify the public about activities happening in the project area that could affect land use and recreational resources. [S_CSLC-09]
- The EIR should evaluate the needs and benefits to pedestrian and bicycle facilities. [L_CoMontereyPW-08]
- The EIR should evaluate land use impacts associated with facility siting and the annexation of land. [G_AgLandTrust-08]
- The footprint of the slant wells on the beach should be included in the EIR. The EIR should address open space, beach access, and a reduced footprint to minimize intrusion in beach areas. The EIR should examination future zoning conflicts. [ScopingMTG2-22]
- The EIR should consider the road construction in Seaside (La Salle Avenue, Hilby Avenue). Including road repaving, not just patching. [ScopingMTG2-32]

- The EIR should address staging and parking areas for construction workers as parking is an issue for the neighborhoods south of La Salle Avenue. There is the potential to use local school parking lots during summer (first week in June to first week in August; no summer school sessions). [ScopingMTG2-33]
- The EIR should address access for residents during construction. [ScopingMTG2-35]
- The EIR should address the aesthetics impacts of the Terminal Reservoir. The Terminal Reservoir should be set back off of General Jim Moore Boulevard and be partially submerged underground. [ScopingMTG2-36]
- The EIR should incorporate a detention basin in the design for the overflow capacity for the Terminal Reservoir. The City of Seaside worked with CalAm on a park conceptual design for area around Terminal Reservoir to integrate park space and address aesthetic impacts. Bureau of Land Management owns land behind the Terminal Reservoir site. [ScopingMTG2-37]
- The EIR should evaluate the City of Seaside General Plan for conflicts with zoning and land use designation. [ScopingMTG2-38]
- CalAm would need a right of entry permit from Fort Ord Reuse Authority (FORA) for access. The EIR should evaluate the safety of the Fort Ord area and its use for park and residential uses. Commenter recommends developing Terminal Reservoir area as park space. The EIR should coordinate with FORA on the status, schedule, and extent of cleanup efforts. [ScopingMTG2-39]
- The EIR should address the timeframe of cleanup of Fort Ord relative to construction of the Terminal Reservoir (area is currently not planned for cleanup for some time). [ScopingMTG2-41]

Traffic

- The EIR's mitigation measures should conform to regional planning documents. [L_CoMontereyPW-01]
- The EIR methods by which the Level of Service is calculated should be consistent with the methods in the latest editions of the Highway Capacity Manual. [L_CoMontereyPW-02]
- The EIR's Traffic Studies should identify mitigation measure for all traffic circulation impacts on County roads. [L_CoMontereyPW-03]
- The EIR should address all impacts on county, regional, and city roadways. [L_CoMontereyPW-04]
- The EIR cumulative scenarios should be consistent with regional traffic model projections. [L_CoMontereyPW-05]
- The EIR should evaluate existing conditions, background and cumulative project scenarios. [L_CoMontereyPW-06]
- The EIR should include a pavement condition analysis. The EIR should evaluate impacts from the amount of heavy truck traffic. [L_CoMontereyPW-07]

- The EIR should evaluate the needs and benefits to pedestrian and bicycle facilities. [L_CoMontereyPW-08]
- The traffic reports should include access points and analyze the impacts on county, cities, and regional roadways. [L_CoMontereyPW-09]
- The EIR should consider the road construction in Seaside (La Salle Avenue, Hilby Avenue). Including road repaving, not just patching. [ScopingMTG2-32]
- The EIR should address staging and parking areas for construction workers as parking is an issue for the neighborhoods south of La Salle Avenue. There is the potential to use local school parking lots during summer (first week in June to first week in August; no summer school sessions). [ScopingMTG2-33]
- The EIR should evaluate emergency response times for the Seaside Fire Department (station at Yosemite and Broadway, Seaside). [ScopingMTG2-34]
- The EIR should address access for residents during construction. [ScopingMTG2-35]

Air Quality

- The EIR should use the MBUAPCD's 2008 CEQA Guidelines to evaluate air quality impacts. [L_MBUAPCD-01]

Greenhouse Gases

- The EIR should evaluate impacts to GHG levels. The evaluation should identify a threshold of significance, provide an estimate of GHGs that would be emitted as a result of project construction and operations, and determine the significance of those GHG emissions. [S_CSLC-12]
- The EIR should address the energy needs related to increased pipeline conveyance and the associated effects on carbon footprint. [L_MPWMD-11]

Noise and Vibration

- The EIR should evaluate the potential for project construction and operation to generate underwater noise or vibration that could potentially impact marine biological resources. [S_CSLC-06]

Public Services and Utilities

- The EIR should describe how brine from the desalination plant would be discharged. The EIR should also evaluate available capacity in the MRWPCA ocean outfall for brine discharges. [G_CPW-09]
- MOU between MRWPCA and the MCWD states that MCWD has the right to use of a portion of the MRWPCA outfall capacity. [G_CPW-39]
- The EIR should evaluate emergency response times for the Seaside Fire Department (station at Yosemite and Broadway, Seaside). [ScopingMTG2-34]
- The EIR should evaluate the reduction in wastewater volume going to the recycling facility. [ScopingMTG2-43]

Aesthetics

- The EIR should address the aesthetics impacts of the Terminal Reservoir. The Terminal Reservoir should be set back off of General Jim Moore and be partially submerged underground. [ScopingMTG2-36]
- The EIR should incorporate detention basin in the design for the overflow capacity for the Terminal Reservoir. The City of Seaside worked with CalAm on a park conceptual design for area around Terminal Reservoir to integrate park space and address aesthetic impacts. The Bureau of Land Management owns land behind the Terminal Reservoir site. [ScopingMTG2-37]

Cultural Resources

- The EIR should evaluate impacts to cultural resources, including shipwrecks and any submersed archaeological sites or historic resources that have remained in State waters for more than 50 years. [S_CSLC-11]

Agriculture and Forestry

- The EIR should provide a detailed analysis of Salinas Valley Groundwater Basin water rights issues, including an analysis of existing water rights and impacts to agricultural land associated with the transfer of water rights to CalAm. [G_AgLandTrust-03]
- The EIR should evaluate impacts to agricultural lands resulting from facility siting. [G_AgLandTrust-04]
- The EIR should evaluate impacts to preserved agricultural lands. [G_AgLandTrust-15]
- The EIR should evaluate impacts to agricultural lands associated with any adverse effects on water rights held by agricultural water users. [G_SVWC2-04]

Energy

- The EIR should address the energy needs related to increased pipeline conveyance and the associated effects on carbon footprint. [L_MPWMD-11]
- The EIR should evaluate the beneficial/negative effects of reclaimed methane gas as an energy source. [G_CPW-10]
- The EIR should consider the use of “green” or sustainable energy sources for operation of desalination facilities. [G_SPG-08]
- The EIR should include a discussion on the electric power (PG&E) transmission lines and associated construction impacts. [ScopingMTG2-01]

Cumulative Impacts

- The EIR should evaluate cumulative impacts to Western Snowy Plover associated with the proposed seawater intake system and CEMEX mining activities. [F_USFWS-02]
- The EIR should consider public participation proposals for small water projects that have been submitted to the CPUC, both with respect to potential cumulative impacts and as project alternatives. [L_PacGrove-05]

- The EIR should describe all proposed desalination projects in the area, including the status of environmental review, associated impacts, and the status of mitigations adopted. [G_AgLandTrust-05]
- The EIR should evaluate cumulative impacts. [G_AgLandTrust-14]
- The cumulative analysis should consider the effects of the proposed MPWSP desalination plant in combination with other future desalination projects in the Monterey Bay area. [G_SPG-05]
- The EIR cumulative analysis should address the impacts of both the MPWSP and the People's Project being approved (cumulative, growth inducing). [ScopingMTG1-05]
- The EIR should address cumulative projects and actions impacts. [ScopingMTG1-09]
- The EIR should evaluate the cumulative impacts of brine from many desalination plants in the Monterey Bay area. [ScopingMTG1-17]
- The EIR should address cumulative effects of incremental projects like Groundwater Replenishment, ASR, and others. [ScopingMTG2-20]

Alternatives

- Project alternatives should be evaluated at a sufficient level of detail to accurately determine the relative environmental impacts associated with each alternative. [F_USFWS-03]
- The alternatives analysis should provide a full comparative analysis of the effects of each alternative on federally listed species. [F_USFWS-05]
- The EIR should consider locational alternatives that would place all facilities outside of Western Snowy Plover habitat. [F_USFWS-06]
- The EIR should clearly explain the relationship between the Coastal Water Project and the MPWSP, and the relationship between the MPWSP and the Deepwater Desal Alternative and the People's Moss Landing Desal Alternative. [S_CSLC-03]
- The EIR should evaluate a full range of project alternatives. [L_Monterey-01]
- The EIR should evaluate project alternatives at the same level of detail as the proposed project. [L_Monterey-03; L_MPWMD-02; L_PacGrove-06; G_CPW-02]
- The descriptions of project alternatives in the EIR should be based on the most current information available. [L_MPWMD-03]
- The alternatives analysis should identify and consider the environmental impacts and benefits associated with groundwater replenishment. [L_MPWMD-05]
- If it is determined that CalAm's current allocation of Seaside Groundwater Basin supplies still exceeds the safe yield of the groundwater basin, these supplies could be further reduced to prevent seawater intrusion. The EIR should consider project alternatives that would provide sufficient supplies to serve customers and allow for aquifer recovery in the

event CalAm is required to cease all pumping from the Seaside Groundwater Basin. [L_MPWMD-07]

- The EIR should evaluate the seawater intrusion and groundwater quality effects associated with extracting banked ASR water supplies via the ASR injection/extraction wells vs. from CalAm production wells at different locations. [L_MPWMD-13]
- The EIR should consider public participation proposals for small water projects that have been submitted to the CPUC, both with respect to potential cumulative impacts and as project alternatives. [L_PacGrove-05]
- The EIR should evaluate a locational alternative that would site the desalination plant at the former National Refractories site in Moss Landing. [G_AgLandTrust-17]
- The alternatives analysis should evaluate the commercial project alternatives (i.e., People's Moss Landing Desal, DeepWater Desal) but without mention of the commercial ventures. In addition, the EIR should evaluate a variety of design alternatives (i.e., facility locations, brine discharge facilities, pipeline alignments) that could be mixed and matched to address environmental impacts, project costs, and schedule considerations. [G_CalAm-03]
- The alternatives analysis should consider the modified design options and locational alternatives presented in CalAm's Contingency Plan dated November 1, 2012. [G_CalAm-04]
- To expedite permitting and project construction, the EIR should evaluate alternative alignments for the Monterey Pipeline and transfer pipeline that would move these pipelines outside of the Coastal Zone. [G_CalAm-08]
- The EIR should evaluate a project alternative sized with sufficient production capacity to meet future water demand under general plan build-out conditions. Future demand under the "general plan build-out" alternative should account for: (a) existing legal lots of record; (b) increased demand resulting from general plan build-out; and (c) non-residential (associated with hospitality and tourism) water use under recovered economic conditions. [G_CPB-01]
- Alternatives involving groundwater replenishment may not be feasible given lack of funding and concerns related to water rights. [G_CPB-03]
- As part of the MPWSP EIR efforts, the CPUC should conduct the environmental studies necessary for implementation of a "general plan build-out" alternative. [G_CPB-05]
- The descriptions of project alternatives in the EIR should be based on the most current information available. The CPUC should give the proponents of project alternatives a deadline for providing up to date alternatives information for incorporation into the EIR. [G_CPW-03]
- The description of the People's Moss Landing Desalination project presented in the NOP should be updated to reflect the most recent project information. Commenter is in favor of People's Moss Landing Desalination project. [G_CPW-04]
- Project alternatives involving groundwater replenishment may not have a reliable source of reclaimed water during all water year types. [G_CPW-08]

- The EIR should evaluate project alternatives with respect to required approvals and overall feasibility. [G_CPW-12]
- The alternatives analysis should describe the desalination technologies proposed by each alternative. [G_CPW-13]
- The alternatives analysis should consider the impacts of the various intake structures/technologies proposed by each alternative. [G_CPW-14]
- The alternatives analysis should consider drought reliability. [G_CPW-15]
- The alternatives analysis should consider direct and cumulative impacts to marine resources associated with brine discharge from alternative desalination projects. [G_CPW-26]
- The alternatives analysis should consider the technical feasibility, implementation schedule, and overall risk associated with alternative projects. [G_CPW-27]
- The alternatives analysis should consider the likelihood for the desalination alternatives to be legally challenged in court. [G_CPW-28]
- The EIR should compare the cost of implementing the alternative desalination projects, as well as the degree of regional economic benefit associated with each. [G_CPW-29]
- The Moss Landing alternatives would result in different significant environmental impacts, avoid significant legal challenges, and result in cost savings for ratepayers when compared to the MPWSP. [G_CPW-32]
- The EIR should assess the near- and long-term regional economic benefits associated with each project alternative. [G_CPW-35]
- The alternatives analysis should provide a comparison of the MPWSP and the desalination alternatives based on: infrastructure feasibility, environmental impacts associated with the seawater intake/brine discharge, feasibility/risk comparison, rough order of magnitude cost comparison, and overall project comparison. [G_CPW-36]
- The EIR should consider locational alternatives for the proposed seawater intake system that are outside of the Salinas Valley Groundwater Basin. [G_LandWatch-01; G_SVWC1-01; G_SVWC2-06; G_WaterPlus1-01]
- The feasibility of the Groundwater Replenishment alternative is speculative due to uncertainties regarding reclaimed water availability. [G_MPTA-02]
- The evaluation of the No Project Alternative should address compliance with the SWRCB's Cease and Desist Order. [G_PCL-01]
- Commenter expressed support for alternatives that involve Groundwater Replenishment. [G_SPG-03]
- Commenter expressed support for project alternatives that include publicly owned and operated water supply infrastructure. [G_SPG-10; I_Fierro-01]

- The alternatives analysis should evaluate entrainment and impingement impacts associated with open water intakes, and evaluate the level of mortality of marine resources associated with each desalination alternative. [G_Surfrider-02]
- The EIR should evaluate the environmental impacts of CalAm's contingency options so that these options can move forward in the event that the MPWSP and other desalination alternatives are determined to be infeasible. [G_Surfrider-06]
- Commenter expressed support for alternatives that would reduce the capacity of the desalination plant and/or that would meet water needs without desalination. [G_Surfrider-08]
- The alternatives analysis should evaluate a stand-alone conservation alternative that would meet water needs by implementing strategies such as grey water systems, rainwater collection, landscape modifications, and water audits that reduce demand for potable water supplies. [G_Surfrider-09]
- Commenter expressed support for alternatives that involve reclaimed wastewater and groundwater replenishment. [G_Surfrider-10]
- The EIR should consider a reduced-capacity desalination alternative that incorporates maximum achievable conservation measures. [G_Surfrider-11]
- The EIR should evaluate the potential impacts to groundwater associated with the installation of shallower seawater intake wells that are screened in the sand-dune aquifer, as described in CalAm's contingency plan. [G_SVWC2-05]
- The EIR should consider potential reliability and sustainability issues associated with groundwater replenishment and aquifer storage and recovery. Such issues include the potential to exacerbate seawater intrusion, the reliability of Carmel River diversions for injection into ASR, and the availability of reclaimed wastewater for groundwater replenishment. [G_WaterPlus3-01]
- Commenter expressed support for project alternatives that include facilities that are publicly owned and operated. [G_WaterPlus3-03]
- The EIR should consider rainwater harvesting and greywater systems for demand management and supplemental sources of supply. [I_Brehmer-01]
- The alternatives analysis should consider open water intakes and shallow horizontal collectors (i.e., Ranney collectors) as design alternatives to the proposed seawater intake system. [I_Dolan-02]
- The EIR should consider a variety of energy sources and configurations to reduce the cost of operating the proposed desalination plant. [I_Dolan-04]
- The EIR should confirm the applicability/feasibility of the lower cost energy sources associated with the Deepwater Desalination project. [I_Dolan-05]
- The EIR should include a thorough evaluation of the project alternatives proposed by other entities, including hybrid alternatives that incorporate some of the design aspects of the competing alternatives. [I_Ekelund-01]

- The EIR should clearly describe how the CPUC intends to address the various permitting obstacles and regulatory hurdles, and consider project alternatives that circumvent these issues so that the project can move forward. [I_Ekelund-02]
- Commenter expresses support for the People’s Moss Landing Desalination project. [I_Olsen-04]
- EIR should consider an alternative involving desalination by the Carmel Area Wastewater District (CAWD). If an alternative project involving desalination by CAWD appears feasible, CalAm should be obligated to purchase water from CAWD or make the CalAm distribution system available to CAWD for delivery of potable water to Carmel and the Carmel Valley. [I_Siegfried2-01]
- The EIR should examine of the No Project Alternative and identify potential impacts of implementing the No Project Alternative, including vegetation loss, housing, agriculture, water supply, employment/hospitality, vehicle miles traveled. [ScopingMTG1-02]
- Coordination with other CEQA Lead agencies, i.e. Pacific Grove and DeepWater Desalination should be conducted. [ScopingMTG1-03]
- The EIR cumulative analysis should address the impacts of both the proposed project and the People’s Moss Landing Project being approved (cumulative, growth inducing). [ScopingMTG1-05]
- The EIR analysis should compare alternative projects. [ScopingMTG1-07]
- Further consideration should be given to recycled water so desalinated water does not have to be used. [ScopingMTG1-16]
- The EIR should include an accurate description of People’s Moss Landing Project. Commenter is concerned about the available water to North County. [ScopingMTG2-02]
- The EIR should include an accurate description of the DeepWater Desalination Project. [ScopingMTG2-03]
- The EIR should evaluate all alternatives at the highest level of detail so those projects do not have to go through the CEQA process again. [ScopingMTG2-06]
- The EIR should include the Marina Coast Water District 1.5 – 3.0 MGD desalination plant. [ScopingMTG2-09]
- The EIR should rename “People’s Project” to Pacific Grove Project. [ScopingMTG2-11]
- Further consideration should be given to well and treatment plant relocations in Seaside to reduce pipeline length. [ScopingMTG2-44]
- The EIR should evaluate better/more effective use of CalAm’s existing systems. [ScopingMTG2-46]
- The EIR should evaluate a solution to reduce water consumption to 4,500 acre-feet. [ScopingMTG3-02]

- The EIR should address the pros and cons of each alternative, using parameters like technical feasibility, cost, and location. [ScopingMTG3-03]
- The EIR should evaluate an alternative that involves a water transfer from the Central Valley. [I_Thomas-01]

Growth Inducing Effects

- Although the production capacity for the MPWSP should be based on replacement supply needs, conveyance facilities should be sized to accommodate future growth, general plan build out, and unforeseen changes in the availability of CalAm's existing water supplies. [L_MPWMD-10]
- Further consideration should be given to the size of conveyance facilities given the potential reduction in CalAm Carmel River diversions below their existing entitlements (i.e. if Los Padres Dam were removed). The EIR should evaluate if the conveyance pipelines would need to be increased in capacity. [ScopingMTG1-08]
- The EIR should identify the demand the project is intended to serve. The EIR should evaluate the impacts of downsizing and upsizing the capacity. [ScopingMTG2-19]
- The EIR should evaluate the implementation of larger pipelines and additional water treatment capacity for the growing needs on the Peninsula. [ScopingMTG2-42]
- The EIR should address the maintenance of the facilities and the examination of water leaks in the system. [ScopingMTG2-45]

CEQA/NEPA Process

- The MBNMS would like to meet with CPUC and all pertinent regulatory agencies to identify roles and responsibilities related to oversight and permitting, including NEPA requirements. [F_USFWS-02]
- Mitigation measures should be feasible, specific, and enforceable, or should be presented with specific performance standards that can be accomplished in more than one specified way. [S_CSLC-04]
- The MPWMD will rely on the certified MPWSP Final EIR when considering the amendment to CalAm's water distribution permit for the MPWSP. [L_MPWMD-01]
- The CPUC should determine NEPA requirements early in the environmental review process. [L_MPWMD-04]
- The CPUC should confirm the appropriate level of CEQA environmental review (i.e., project-level EIR versus Programmatic EIR). [L_Monterey-02]
- The EIR should be clear about the NEPA requirements relevant to the MPWSP. If NEPA environmental review is required, the CPUC should prepare a joint CEQA/NEPA document to minimize schedule delays. [L_Monterey-04; L_PacGrove-03]
- The NOP should have been more explicit about the environmental effects of the MPWSP; this would allow responsible and trustee agencies to provide more meaningful comments. [L_PacGrove-04]

- It is imperative that the CEQA environmental review process stay on schedule in order to meet the SWRCB's Cease and Desist Order. [G_CalAm-01]
- MPWSP EIR should consider the Monterey County Superior Court's ruling on the CWP EIR, which determined that water rights were not adequately addressed in the CWP EIR. [G_CPW-01]
- The descriptions of project alternatives in the EIR should be based on the most current information available. The CPUC should give the proponents of project alternatives a deadline for providing up to date alternatives information for incorporation into the EIR. [G_CPW-03]
- CEQA requires the evaluation of feasible project alternatives and the consideration of economic benefits and costs associated with a project and its alternatives. [G_CPW-37]
- The EIR should coordinate with the Monterey Bay National Marine Sanctuary during the NEPA process. [ScopingMTG1-04]
- The commenter questioned if the environmental review is a "program" and "project" level. [ScopingMTG2-05]
- The EIR should address impacts related to NEPA. The National Marine Sanctuaries representative is Brad Damitz and was part of State Desal Task Force. [ScopingMTG2-16]
- The EIR should include a NEPA evaluation since the slant wells are within National Marine Sanctuaries jurisdiction. The appropriate NEPA lead agency should be identified early in the EIR process to avoid project delay. [ScopingMTG2-18]
- Timing of the NEPA lead agency determination is relevant to the timing of EIR preparation. [ScopingMTG2-26]

Consistency with Plans and Policies

- The EIR should evaluate conflicts with plans and policies related to the MBNMS and Marine Protected Areas. [S_CSLC-10]
- The EIR should evaluate project consistency with the Monterey County General Plan and the Monterey County Local Coastal Program. [L_MCRMA-01]
- The EIR should evaluate project consistency with the Agency Act. [L_MCRMA-03]
- The EIR should evaluate the MPWSP's consistency with the Coastal Act, North County Land Use Plan, Coastal Implementation Plan, Monterey County General Plan, and plans and policies related to farmland preservation, water quality, and contamination of potable water supplies. [G_AgLandTrust-07]
- The EIR should evaluate project consistency with land use zoning. [G_AgLandTrust-13]
- The EIR should address the legal feasibility of the proposed project in light of the Monterey County ordinance prohibiting the private ownership of desalination facilities. [G_CPW-05]

- The EIR should evaluate project consistency with North County Local Coastal Plan. [G_CPW-17]

General Comments

- The CPUC should require the development of a contingency plan in the event the slant wells are not viable. [L_MCWRA-04]
- Commenter requests that the CPUC provide a list of the specific non-environmental issues that will be addressed in the CPCN process. [L_PacGrove-01]
- The EIR should map all areas that would be potentially affected by the proposed project. [G_AgLandTrust-11]
- The CPUC should require that CalAm conduct a water supply assessment for the MPWSP. [G_AgLandTrust-20]
- Mitigation measures should be clearly described, measurable, and achievable. [G_AgLandTrust-21]
- Commenter requests that measurements of water be provided in acre feet. [G_AgLandTrust-22]
- Commenter requests that EIR tables be formatted with numbers vertically aligned. [G_AgLandTrust-23]
- The EIR should evaluate project impacts as early as possible. [G_AgLandTrust-24]
- The EIR should address the environmental issues identified by the Ag Land Trust in its briefing to the Monterey Superior Court with regard to the Coastal Water Project Final EIR. [G_AgLandTrust-25]
- The CPUC should consider that diluting brine with wastewater effluent affects the ability to reuse the effluent as an alternative water source. [G_Surfrider-04]
- A substantial amount of water is lost through leaks in the CalAm water system. These losses could be avoided if CalAm maintained the system properly. [G_WaterPlus2-01]
- Comment unclear - please refer to comment letter. [I_Olsen-06]
- The EIR should include numeric values of water in acre-feet per year, in addition to description of million gallons, so there are comparable units of measurement. [ScopingMTG2-07]

Issues Not Analyzed under CEQA

The EIR will be used to guide decision-making by the CPUC by providing an assessment of the potential environmental impacts that may result from the proposed project. The weighing of project benefits (environmental, economic, or otherwise) against adverse environmental effects is outside the scope of the CEQA process. (Public Resources Code Section 21100; CEQA Guidelines Section 15002(a).) When the CPUC meets to decide on CalAm's application for the proposed project, the CPUC will consider the EIR (which will disclose potential environmental

effects of the proposed project and the Project Alternatives) along with other, non-environmental considerations. Then it will decide whether or not to approve or deny the proposed project.

The EIR will not consider comments related to water rates. Further, pursuant to CEQA, the EIR will not consider comments that relate to potential economic impacts. Although not a part of the EIR or the CEQA process, economic considerations will be taken into account by the CPUC as part of its decision-making process for the application.

Water Rates

- The EIR should evaluate impacts on water prices. [ScopingMTG1-15]
- The commenter questioned how the capital cost (and subsequent rates) will be affected by not having a power source near the desalination plant site. [ScopingMTG2-28]

Drinking Water Quality

- The EIR should evaluate any potential health risks associated with drinking desalinated product water. [I_Siegfried3-02]

Economics

- The EIR should evaluate secondary economic impacts associated with loss of agricultural land. [G_AgLandTrust-16]
- The EIR should provide cost information for each project component, including the costs associated with mitigation measures. [G_CPW-30]
- CalAm should establish cost controls and performance incentives and disincentives advantageous to the ratepayer. The MPWSP EIR should avoid costly legal challenges. [G_CPW-31]
- The Moss Landing alternatives would result in different significant environmental impacts, avoid significant legal challenges, and result in cost savings for ratepayers when compared to the MPWSP. [G_CPW-32]
- The EIR should assess the regional economic benefits of the MPWSP, not only for Marina, the Monterey Peninsula, and Carmel, but also for coastal communities in northern Monterey County located east of the Salinas River. [G_CPW-34]
- The EIR should assess the near- and long-term regional economic benefits associated with each project alternative. [G_CPW-35]
- The Division of Ratepayer Advocates provided comments on the Settlement Agreement suggesting that the agreement failed to address costs and risks to ratepayers. [G_CPW-38]
- The EIR should describe project cost and financing. [G_WaterPlus3-02]
- CalAm should improve maintenance of its water supply infrastructure to better manage ratepayer costs. [G_WaterPlus5-01; I_Olsen-02]
- CalAm unfairly requires that ratepayers pay for costly improvements to CalAm infrastructure that benefits only a small portion of the service area. [I_Holston-01]

- CalAm should conduct public surveys to identify the types of water supply projects that have public support and better manage ratepayer costs. [I_Olsen-01]

Opinions on the Proposed Project

- The information developed for the Coastal Water Project Final EIR, when updated to reflect current conditions and legal requirements, serves as a good basis for preparation of the MPWSP EIR. [G_CalAm-02]
- Neither the Regional Water Project nor the MPWSP consider regional solutions that include a diverse group of beneficiaries, not just CalAm ratepayers. [G_CPW-33]
- Commenter is opposed to the MPWSP project. [G_MPTA-04]
- CalAm should improve maintenance of its water supply infrastructure to better manage ratepayer costs. [G_WaterPlus5-01; I_Olsen-02]
- Commenter expressed concern regarding the MPWSP implementation schedule and CalAm's ability to meet the SWRCB's Cease and Desist Order. [I_Bottomley-01; I_Olsen-03]
- Commenter expressed doubts about the efficiency of the project review process, project implementation schedule, the potential for legal challenges to the MPWSP, and increased costs for ratepayers. [I_Bottomley-02]
- Commenter encourages responsible and trustee agencies, local government agencies, agricultural interests, and decision makers to assist in developing supplemental supply solution and streamlining the project review process. [I_Bottomley-03]
- Commenter expressed support for MPWSP. [I_Carrothers-01; I_Fillmon-01]
- Commenter encourages CalAm to consider expanding the MPWSP to include water supplies for CalAm customers in the Toro basin, a tributary basin to the Salinas Valley Groundwater Basin, and that these customers pay the full production cost of the water. [I_Dolan-03]
- CalAm unfairly requires that ratepayers pay for costly improvements to CalAm infrastructure that benefit only a small portion of the service area. [I_Holston-01]
- CalAm should conduct public surveys to identify the types of water supply projects that have public support and better manage ratepayer costs. [I_Olsen-01]

5. Consideration of Issues Raised in Scoping Process

A primary purpose of this Scoping Report is to document the process of soliciting and identifying comments from interested agencies and the public. The Scoping Process provides the means to determine those issues that interested participants consider to be the principal areas for study and analysis for purposes of preparation of the MPWSP EIR. Every issue that has been raised during the Scoping Process that falls within the scope of CEQA will be addressed and/or will be considered in the EIR.

6. Scope of Alternatives Analysis

CEQA Guidelines Section 15126 requires EIRs to describe and evaluate a reasonable range of alternatives to a project, or to the location of a project, which would feasibly attain most of the basic project objectives and avoid or substantially lessen significant effects of the project. The EIR will describe the development and screening of potential project alternatives, present the selected project alternatives, evaluate the alternatives for consistency with stated project objectives, and summarize and compare the environmental impacts and trade-offs of the alternatives, in order to identify the environmentally superior alternative.

6.1 Types of Alternatives

In addition to the “No Project” alternative, there are two types of alternatives that are typically reviewed in an EIR: (1) alternatives to the project as a whole, that are other projects entirely, or other approaches to achieving the project objectives rather than the project or a modified version of the project; and (2) alternatives to project elements, that include modified project components, such as alternative desalination plant sites or processes and/or modified facilities, layout, size, and scale (such as alternate well configurations and locations or alternate pipeline routes). The EIR will evaluate both types of alternatives in order to provide a reasonable range of alternatives for comparison. The EIR will focus specifically on alternatives that could reduce the impacts of CalAm’s proposed project.

6.2 Alternatives Screening

As defined by CEQA Guidelines §15126.6(a), an EIR need not consider every conceivable alternative to a project, but must consider a reasonable range of alternatives that will foster informed decision-making and public participation. The range of alternatives that will be examined in the EIR will be consistent with the “rule of reason” established by CEQA, and will focus on feasible alternatives capable of meeting the project objectives.

As the CEQA Lead Agency, the CPUC is responsible for selecting the range of project alternatives for examination and must publicly disclose its reasons for selecting those alternatives. The reasonable range of alternatives includes those that are likely to be feasible based on technical, economic, and environmental factors. In preparing the range of alternatives, the CPUC will consider: (a) whether the alternative would meet the MPWSP objectives; (b) whether preliminary data indicate that the alternative is feasible; (c) whether the alternative would reduce any significant impact(s) likely to result from implementation of the MPWSP; and (d) whether the alternative has been developed at a level of detail sufficient for meaningful evaluation and comparison among alternatives. An EIR need not consider an alternative whose impact cannot be reasonably ascertained and/or whose implementation is remote and speculative.

Alternatives suggested by various public agencies and stakeholders during the CEQA scoping process will be included in the initial screening analysis to allow the CPUC to ascertain which alternatives are feasible and which planned water supply projects could potentially be substituted

for, incorporated into or executed in coordination with the MPWSP. Many of the alternatives that have been suggested and will be evaluated were similarly discussed in the CWP Final EIR, Chapter 7, Section 7.6.2; however, all screening tools and results will be updated, applied, and documented in the MPWSP EIR.

In assessing whether the alternatives being screened meet project objectives in order to be carried forward for more detailed analysis, the EIR will consider whether each alternative to the project as a whole and each alternative to project elements can feasibly attain most of the basic project objectives, even if that alternative may impede any project objective to some degree.

Factors that may be considered when addressing the feasibility of an alternative include site suitability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, economic viability, and whether the proponent can reasonably acquire, control, or otherwise have access to an alternative site.

As provided for in 15126.6(b), any alternatives identified but not found to be capable of meeting basic project objectives or to be feasible will be presented briefly in the Draft EIR, along with the reasons they were eliminated from further analysis.

- **Alternatives to the Project as a Whole:** Alternatives to the project represent other opportunities to meet the MPWSP objectives, including, but not limited to, a 5.4-mgd Desalination Plant with Groundwater Replenishment, and other commercial desalination proposals such as The People's Moss Landing Water Desalination Project (People's Project), and the Deep Water Desal Project. In addition, the EIR will evaluate a conservation/demand reduction alternative that could include local recycled water projects. In the event that entire alternatives to the project as a whole are eliminated on any basis during the preliminary screening process, the individual components of such comprehensive alternatives may well provide a broad, varied, and useful choice of elements to represent a "hybrid" alternative.
- **Alternatives to the Project Elements:** The components of the alternatives to the project as a whole could become alternatives to isolated (but integrated) components of the MPWSP. These alternatives could include intake locations or technologies, desalination plant locations, or pipeline routes, similar to the discussion in the CWP Final EIR, Section 7.5.

To the extent that projects are eliminated during the preliminary screening process, these projects may still be considered in the cumulative analysis if it is reasonably foreseeable that the projects may be independently implemented within the cumulative horizon.

6.3 Alternatives Analysis

Once the screening process is complete, the EIR will have identified and honed in on a range of alternatives whose environmental impacts will be evaluated at a detailed level so as to enable comparison to the MPWSP and among alternatives.

In addition to the alternatives identified through the screening process described above, the EIR will (as required by CEQA) evaluate the environmental effects associated with the No Project Alternative. Discussion of the No Project Alternative will examine the environmental effects of continuation of existing conditions, as well as reasonably foreseeable future conditions that would exist if the project were not approved (CEQA §15126.6(e)), to allow decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. In this case, the No Project Alternative would include enforcement of the SWRCB Cease and Desist Order on the Carmel River, which is expected to severely limit the availability of Carmel River water supplies for use in CalAm's Monterey District service area.



Errata Sheet

date November 30, 2012
to All Parties of Record in A.12-04-019
from Environmental Science Associates on behalf of CPUC Energy Division
subject Errata Sheet for Monterey Peninsula Water Supply Project EIR Scoping Report

Page 6, Table 2 → The following row is added under the subheading *Local and Regional Agencies*:

| | | | |
|---|------------------|------------------|---------|
| Monterey Peninsula Regional Water Authority | Chuck Della Sala | November 8, 2012 | L_MPRWA |
|---|------------------|------------------|---------|

Page 11 → The following bullets are added above the heading *Surface Water Hydrology and Water Quality*:

- The desalination plant should have sufficient capacity to ensure Cal-Am can meet its replenishment obligations to the Seaside Groundwater Basin. [L_MPRWA-02]
- Conveyance facilities should be sized to accommodate any potential future increases in desalination plant capacity. [L_MPRWA-03]
- The EIR should consider the possibility that CalAm's replenishment obligation for the Seaside Groundwater Basin could be greater than 350 acre-feet per year, and the desalination plant should be sized with the assumption that a higher replenishment rate will be required. [L_MPRWA-06]
- The capacity of the desalination plant should provide a reasonable buffer in the event that CalAm's demand projections turn out to be understated. [L_MPRWA-07]
- Conveyance facilities should be sized such that they are cost-effective for ratepayers in the long term. [L_MPRWA-09]

Page 20 → The sixth bullet under the heading *Alternatives* is modified as follows:

- The EIR should evaluate project alternatives at the same level of detail as the proposed project. [L_Monterey-03; L_MPWMD-02; L_PacGrove-06; G_CPW-02; L_MPRWA-01; L_MPRWA-05]

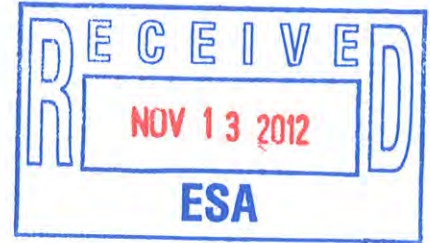
Page 25 → The following bullet is added above the heading *Growth Inducing Effects*:

- The Alternatives analysis should evaluate an alternative that couples a desalination plant with the three small water supply projects proposed by the City of Pacific Grove. [L_MPRWA-08]

Page 25 → The sixth bullet under the heading *CEQA/NEPA Process* is modified as follows:

- The EIR should be clear about the NEPA requirements relevant to the MPWSP. If NEPA environmental review is required, the CPUC should prepare a joint CEQA/NEPA document to minimize schedule delays. [L_Monterey-04; L_PacGrove-03; L_MPRWA-04; L_MPRWA-10]

Directors:
Chuck Della Sala, President
Felix Bachofner, Vice President
Carmelita Garcia, Secretary
Jerry Edelen, Treasurer
Jason Burnett
David Pendergrass



Executive Director:
Fred Meurer (Interim)

November 8, 2012

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

RE: CPUC Application 12-04-019
Subj: Notice of Preparation for Environmental Impact Report

Dear Mr. Barnsdale:

This letter sets forth the comments of the Monterey Peninsula Regional Water Authority ("Authority") concerning the California Public Utilities Commission's ("CPUC") Notice of Preparation of an Environmental Impact Report ("EIR") for the California American Water Company's ("Cal-Am") proposed Monterey Peninsula Water Supply Project. The Authority respectfully requests the EIR address the following principal comments:

- 1. The project alternatives should be evaluated with the same level of detail that the EIR evaluates the proposed project (i.e., a "project level" analysis). L_MPRWA-01
- 2. The production capacity of the desalination facility, identified for review in the EIR, should be sufficient to both replace water supplies that Cal-Am will lose from the Carmel River and the Seaside Groundwater Basin and to provide water for Cal-Am to meet its replenishment obligations to the Seaside Basin, the quantity and timing of which is presently being determined. L_MPRWA-02
- 3. The capacity of the project pipelines and other project components that cannot be expanded at a later date (i.e., those that are not modular), identified for review in the EIR, should be sufficient to accommodate potentially necessary upsizing of the project in the future. L_MPRWA-03
- 4. The CPUC should confer with federal agencies that may have permitting responsibility over the project to determine whether compliance with the National Environmental Policy Act ("NEPA") will be required so that the EIR can be developed as a joint EIR/EIS to satisfy NEPA's requirements, if necessary. L_MPRWA-04

Further detail concerning these requests is set forth below.

I. Detailed Analysis of Project Alternatives

There is considerable uncertainty pertaining to the feasibility and timing of the proposed project. Uncertainties include the technical viability of the proposed slant wells for source water, water rights associated with the Salinas Valley Groundwater Basin, access to ocean outfall capacity, and project financing, among other matters. L_MPRWA-05

It is also not presently clear that the proposed project is the most cost-effective in comparison to other potentially feasible alternatives, including the DeepWater Desal Project (DeepWater Project) and People’s Moss Landing Water Desalination Project (People’s Project).¹ These issues will hopefully be resolved during the pendency of the subject application. It is possible that one of the project alternatives will become the preferred project for approval by the CPUC within the Certificate of Public Convenience and Necessity. To avoid the delay that would result should the draft EIR need to be revised and recirculated to address the chosen alternative, the Authority respectfully requests that the proposed alternatives be evaluated with the same level of detail that the EIR evaluates the Proposed Project. The alternatives that should receive such “project-level” analysis include the DeepWater Project, the People’s Project, Cal-Am’s proposed 5.4 MGD desal project developed in conjunction with the Monterey Regional Water Pollution Control Agency’s proposed Groundwater Replenishment Project, and the potential alternatives for critical project components that may be necessary to address contingencies (e.g., alternative desalination plant locations and intake well locations and configurations).²

L_MPRWA-05
(Con’t)

The authority is mindful that, as a general rule, project alternatives need not be evaluated in the same level of detail as the proposed project (CEQA Guidelines § 15126.6(d)), and that more expansive evaluation of the project alternatives will require greater expenditures. However, the Authority believes that the additional effort is justified because of the tight timeframe facing the Monterey Peninsula to complete the development of a replacement water supply project ahead of the 2017 deadline established by the State Water Resources Control Board. The Authority is comprised of the Mayors of all six peninsula cities and represent communities that in aggregate represent the majority of the affected Cal-Am ratepayers. In this role, the Authority is in an ideal position to weigh the tradeoff between the increased expenditures on one hand and the increased risk of project delay on the other hand. The Authority strongly believes the increased expenditure is justified because it will reduce the risk of much more costly project delay. The Authority therefore urges the CPUC to undertake the proposed expanded review of the project alternatives to ensure that the most appropriate project can be developed ahead of this deadline.

II. Desal Project Sizing

The necessary sizing of the desalination project is not yet settled and several considerations warrant caution in establishing the size of the project to be evaluated in the EIR. First, while Cal-Am is legally obligated to replenish the Seaside Basin, it is not yet clear what rate of annual replenishment will be required of Cal-Am. Cal-Am recently proposed a replenishment rate of 350 acre-feet per year for roughly 50 years. It is likely that Cal-Am will be required to satisfy its replenishment obligation in a greater amount per year over a shorter period. We understand that the Seaside Basin Watermaster may soon commission basin modeling to assist in determining a recommended replenishment rate. Also, the ultimate decision will likely be made by the Monterey Superior Court that oversees the Watermaster and the Seaside Basin adjudication judgment. The requisite replenishment rate will likely be determined within three to six months. At this time, we urge the CPUC to proceed conservatively, with an assumption that the replenishment rate will likely be substantially greater than 350 acre-feet a year or, alternatively, to evaluate several possible replenishment rates in the EIR so that the eventual rate chosen will be bounded by rates considered in the EIR.

L_MPRWA-06

Second, Cal-Am’s modeling of demand projections in comparison to the proposed project sizing of 10,306 acre-feet of new supply (15,250 of total supply), as presented at the workshop held on July 26, 2012, demonstrates a thin quantity of contingency water. Should Cal-Am’s demand projections turn out to be understated (e.g., because of higher than anticipated water demands or other unknown factors³), additional replacement water

L_MPRWA-07

¹ The Authority has not yet determined whether it will support Cal-Am’s proposed Project or one of two proposed alternative desalination projects. The Authority has retained the consulting engineering firm, Separation Processes, Inc. (“SPI”), to review the proposed project in comparison to the alternative projects to determine which project is most likely to be completed in a timely and cost-effective manner. SPI has just issued its final report to the Authority earlier this week. Once the Authority has time to review the report, it will then determine which of the three projects it intends to support within the CPUC proceeding.

² The DeepWater Project and the People’s Project continue to develop. Therefore, the Authority urges the CPUC to collaborate with the proponents of these projects to identify and include all new data, descriptions and reports for these projects.

³ As one example of a potential unknown factor that could affect Cal-Am’s water demand, should the Seaside Basin experience seawater intrusion, the Watermaster’s seawater intrusion plan could require Cal-Am to

supplies will be needed. The Authority believes that it is inappropriate to place the community's future welfare in potential jeopardy because of an improperly undersized project. We therefore recommend that the size of the desalination project, that will be evaluated in the EIR, be sufficient to provide adequate water to satisfy the yet-to-be-determined Seaside Basin replenishment rate and a reasonable buffer to meet potential contingencies.

L_MPRWA-07
(Con't)

The Authority also notes that the City of Pacific Grove has proposed a suite of three potential small projects that may reduce a portion of Cal-Am's water demands in the future. By recognizing the coupling of the desalination project and the small projects as an alternative to the desalination project alone, the EIR should consider how these projects may factor into the sizing or operations of the desalination project, as well as other potential environmental impacts.

L_MPRWA-08

III. Sizing of Pipelines and Non-Modular Project Components

It is particularly important that the pipelines for source and product water, and certain other components of the project that are not susceptible to modular addition in the future, be sized conservatively to allow for future project expansion if necessary.⁴ While certain aspects of the project can be modularized to address future contingencies, several other components, such as pipelines, cannot be modularized. For this reason, the Authority urges the CPUC to be particularly conservative in choosing a capacity of these components to be evaluated in the EIR, which will accommodate modular upsizing of the project in the future if needed.

L_MPRWA-09

The Authority recognizes that pipeline flow capacity is affected by pipeline diameter and pressure, and that higher flows may be achieved by increasing pressure, which requires additional horsepower, and thus, energy consumption. The optimal pipeline size, that will be evaluated in the EIR, should accommodate a conservative estimate of potential demand, including Seaside Basin replenishment and other demand considerations. Once this demand projection is established, the pipeline sizing determination must balance the higher capital costs of larger diameter pipelines with the energy costs to operate the system, with the goal of achieving the most cost-effective pipeline sizing for ratepayers over the long-term.

IV. Conferencing with Federal Agencies; Potential NEPA Compliance

There is a significant possibility that one or more federal agencies may need to issue a permit for the proposed project or one of the alternatives if an alternative project is chosen as the preferred project. For example, a permit may be required from the Office of National Marine Sanctuaries for the intake of source water or discharge of brine (depending upon the chosen project and its configuration). The Authority believes the CPUC should collaborate with all relevant federal agencies to determine the scope of permits that would be required for the proposed project as well as the alternative projects, and to consider developing the EIR as a joint EIR/EIS to comply with the provisions of NEPA if NEPA compliance is required.

L_MPRWA-10

Thank you for your consideration of the Authority's comments as set forth above. Should you desire, I will gladly make myself and others from the Authority available to further discuss these comments. The Authority is grateful to the CPUC for its efforts to assist the Monterey Peninsula in achieving the most appropriate replacement water supply project in a timely manner.

Sincerely,

Chuck Della Sala
President, Monterey Peninsula Regional Water Authority

substantially reduce its extraction of groundwater below its share of the presently assumed safe yield (Cal-Am's share is assumed to be 1,474 AFY). This reduction would need to be offset from greater replacement water.

⁴ A larger project may be necessary if, for example, one of the other water supply projects does not produce the anticipated quantity of water.