

July 21, 2011

Mary Shallenberger, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

SUBJECT: AGENDA ITEM 6A - REGIONAL DESALINATION PROJECT

Dear Chair Shallenber and Members of the Commission:

The League of Women Voters of the Monterey Peninsula (League) participated in efforts to develop a regional plan. We enthusiastically supported the preliminary effort which included a broad range of water supply options to meet regulatory requirements. Unfortunately, this initial approach was later sidelined in favor of a large scale and costly solution - the 10,000 AFY desalination plant that came to be called the "Regional Desalination Project."

In an effort to refocus the planning process, the League along with other major Monterey County non-profit public interest groups developed an alternative plan that reflected the initial broad approach mentioned above. This alternative plan was the Hybrid Regional Plan which was endorsed by the League, the Ventana Chapter of the Sierra Club, LandWatch Monterey County, the Carmel Valley Association and the Prunedale Neighbors Group. Unfortunately, this plan was dismissed out-of-hand as the initial effort had been.

The League continued to participate in the planning process throughout the years. The League commented on the Draft EIR and the Final EIR for the Coastal Water Project and participated in all public hearings held by the California Public Utilities Commission (CPUC).

The League and others consistently objected to the following Regional Project deficiencies:
Lack of direct representation for Monterey Peninsula water users (called "ratepayers" by the CPUC).

Lack of transparency in developing and approving the purchase and settlement agreements.
Failure to adequately address groundwater rights for coastal wells to pump feedwater for the desalination plant.

Exportation of groundwater from the Salinas Valley Groundwater Basin (SVGB) in violation of state law (the Monterey County Water Resources Agency Act, which is part of the state water code) that prohibits such export.

Unanalyzed and unmitigated significant impacts of the proposed coastal wells on North County water supplies.

Uncertainty regarding the availability of desalinated water to meet regulatory requirements because of the need to retain freshwater extracted from the SVGB within the Salinas

Valley.

Failure of the desalination project to offset its greenhouse gas emissions.

The near total reliance on the costly desalinated water while virtually ignoring other less-costly and environmentally superior options such as expanded aquifer storage and recovery and a groundwater replenishment program similar to the one functioning in Orange County.

We think fundamental issues related to the Regional Desalination Project should be resolved before the project including the test wells moves forward and any more funds are expended on a program that appears in jeopardy. Issues requiring immediate resolution include:

The serious conflict of interest matter with regard to the Monterey County Water Resources Agency direct Steve Collins which has jeopardized the water purchase and settlement agreements approved by the CPUC.

Groundwater rights to the pumping of feedwater for the desalination plant.

Exportation of water from the Salinas Valley Groundwater Basin in light of the state law prohibiting such exportation.

Financing options and

Litigation challenging the Regional Desalination Project raising issues of CEQA violations, illegal and harmful appropriation of groundwater and violation of the prohibition on groundwater export from the Salinas Valley Basin. (Ag Land Trust v. Marina Coast Water District (set for trial on September 29, 2011) and Ag Land Trust v. Monterey County Water Resources Agency).

Finally, the potential project specific impacts on ESHA as identified in the Coastal Commission staff letter to the applicant should be fully addressed prior to project approval.

Sincerely,

Beverly Bean
President