Letter U: Water Ratepayers Association of the Monterey Peninsula

U-1 As discussed in Chapter 3 of the Draft EIR and Appendix D "Pure Water Monterey Groundwater Replenishment Project Water Quality Statutory and Regulatory Compliance Technical Report," planning for the Proposed Project included the following:

- Characterizations of the quality of the new source waters to be diverted to the Regional Treatment Plant and Advanced Water Treatment Facility. The list included general water quality parameters (such as total nitrogen and total organic carbon), pathogens and indicator bacteria, constituents with California drinking water standards (inorganic chemicals, metals, organic chemicals, disinfection by-products, radionuclides), constituents with California action levels for lead and copper, constituents with California Notification Levels and archived Advisory Levels, United States Environmental Protection Agency (EPA) Priority Pollutants, chemical constituents included in the EPA Unregulated Contaminant Monitoring Rule Lists 1, 2 and 3, pesticides of local interest based on the agricultural activity/usage in the area, and constituents of emerging concern (pharmaceuticals, ingredients in personal care products, etc.). The list specifically included DDT, DDE, arsenic, and boron.

- A pilot study of some of the source waters and treatment technologies intended to be part of the new Advanced Water Treatment Facility.

As described in the Draft EIR in Section 2.8, the proposed full-scale Advanced Water Treatment Facility would consist of pre-treatment (using ozone, and potentially biologically activated filtration); membrane filtration; reverse osmosis; advanced oxidation using ultraviolet light and hydrogen peroxide; and post-treatment stabilization. The State Water Resources Control Board - Division of Drinking Water (DDW), Regional Water Quality Control Board (RWQCB), and a National Water Research Institute expert panel provided oversight for the above technical studies, including water quality characterization, and project planning. The DDW has conditionally approved the Project's design (see Draft EIR Appendix D). As described in the Draft EIR in Chapter 3 and in Appendix D, the proposed treatment for the purified recycled water for injection into the groundwater basin would remove pathogen and bacterial indictors present in the wastewater and new source waters to levels below detection. The Advanced Water Treatment Facility alone would achieve pathogen reduction credits of 13.5 for virus, 11.5 for *Giardia*, and 11.5 for *Cryptosporidium*, which are greater than the credits required by the Final Groundwater Replenishment Regulations. The treatment to be provided by the Proposed Project would effectively remove any chemical constituents present in the wastewater and new source waters to levels below detection and/or safe levels prior to groundwater injection. Based on the source water sampling, piloting testing results, information on the predicted performance and water quality of the proposed full-scale Advanced Water Treatment Facility based on performance and water quality monitoring of other existing groundwater replenishment projects, and pertinent research, the purified recycled water that would be produced by the Regional Treatment Plant and full-scale Advanced Water Treatment Facility would meet DDW and RWQCB health and water quality regulations for groundwater replenishment. See Chapter 3, Section 4.10, and Appendix D of the Draft EIR for more information.

U-2 As stated on page 6-10 of the Draft EIR, the Monterey Bay Regional Water Project, proposed by DeepWater Desal, LLC, and the Peoples' Moss Landing Water Desalination Project are not considered to be alternatives to the Proposed Project. They would not achieve the objective of providing replacement water for the Monterey District service area customers within the approximate timeframe specified in the Proposed Project's objectives, because they could not be developed for several years. In addition, neither of the proposed desalination projects would be alternatives that would avoid or reduce the environmental effects of construction of the

Proposed Project because they would require a greater extent of new infrastructure (in particular, pipelines) to be built compared to the Proposed Project. Seawater desalination projects also require substantially more electricity per unit of water produced (due to the high pressures required to desalinate ocean water) and therefore, the resultant greenhouse gas emissions would be higher than under the Proposed Project. The Draft EIR text on page 6-10 has been amended to include this clarification regarding the potentially greater environmental impacts of the two projects. See **Chapter 5, Changes to the Draft EIR**.

. The comment suggests that the timing of the two desalination projects has changed and that the desalination projects must be considered as alternatives to the Proposed Project in the Draft EIR.

According to a report prepared for the MPRWA by SPI, Inc. in Jan 2013, the timeline from the commencement of the Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) process for the Monterey Bay Regional Water Project (DeepWater Desal Project) to completion of construction was estimated to be just over four years (see page 6-9 of the report) (http://www.mprwa.org/wp-content/uploads/2013/01/MPRWA-Report.Update.Jan-2013.pdf).

The Notice of Preparation (NOP)/Notice of Intent (NOI) to Prepare an EIR/EIS for the DeepWater Desal Project was published June 1, 2015 and can be viewed at the following websites:

- http://www.soquelcreekwater.org/sites/default/files/documents/Reports/DWD_NOP-NOI%20June_2015_Final-1.pdf, and
- https://www.federalregister.gov/articles/2015/06/01/2015-12877/proposed-monterey-bay-regional-water-project-desalination-facility-intent-to-prepare-a-draft).

Assuming publication of the NOP/NOI commences the "Complete EIR/EIS" task in the schedule in the SPI report, the construction of the Deep Water Desal Project may be complete by the middle of 2019. Based on this information, the Deep Water Desal Project would not meet the timeframe objective of the Proposed Project.

According to a report prepared for the MPRWA by SPI, Inc. in Jan 2013, the timeline from the commencement of the Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) process for the People's Moss Landing Water Desalination Project (People's Project) to completion of construction was also estimated to be just over four years (see page 6-11 of the report) as shown the (http://www.mprwa.org/wp-content/uploads/2013/01/MPRWA-Report.Update.Jan-2013.pdf). A NOP to Prepare an EIR for the People's Project was published in late June 2015 and can be viewed at the following website: http://www.mosslandingharbor.dst.ca.us/downloads/NOP_Peoples%20Desal%20-%20Final%20for%20Publication%20-%202015JUN25%20%282%29.pdf).

Assuming publication of the NOP commences the "Complete EIR/EIS" task in the schedule in the SPI report, the construction may be complete by the middle of 2019. Based on this information, the People's Project would not meet the timeframe objective of the Proposed Project.

Also, neither desalination project would meet the following secondary project objectives:

- Provide additional water to the Regional Treatment Plant that could be used for crop irrigation through the Salinas Valley Reclamation Plant and Castroville Seawater Intrusion Project system; and
- Assist in preventing seawater intrusion in the Seaside Groundwater Basin.

In accordance with Section 15126.6 of the CEQA Guidelines, "the range of potential alternatives to the Proposed Project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. ….Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are:(i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts." Neither the Monterey Bay Regional Water Project (DeepWater Desal, LLC) nor the People's Moss Landing Water Desalination Project would be feasibly implemented by the MRWPCA, and neither are considered alternatives that would avoid or reduce the significant effects of the Proposed Project based on information provided. See Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments.**

U-3 The comment states the Final EIR must consider an alternative to the Proposed Project that could provide all the needed water supplies for the Cal Am Monterey District service area. A larger AWT Facility is not needed to accomplish the project objectives. Further, a larger AWT Facility would not reduce the significant effects of the Proposed Project. See also response to comment U-6, and Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments.**

U-4 The comments suggest the EIR consider the use of slant or slope wells in the Carmel Bay as an alternative water supply and to preclude the need for the north-to-south pipes in the alternatives of CalAm's desalination project and address source-water rights for the Cal Am desalination project and the Proposed Project**.** Although it does not say this explicitly in the comment, it is assumed that the comment intends the slant wells be built to collect seawater or brackish groundwater for a desalination plant. The scope and range of alternatives described and evaluated in the Draft EIR are considered reasonable. Designs and locational information about any potential slant well near Carmel Bay (in addition to the required desalination plant, brine disposal, pipelines and pumps) have not been presented; however, it is a reasonable assumption that such a project would have additional or more severe environmental impacts. In addition, it is also reasonable to assume that the amount of analysis, planning, and permitting needed to implement a new potential slant well and the required associated collection, distribution, and treatment infrastructure would preclude that component from meeting the basic project objective of timing. For the reasons stated above, this seawater desalination alternative (i.e., one with slant wells collecting water from Carmel Bay) is not analyzed further in this EIR. See Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments.**

U-5 This comment concerns the timing of the water right agreements. The agencies anticipate that the source waters will be addressed through a Definitive Agreement, which likely will be finalized after the certification of the EIR. To the extent that rights need to be obtained from the State Board, such applications will be pursued after the certification of the EIR. The State Board would act as a responsible agency and would be able to rely on this EIR for its approvals. Publication of this EIR is not premature; rather an EIR is needed for the State Board to act on the pending water rights applications.

U-6 The comment states the earlier versions of the Proposed Project assumed source waters only from urban wastewater sources. The comment asserts that if wastewater is the only viable water supply source, the Final EIR must consider an alternative to the Proposed Project that could provide all the product water projected by the combined CalAm and Pure Water Monterey projects year-round. See Master Response #3: Availability, Reliability, and Yield of Source Water Supplies**.** The technical reports and documentation in this EIR identify source water supplies and rationale for their inclusion. The EIR project objectives identify supplying 3,500 acre-feet of water to the Cal-Am system. Source water documentation and requirements for agreements provide evidence that the sources of availability will not have to rely solely on the urban wastewater supplies during the winter months as documented in the Draft EIR and in

Master Response #3: Availability, Reliability, and Yield of Source Water Supplies. A larger AWT Facility with a capacity to produce 3,500 AF all during the four winter months (i.e., to shut down for 8 months every year) was not analyzed in this EIR because it would have greater environmental impacts (including, but not limited to, larger plant footprint and process equipment sizes, larger construction disturbance areas, larger product water conveyance pumping and pipeline capacities, additional electricity use and greenhouse gas emissions). In addition, the scenario of using the AWT Facility only during the winter months was determined to be infeasible by the MRWPCA during early project planning due to engineering and technical considerations of operations of an advanced water treatment plant. See Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.

U-7 The GWR project in Orange County (Groundwater Replenishment System or GWRS) uses both surface spreading ponds and injection wells for groundwater replenishment. The recycled water contribution for the GWRS is 100%, meaning no diluent water is required for either the surface or subsurface application components of the project. As discussed in Appendix D of the Draft EIR (the Water Quality Statutory and Regulatory Compliance Technical Report), the Final Groundwater Replenishment Regulations allow for RWCs of 100% for injection projects that use full advanced treatment (e.g., a treatment system with reverse osmosis and advanced oxidation) that meets specific performance criteria. The Project will utilize a full advanced treatment process as part of the AWT Facility that will meet the full advanced treatment criteria, and thus will be allowed to use up to 100% purified recycled water for injection in accordance with the regulations. The DDW has conditionally approved the Project's design.

U-8 See the responses to comments U-1 and Y-1.

U-9 This comment lists attachments to the letter that are provided herein; no response necessary.

U-10 See the responses to comments U-1 and Y-1.

U-11 See the response to comment U-1.

U-12 See the response to comment U-1.

U-13 See the response to comment U-1.

U-14 See the responses to comments U-1 and Y-1.

U-15 See the response to comment U-1.

U-16 See the responses to comments C-1 through C-6**.**

U-17 The Seaside Basin Watermaster has been actively involved in development of the Proposed Project and has reviewed the Draft EIR and provided comments. See letter N and responses to that letter. The siting and operational methods of the Proposed Project Injection Well Facilities were developed using the groundwater model developed by the Watermaster (i.e., the creator of the model, HydroMetrics WRI conducted the modeling).

U-18 The comment states an opinion of the Proposed Project and is referred to decision makers for their consideration. See the responses to comments U-1 and U-7.